

Before I conclude, there are some people I need to thank. First, I again thank Senator FEINSTEIN, my partner in the Senate on this bill. Her work on the Energy and Natural Resources Committee was invaluable, and John Watts of her staff helped greatly. Congressman THOMPSON tirelessly championed this bill in the House, and Jonathan Birdsong, his legislative director, put in countless hours of work to accomplish this.

I also thank Senators BINGAMAN and DOMENICI of the Energy and Natural Resources Committee. They, along with Senators CRAIG and WYDEN, have worked very well with me to protect these special places and helped me move this bill forward. Finally I need to thank David Brooks and Frank Gladics of the Energy Committee staff for working so carefully and conscientiously on this bill.

God has given Americans an exceptionally beautiful treasure in its wild landscape, and my State is blessed with some of its best.

We must be good stewards of that gift and share it with future generations that is what Theodore Roosevelt, John Muir, John Wesley Powell, Ansel Adams, and other great Americans did, and we have places like Yosemite and Yellowstone to cherish because of their actions.

Mr. President, because the Congress passed this bill today, future generations will be thanking us for preserving places like the King Range and other parts of the stunning, wild, and unspoiled northern California coast.

CORRECTING THE ENROLLMENT OF S. 203

The concurrent resolution (H. Con. Res. 456) was considered and passed.

OJITO WILDERNESS ACT AMENDMENT

NATIONAL TRAILS SYSTEM ACT AMENDMENT

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 4841 and H.R. 3085, and the Senate proceed to their immediate consideration en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4841) to amend the Ojito Wilderness Act to make a technical correction.

A bill (H.R. 3085) to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the bills, as amended, if amended, be read a third time and passed, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5113) was agreed to, as follows:

(Purpose: To clarify that additional funds are not authorized to be appropriated to carry out the feasibility and suitability study)

On page 3, strike lines 1 through 3 and insert the following:

“(iv) The related campgrounds located along the routes and land components described in clauses (i) through (iii).

“(D) No additional funds are authorized to be appropriated to carry out subparagraph (C). The Secretary may accept donations for the Trail from private, nonprofit, or tribal organizations.”.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill (H.R. 3085), as amended, was read the third time, and passed.

The bill (H.R. 4841) was ordered to be read a third time, was read the third time and passed.

NATIONAL HERITAGE AREAS ACT OF 2006

Mrs. HUTCHISON. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 203) to reduce temporarily the royalty required to be paid for sodium produced, to establish certain National Heritage Areas, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

S. 203

Resolved, That the bill from the Senate (S. 203) entitled “An Act to reduce temporarily the royalty required to be paid for sodium produced, to establish certain National Heritage Areas, and for other purposes”, do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “National Heritage Areas Act of 2006”.

(b) *TABLE OF CONTENTS*.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SODA ASH ROYALTY REDUCTION

Sec. 101. Short title.

Sec. 102. Reduction in royalty rate on soda ash.

Sec. 103. Study.

TITLE II—ESTABLISHMENT OF NATIONAL HERITAGE AREAS

Subtitle A—Northern Rio Grande National Heritage Area

Sec. 201. Short title.

Sec. 202. Congressional findings.

Sec. 203. Definitions.

Sec. 204. Northern Rio Grande National Heritage Area.

Sec. 205. Authority and duties of the Management Entity.

Sec. 206. Duties of the Secretary.

Sec. 207. Private property protections; savings provisions.

Sec. 208. Sunset.

Sec. 209. Authorization of appropriations.

Subtitle B—Atchafalaya National Heritage Area

Sec. 211. Short title.

Sec. 212. Definitions.

Sec. 213. Atchafalaya National Heritage Area.

Sec. 214. Authorities and duties of the local coordinating entity.

Sec. 215. Management Plan.

Sec. 216. Requirements for inclusion of private property.

Sec. 217. Private property protection.

Sec. 218. Effect of subtitle.

Sec. 219. Reports.

Sec. 220. Authorization of appropriations.

Sec. 221. Termination of authority.

Subtitle C—Arabia Mountain National Heritage Area

Sec. 231. Short title.

Sec. 232. Findings and purposes.

Sec. 233. Definitions.

Sec. 234. Arabia Mountain National Heritage Area.

Sec. 235. Authorities and duties of the local coordinating entity.

Sec. 236. Management Plan.

Sec. 237. Technical and financial assistance.

Sec. 238. Effect on certain authority.

Sec. 239. Authorization of appropriations.

Sec. 240. Termination of authority.

Sec. 241. Requirements for inclusion of private property.

Sec. 242. Private property protection.

Subtitle D—Mormon Pioneer National Heritage Area

Sec. 251. Short title.

Sec. 252. Findings and purpose.

Sec. 253. Definitions.

Sec. 254. Mormon Pioneer National Heritage Area.

Sec. 255. Designation of Alliance as local coordinating entity.

Sec. 256. Management of the Heritage Area.

Sec. 257. Duties and authorities of Federal agencies.

Sec. 258A. Requirements for inclusion of private property.

Sec. 258B. Private property protection.

Sec. 259. Authorization of appropriations.

Sec. 260. Termination of authority.

Subtitle E—Freedom’s Frontier National
Heritage Area

Sec. 261. Short title.

Sec. 262. Purpose.

Sec. 263. Definitions.

Sec. 264. Freedom’s Frontier National Heritage Area.

Sec. 265. Technical and financial assistance; other Federal agencies.

Sec. 266. Private property protection.

Sec. 267. Savings provisions.

Sec. 268. Authorization of appropriations.

Sec. 269. Termination of authority.

Subtitle F—Upper Housatonic Valley National
Heritage Area

Sec. 271. Short title.

Sec. 272. Findings and purposes.

Sec. 273. Definitions.

Sec. 274. Upper Housatonic Valley National Heritage Area.

Sec. 275. Authorities, prohibitions, and duties of the Management Entity.

Sec. 276. Management Plan.

Sec. 277. Duties and authorities of the Secretary.

Sec. 278. Duties of other Federal agencies.

Sec. 279. Requirements for inclusion of private property.

Sec. 280. Private property protection.

Sec. 280A. Authorization of appropriations.

Sec. 280B. Sunset.

Subtitle G—Champlain Valley National Heritage
Partnership

Sec. 281. Short title.

Sec. 282. Findings and purposes.

Sec. 283. Definitions.
 Sec. 284. Heritage Partnership.
 Sec. 285. Requirements for inclusion of private property.
 Sec. 286. Private property protection.
 Sec. 287. Effect.
 Sec. 288. Authorization of appropriations.
 Sec. 109. Termination of authority.
 Subtitle H—Great Basin National Heritage Route
 Sec. 291. Short title.
 Sec. 291A. Findings and purposes.
 Sec. 291B. Definitions.
 Sec. 291C. Great Basin National Heritage Route.
 Sec. 291D. Memorandum of understanding.
 Sec. 291E. Management Plan.
 Sec. 291F. Authority and duties of local coordinating entity.
 Sec. 291G. Duties and authorities of Federal agencies.
 Sec. 291H. Land use regulation; applicability of Federal law.
 Sec. 291I. Authorization of appropriations.
 Sec. 291J. Termination of authority.
 Sec. 291K. Requirements for inclusion of private property.
 Sec. 291L. Private property protection.
 Subtitle I—Gullah/Geechee Heritage Corridor
 Sec. 295. Short title.
 Sec. 295A. Purposes.
 Sec. 295B. Definitions.
 Sec. 295C. Gullah/Geechee Cultural Heritage Corridor.
 Sec. 295D. Gullah/Geechee Cultural Heritage Corridor Commission.
 Sec. 295E. Operation of the local coordinating entity.
 Sec. 295F. Management Plan.
 Sec. 295G. Technical and financial assistance.
 Sec. 295H. Duties of other Federal agencies.
 Sec. 295I. Coastal Heritage Centers.
 Sec. 295J. Private property protection.
 Sec. 295K. Authorization of appropriations.
 Sec. 295L. Termination of authority.
 Subtitle J—Crossroads of the American Revolution National Heritage Area
 Sec. 297. Short title.
 Sec. 297A. Findings and purposes.
 Sec. 297B. Definitions.
 Sec. 297C. Crossroads of the American Revolution National Heritage Area.
 Sec. 297D. Management Plan.
 Sec. 297E. Authorities, duties, and prohibitions applicable to the local coordinating entity.
 Sec. 297F. Technical and financial assistance; other Federal agencies.
 Sec. 297G. Authorization of appropriations.
 Sec. 297H. Termination of authority.
 Sec. 297I. Requirements for inclusion of private property.
 Sec. 297J. Private property protection.
 TITLE III—NATIONAL HERITAGE AREA STUDIES
 Subtitle A—Western Reserve Heritage Area Study
 Sec. 301. Short title.
 Sec. 302. National Park Service study regarding the Western Reserve, Ohio.
 Subtitle B—St. Croix National Heritage Area Study
 Sec. 311. Short title.
 Sec. 312. Study.
 Subtitle C—Southern Campaign of the Revolution
 Sec. 321. Short title.
 Sec. 322. Southern Campaign of the Revolution Heritage Area study.
 Sec. 323. Private property.

TITLE IV—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS

Sec. 401. Short title.

Sec. 402. Transition and provisions for new local coordinating entity.

Sec. 403. Private property protection.

Sec. 404. Technical amendments.

TITLE V—MOKELUMNE RIVER FEASIBILITY STUDY

Sec. 501. Authorization of Mokelumne River Regional Water Storage and Conjunctive Use Project Study.

Sec. 502. Use of reports and other information.

Sec. 503. Cost shares.

Sec. 504. Water rights.

Sec. 505. Authorization of appropriations.

TITLE VI—DELAWARE NATIONAL COASTAL SPECIAL RESOURCES STUDY

Sec. 601. Short title.

Sec. 602. Study.

Sec. 603. Themes.

Sec. 604. Report.

TITLE VII—JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR REAUTHORIZATION

Sec. 701. Short title.

Sec. 702. John H. Chafee Blackstone River Valley National Heritage Corridor.

TITLE VIII—CALIFORNIA RECLAMATION GROUNDWATER REMEDIATION INITIATIVE

Sec. 801. Short title.

Sec. 802. Definitions.

Sec. 803. California basins remediation.

Sec. 804. Sunset of authority.

TITLE IX—NATIONAL COAL HERITAGE AREA

Sec. 901. National Coal Heritage Area amendments.

TITLE I—SODA ASH ROYALTY REDUCTION

SEC. 101. SHORT TITLE.

This title may be cited as the "Soda Ash Royalty Reduction Act of 2006".

SEC. 102. REDUCTION IN ROYALTY RATE ON SODA ASH.

Notwithstanding section 102(a)(9) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 5-year period beginning on the date of enactment of this Act shall be 2 percent.

SEC. 103. STUDY.

After the end of the 4-year period beginning on the date of enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to Congress on the effects of the royalty reduction under this title, including—

(1) the amount of sodium compounds and related products at the point of shipment to market from Federal land during that 4-year period;

(2) the number of jobs that have been created or maintained during the royalty reduction period;

(3) the total amount of royalty paid to the United States on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market produced during that 4-year period, and the portion of such royalty paid to States; and

(4) a recommendation of whether the reduced royalty rate should apply after the end of the 5-year period beginning on the date of enactment of this Act.

TITLE II—ESTABLISHMENT OF NATIONAL HERITAGE AREAS

Subtitle A—Northern Rio Grande National Heritage Area

SEC. 201. SHORT TITLE.

This subtitle may be cited as the "Northern Rio Grande National Heritage Area Act".

SEC. 202. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) northern New Mexico encompasses a mosaic of cultures and history, including 8 Pueblos and the descendants of Spanish ancestors who settled in the area in 1598;

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

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

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

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

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

SEC. 203. DEFINITIONS.

As used in this subtitle—

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

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

SEC. 204. NORTHERN RIO GRANDE NATIONAL HERITAGE AREA.

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

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

(c) MANAGEMENT ENTITY.—

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

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

SEC. 205. AUTHORITY AND DUTIES OF THE MANAGEMENT ENTITY.

(a) MANAGEMENT PLAN.—

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

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

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

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

(B) identify sources of funding;

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

(D) provide recommendations for educational and interpretive programs to inform the public about the resources of the heritage area; and

(E) include an analysis of ways in which local, State, Federal, and tribal programs may best be coordinated to promote the purposes of this subtitle.

(4) If the management entity fails to submit a management plan to the secretary as provided in paragraph (1), the heritage area shall no longer be eligible to receive Federal funding under this subtitle until such time as a plan is submitted to the Secretary.

(5) The Secretary shall approve or disapprove the management plan within 90 days after the date of submission. If the Secretary disapproves the management plan, the Secretary shall advise the management entity in writing of the reasons therefore and shall make recommendations for revisions to the plan.

(6) The management entity shall periodically review the management plan and submit to the Secretary any recommendations for proposed revisions to the management plan. Any major revisions to the management plan must be approved by the Secretary.

(b) **AUTHORITY.**—The management entity may make grants and provide technical assistance to tribal and local governments, and other public and private entities to carry out the management plan.

(c) **DUTIES.**—The management entity shall—

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

(2) encourage by appropriate means economic viability in the heritage area consistent with the goals of the management plan; and

(3) assist local and tribal governments and non-profit organizations in—

(A) establishing and maintaining interpretive exhibits in the heritage area;

(B) developing recreational resources in the heritage area;

(C) increasing public awareness of, and appreciation for, the cultural, historical, archaeological and natural resources and sites in the heritage area;

(D) the restoration of historic structures related to the heritage area; and

(E) carrying out other actions that the management entity determines appropriate to fulfill the purposes of this subtitle, consistent with the management plan.

(d) **PROHIBITION ON ACQUIRING REAL PROPERTY.**—The management entity may not use Federal funds received under this subtitle to acquire real property or an interest in real property.

(e) **PUBLIC MEETINGS.**—The management entity shall hold public meetings at least annually regarding the implementation of the management plan.

(f) **ANNUAL REPORTS AND AUDITS.**—

(1) For any year in which the management entity receives Federal funds under this subtitle, the management entity shall submit an annual report to the Secretary setting forth accomplishments, expenses and income, and each entity to which any grant was made by the management entity.

(2) The management entity shall make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds. The management entity shall also require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organization make available to the Secretary for audit all records concerning the expenditure of those funds.

SEC. 206. DUTIES OF THE SECRETARY.

(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The Secretary may, upon request of the management entity, provide technical and financial assistance to develop and implement the management plan.

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

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

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

SEC. 207. PRIVATE PROPERTY PROTECTIONS; SAVINGS PROVISIONS.

(a) **PRIVATE PROPERTY PROTECTION.**—

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

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

(3) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this subtitle shall be construed to require any private property owner to permit public access (including Federal, State, or local government access) to such private property. Nothing in this subtitle shall be construed to modify any provision of Federal, State, or local law with regard to public access to or use of private lands.

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

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

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

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

(c) **TRIBAL LANDS.**—Nothing in this subtitle shall restrict or limit a tribe from protecting cultural or religious sites on tribal lands.

(d) **TRUST RESPONSIBILITIES.**—Nothing in this subtitle shall diminish the Federal Government's trust responsibilities or government-to-government obligations to any federally recognized Indian tribe.

SEC. 208. SUNSET.

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

SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

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

(b) **COST-SHARING REQUIREMENT.**—The Federal share of the total cost of any activity assisted under this subtitle shall be not more than 50 percent.

Subtitle B—Atchafalaya National Heritage Area

SEC. 211. SHORT TITLE.

This subtitle may be cited as the "Atchafalaya National Heritage Area Act".

SEC. 212. DEFINITIONS.

In this subtitle:

(1) **HERITAGE AREA.**—The term "Heritage Area" means the Atchafalaya National Heritage Area established by section 213(a).

(2) **LOCAL COORDINATING ENTITY.**—The term "local coordinating entity" means the local co-

ordinating entity for the Heritage Area designated by section 213(c).

(3) **MANAGEMENT PLAN.**—The term "management plan" means the management plan for the Heritage Area developed under section 215.

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

(5) **STATE.**—The term "State" means the State of Louisiana.

SEC. 213. ATCHAFALAYA NATIONAL HERITAGE AREA.

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

(b) **BOUNDARIES.**—The Heritage Area shall consist of the whole of the following parishes in the State: St. Mary, Iberia, St. Martin, St. Landry, Avoyelles, Pointe Coupee, Iberville, Assumption, Terrebonne, Lafayette, West Baton Rouge, Concordia, East Baton Rouge, and Ascension Parish.

(c) **LOCAL COORDINATING ENTITY.**—

(1) **IN GENERAL.**—The Atchafalaya Trace Commission shall be the local coordinating entity for the Heritage Area.

(2) **COMPOSITION.**—The local coordinating entity shall be composed of 14 members appointed by the governing authority of each parish within the Heritage Area.

SEC. 214. AUTHORITIES AND DUTIES OF THE LOCAL COORDINATING ENTITY.

(a) **AUTHORITIES.**—For the purposes of developing and implementing the management plan and otherwise carrying out this subtitle, the local coordinating entity may—

(1) make grants to, and enter into cooperative agreements with, the State, units of local government, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) **DUTIES.**—The local coordinating entity shall—

(1) submit to the Secretary for approval a management plan;

(2) implement the management plan, including providing assistance to units of government and others in—

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

(B) encouraging sustainable economic development within the Heritage Area;

(C) establishing and maintaining interpretive sites within the Heritage Area; and

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

(3) adopt bylaws governing the conduct of the local coordinating entity; and

(4) for any year for which Federal funds are received under this subtitle, submit to the Secretary a report that describes, for the year—

(A) the accomplishments of the local coordinating entity; and

(B) the expenses and income of the local coordinating entity.

(c) **ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds received under this subtitle to acquire real property or an interest in real property.

(d) **PUBLIC MEETINGS.**—The local coordinating entity shall conduct public meetings at least quarterly.

SEC. 215. MANAGEMENT PLAN.

(a) **IN GENERAL.**—The local coordinating entity shall develop a management plan for the Heritage Area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, scenic, cultural, historic, and recreational resources of the Heritage Area.

(b) **CONSIDERATION OF OTHER PLANS AND ACTIONS.**—In developing the management plan, the local coordinating entity shall—

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

(2) invite the participation of residents, public agencies, and private organizations in the Heritage Area.

(c) CONTENTS.—The management plan shall include—

(1) an inventory of the resources in the Heritage Area, including—

(A) a list of property in the Heritage Area that—

(i) relates to the purposes of the Heritage Area; and

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

(B) an assessment of cultural landscapes within the Heritage Area;

(2) provisions for the protection, interpretation, and enjoyment of the resources of the Heritage Area consistent with this subtitle;

(3) an interpretation plan for the Heritage Area; and

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

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

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

(d) SUBMISSION TO SECRETARY FOR APPROVAL.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall submit the management plan to the Secretary for approval.

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

(e) APPROVAL.—

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

(2) ACTION FOLLOWING DISAPPROVAL.—

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

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

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

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

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

(f) REVISION.—

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

(A) review the management plan; and

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

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

SEC. 216. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

(b) LANDOWNER WITHDRAWAL.—Any owner of private property included within the boundary

of the Heritage Area shall have that private property immediately removed from the boundary by submitting a written request to the local coordinating entity.

SEC. 217. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

SEC. 218. EFFECT OF SUBTITLE.

Nothing in this subtitle or in establishment of the Heritage Area—

(1) grants any Federal agency regulatory authority over any interest in the Heritage Area, unless cooperatively agreed on by all involved parties;

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

(3) grants any power of zoning or land use to the local coordinating entity;

(4) imposes any environmental, occupational, safety, or other rule, standard, or permitting process that is different from those in effect on the date of enactment of this Act that would be applicable had the Heritage Area not been established;

(5)(A) imposes any change in Federal environmental quality standards; or

(B) authorizes designation of any portion of the Heritage Area that is subject to part C of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) as class 1 for the purposes of that part solely by reason of the establishment of the Heritage Area;

(6) authorizes any Federal or State agency to impose more restrictive water use designations, or water quality standards on uses of or discharges to, waters of the United States or waters of the State within or adjacent to the Heritage Area solely by reason of the establishment of the Heritage Area;

(7) abridges, restricts, or alters any applicable rule, standard, or review procedure for permitting of facilities within or adjacent to the Heritage Area; or

(8) affects the continuing use and operation, where located on the date of enactment of this Act, of any public utility or common carrier.

SEC. 219. REPORTS.

For any year in which Federal funds have been made available under this subtitle, the local coordinating entity shall submit to the Secretary a report that describes—

(1) the accomplishments of the local coordinating entity; and

(2) the expenses and income of the local coordinating entity.

SEC. 220. AUTHORIZATION OF APPROPRIATIONS.

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

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity assisted under this subtitle shall be not more than 50 percent unless the Secretary determines that

no reasonable means are available through which the local coordinating entity can meet its cost sharing requirement for that activity.

SEC. 221. TERMINATION OF AUTHORITY.

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

Subtitle C—Arabia Mountain National Heritage Area

SEC. 231. SHORT TITLE.

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

SEC. 232. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

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

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

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

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

(B) includes federally-protected plant species.

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

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

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

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

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

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

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

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

SEC. 233. DEFINITIONS.

In this subtitle:

(1) HERITAGE AREA.—The term “heritage area” means the Arabia Mountain National Heritage Area established by section 234(a).

(2) LOCAL COORDINATING ENTITY.—The term “local coordinating entity” means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term “management plan” means the management plan for the heritage area developed under section 236.

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

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

SEC. 234. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

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

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

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

(d) **LOCAL COORDINATING ENTITY.**—The Arabia Mountain Heritage Area Alliance shall be the local coordinating entity for the heritage area.

SEC. 235. AUTHORITIES AND DUTIES OF THE LOCAL COORDINATING ENTITY.

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

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

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) **DUTIES.**—

(1) **MANAGEMENT PLAN.**—

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

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

(2) **PRIORITIES.**—The local coordinating entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and nonprofit organizations in preserving resources within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

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

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

(A) The accomplishments of the local coordinating entity.

(B) The expenses and income of the local coordinating entity.

(5) **AUDIT.**—The local coordinating entity shall—

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

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

(c) **USE OF FEDERAL FUNDS.**—

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

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

SEC. 236. MANAGEMENT PLAN.

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

(b) **BASIS.**—The management plan shall be based on the preferred concept in the document

entitled “Arabia Mountain National Heritage Area Feasibility Study”, dated February 28, 2001.

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

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

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

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

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

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

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

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

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

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

(3) An interpretation plan for the heritage area.

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

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

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

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

(e) **SUBMISSION TO SECRETARY FOR APPROVAL.**—

(1) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall submit the management plan to the Secretary for approval.

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

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

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

(2) **ACTION FOLLOWING DISAPPROVAL.**—

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

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

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

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

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

(g) **REVISION OF MANAGEMENT PLAN.**—

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

(A) review the management plan; and

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

(2) **EXPENDITURE OF FUNDS.**—No funds made available under this subtitle shall be used to im-

plement any revision proposed by the local coordinating entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 237. TECHNICAL AND FINANCIAL ASSISTANCE.

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

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

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

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

SEC. 238. EFFECT ON CERTAIN AUTHORITY.

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

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 234(b) but for the establishment of the heritage area by section 234(a); or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 234(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 234(a).

(b) **LAND USE REGULATION.**—Nothing in this subtitle—

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

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

SEC. 239. AUTHORIZATION OF APPROPRIATIONS.

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

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

SEC. 240. TERMINATION OF AUTHORITY.

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

SEC. 241. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

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

SEC. 242. PRIVATE PROPERTY PROTECTION.

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

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

local government access) to such private property; or

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

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

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

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

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

Subtitle D—Mormon Pioneer National Heritage Area

SEC. 251. SHORT TITLE.

This subtitle may be cited as the “Mormon Pioneer National Heritage Area Act”.

SEC. 252. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—Congress finds that—

(1) the historical, cultural, and natural heritage legacies of Mormon colonization and settlement are nationally significant;

(2) in the area starting along the Highway 89 corridor at the Arizona border, passing through Kane, Garfield, Piute, Sevier, Wayne, and Sanpete Counties in the State of Utah, and terminating in Fairview, Utah, there are a variety of heritage resources that demonstrate—

(A) the colonization of the western United States; and

(B) the expansion of the United States as a major world power;

(3) the great relocation to the western United States was facilitated by—

(A) the 1,400-mile trek from Illinois to the Great Salt Lake by the Mormon pioneers; and

(B) the subsequent colonization effort in Nevada, Utah, the southeast corner of Idaho, the southwest corner of Wyoming, large areas of southeastern Oregon, much of southern California, and areas along the eastern border of California;

(4) the 250-mile Highway 89 corridor from Kanab to Fairview, Utah, contains some of the best features of the Mormon colonization experience in the United States;

(5) the landscape, architecture, traditions, beliefs, folk life, products, and events along Highway 89 convey the heritage of the pioneer settlement;

(6) the Boulder Loop, Capitol Reef National Park, Zion National Park, Bryce Canyon National Park, and the Highway 89 area convey the compelling story of how early settlers—

(A) interacted with Native Americans; and

(B) established towns and cities in a harsh, yet spectacular, natural environment;

(7) the colonization and settlement of the Mormon settlers opened up vast amounts of natural resources, including coal, uranium, silver, gold, and copper;

(8) the Mormon colonization played a significant role in the history and progress of the development and settlement of the western United States; and

(9) the artisans, crafters, innkeepers, outfitters, farmers, ranchers, loggers, miners, historic landscape, customs, national parks, and archi-

ecture in the Heritage Area make the Heritage Area unique.

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

(1) foster a close working relationship with all levels of government, the private sector, residents, business interests, and local communities in the State;

(2) empower communities in the State to conserve, preserve, and enhance the heritage of the communities while strengthening future economic opportunities;

(3) conserve, interpret, and develop the historical, cultural, natural, and recreational resources within the Heritage Area; and

(4) expand, foster, and develop heritage businesses and products relating to the cultural heritage of the Heritage Area.

SEC. 253. DEFINITIONS.

In this subtitle:

(1) **ALLIANCE.**—The term “Alliance” means the Utah Heritage Highway 89 Alliance.

(2) **HERITAGE AREA.**—The term “Heritage Area” means the Mormon Pioneer National Heritage Area established by section 254(a).

(3) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the local coordinating entity for the Heritage Area designated by section 255(a).

(4) **MANAGEMENT PLAN.**—The term “management plan” means the plan developed by the local coordinating entity under section 256(a).

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

(6) **STATE.**—The term “State” means the State of Utah.

SEC. 254. MORMON PIONEER NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established the Mormon Pioneer National Heritage Area.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The boundaries of the Heritage Area shall include areas in the State—

(A) that are related to the corridors—

(i) from the Arizona border northward through Kanab, Utah, and to the intersection of Highway 89 and Highway 12, including Highway 12 and Highway 24 as those highways loop off Highway 89 and rejoin Highway 89 at Sigurd;

(ii) from Highway 89 at the intersection of Highway 12 through Panguitch, Junction, Marysvale, and Sevier County to Sigurd;

(iii) continuing northward along Highway 89 through Artell and Sterling, Sanpete County, to Fairview, Sanpete County, at the junction with Utah Highway 31; and

(iv) continuing northward along Highway 89 through Fairview and Thistle Junction, to the junction with Highway 6; and

(B) including the following communities: Kanab, Mt. Carmel, Orderville, Glendale, Alton, Cannonville, Tropic, Henrieville, Escalante, Boulder, Teasdale, Fruita, Hanksville, Torrey, Bicknell, Loa, Hatch, Panguitch, Circleville, Antimony, Junction, Marysvale, Koosharem, Sevier, Joseph, Monroe, Elsinore, Richfield, Glenwood, Sigurd, Aurora, Salina, Mayfield, Sterling, Gunnison, Fayette, Manti, Ephraim, Spring City, Mt. Pleasant, Moroni, Fountain Green, and Fairview.

(2) **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.

(3) **NOTICE TO LOCAL GOVERNMENTS.**—The local coordinating entity shall provide to the government of each city, town, and county that has jurisdiction over property proposed to be included in the Heritage Area written notice of the proposed inclusion.

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

SEC. 255. DESIGNATION OF ALLIANCE AS LOCAL COORDINATING ENTITY.

(a) **IN GENERAL.**—The Board of Directors of the Alliance shall be the local coordinating entity for the Heritage Area.

(b) **FEDERAL FUNDING.**—

(1) **AUTHORIZATION TO RECEIVE FUNDS.**—The local coordinating entity may receive amounts made available to carry out this subtitle.

(2) **DISQUALIFICATION.**—If a management plan is not submitted to the Secretary as required under section 256 within the time period specified in that section, the local coordinating entity may not receive Federal funding under this subtitle until a management plan is submitted to the Secretary.

(c) **USE OF FEDERAL FUNDS.**—The local coordinating entity may, for the purposes of developing and implementing the management plan, use Federal funds made available under this subtitle—

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

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

(3) to hire and compensate staff;

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

(5) to contract for goods and services.

(d) **PROHIBITION OF ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds received under this subtitle to acquire real property or any interest in real property.

SEC. 256. MANAGEMENT OF THE HERITAGE AREA.

(a) **HERITAGE AREA MANAGEMENT PLAN.**—

(1) **DEVELOPMENT AND SUBMISSION FOR REVIEW.**—Not later than 3 years after the date on which funds are made available to carry out the subtitle, the local coordinating entity, with public participation, shall develop and submit for review to the Secretary a management plan for the Heritage Area.

(2) **CONTENTS.**—The management plan shall—

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

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

(C) 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;

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

(F) include—

(i) an inventory of resources in the Heritage Area that—

(I) includes a list of property in the Heritage Area that should be conserved, restored, managed, developed, or maintained because of the historical, cultural, or natural significance of the property as the property relates to the themes of the Heritage Area; and

(II) does not include any property that is privately owned unless the owner of the property consents in writing to the inclusion;

(ii) a recommendation of policies for resource management that consider the application of appropriate land and water management techniques, including policies for the development of intergovernmental cooperative agreements to manage the historical, cultural, and natural resources and recreational opportunities of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability;

(iii) a program for implementation of the management plan, including plans for restoration and construction;

(iv) a description of any commitments that have been made by persons interested in management of the Heritage Area;

(v) an analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this subtitle; and

(vi) an interpretive plan for the Heritage Area.

(3) APPROVAL OR DISAPPROVAL OF THE MANAGEMENT PLAN.—

(A) **IN GENERAL.**—Not later than 180 days after submission of the management plan by the local coordinating entity, the Secretary shall approve or disapprove the management plan.

(B) DISAPPROVAL AND REVISIONS.—

(i) **IN GENERAL.**—If the Secretary disapproves the management plan, the Secretary shall—

(I) advise the local coordinating entity, in writing, of the reasons for the disapproval; and

(II) make recommendations for revision of the management plan.

(ii) **APPROVAL OR DISAPPROVAL.**—The Secretary shall approve or disapprove proposed revisions to the management plan not later than 60 days after receipt of the revisions from the local coordinating entity.

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

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

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

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

(C) developing recreational opportunities in the Heritage Area;

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

(E) restoring historic buildings that are—

(i) located within the boundaries of the Heritage Area; and

(ii) related to the theme of the Heritage Area; and

(F) 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, including encouraging and soliciting the development of heritage products.

(c) **CONSIDERATION OF INTERESTS OF LOCAL GROUPS.**—In developing and implementing the management plan, the local coordinating entity shall consider the interests of diverse units of government, businesses, private property owners, and nonprofit organizations in the Heritage Area.

(d) **PUBLIC MEETINGS.**—The local coordinating entity shall conduct public meetings at least annually regarding the implementation of the management plan.

(e) **ANNUAL REPORTS.**—For any fiscal year in which the local coordinating entity receives Federal funds under this subtitle, the local coordinating entity shall submit to the Secretary an annual report that describes—

(1) the accomplishments of the local coordinating entity;

(2) the expenses and income of the local coordinating entity; and

(3) the entities to which the local coordinating entity made any grants during the year for which the report is made.

COOPERATION WITH AUDITS.—For any fiscal year in which the local coordinating entity receives Federal funds under this subtitle, the local coordinating entity shall—

(1) make available for audit by Congress, the Secretary, and appropriate units of government all records and other information relating to the

expenditure of the Federal funds and any matching funds; and

(2) require, with respect to all agreements authorizing expenditure of the Federal funds by other organizations, that the receiving organizations make available for audit all records and other information relating to the expenditure of the Federal funds.

(g) DELEGATION.—

(1) **IN GENERAL.**—The local coordinating entity may delegate the responsibilities and actions under this subtitle for each area identified in section 254(b)(1).

(2) **REVIEW.**—All delegated responsibilities and actions are subject to review and approval by the local coordinating entity.

SEC. 257. 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—

(A) units of government, nonprofit organizations, and other persons, at the request of the local coordinating entity; and

(B) the local coordinating entity, for use in developing and implementing the management plan.

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

(3) **DETERMINATIONS REGARDING ASSISTANCE.**—The Secretary shall determine whether a unit of government, nonprofit organization, or other person shall be awarded technical assistance or grants and the amount of technical assistance—

(A) based on the extent to which the assistance—

(i) fulfills the objectives of the management plan; and

(ii) achieves the purposes of this subtitle; and

(B) after giving special consideration to projects that provide a greater leverage of Federal funds.

(b) **PROVISION OF INFORMATION.**—In cooperation with other Federal agencies, the Secretary shall provide the public with information concerning 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 subtitle.

(d) **DUTIES OF OTHER FEDERAL AGENCIES.**—A Federal entity conducting any activity directly affecting the Heritage Area shall—

(1) consider the potential effect of the activity on the management plan; and

(2) consult with the local coordinating entity with respect to the activity to minimize the adverse effects of the activity on the Heritage Area.

SEC. 258A. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

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

SEC. 258B. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

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

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

SEC. 259. AUTHORIZATION OF APPROPRIATIONS.

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

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

SEC. 260. TERMINATION OF AUTHORITY.

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

Subtitle E—Freedom's Frontier National Heritage Area

SEC. 261. SHORT TITLE.

This subtitle may be cited as the “Freedom's Frontier National Heritage Area Act”.

SEC. 262. PURPOSE.

The purpose of this subtitle is to use preservation, conservation, education, interpretation, and recreation in eastern Kansas and Western Missouri in heritage development and sustainability of the American story recognized by the American people.

SEC. 263. DEFINITIONS.

In this subtitle:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Freedom's Frontier National Heritage Area in eastern Kansas and western Missouri.

(2) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means Territorial Kansas Heritage Alliance, recognized by the Secretary, in consultation with the Governors of the States, that agrees to perform the duties of a local coordinating entity under this subtitle, so long as that Alliance is composed of not less than 25 percent residents of Missouri.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area developed under section 264(e).

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

(5) **STATE.**—The term “State” means each of the States of Kansas and Missouri.

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

SEC. 264. FREEDOM'S FRONTIER NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established in the States the Freedom's Frontier National Heritage Area.

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

(1) An area located in eastern Kansas and western Missouri, consisting of—

(A) Allen, Anderson, Atchison, Bourbon, Chautauqua, Cherokee, Clay, Coffey, Crawford, Douglas, Franklin, Geary, Jackson, Johnson, Labette, Leavenworth, Linn, Miami, Neosho, Pottawatomie, Riley, Shawnee, Wabaunsee, Wilson, Woodson, Jefferson, Montgomery, Osage, and Wyandotte Counties in Kansas; and

(B) Buchanan, Platte, Clay, Ray, Lafayette, Jackson, Cass, Johnson, Bates, Vernon, Barton, and St. Clair Counties in Missouri.

(2) Contributing sites, buildings, and districts within the area that are recommended by the management plan.

(c) **MAP.**—The final boundary of the Heritage Area within the counties identified in subsection (b)(1) shall be specified in the management plan. A map of the Heritage Area shall be included in the management plan. The map shall be on file in the appropriate offices of the National Park Service, Department of the Interior.

(d) **LOCAL COORDINATING ENTITY.**—

(1) **IN GENERAL.**—The local coordinating entity for the Heritage Area shall be Territorial Kansas Heritage Alliance, a nonprofit organization established in the State of Kansas, recognized by the Secretary, in consultation with the Governors of the States, so long as that Alliance is composed of not less than 25 percent residents of Missouri and agrees to perform the duties of the local coordinating entity under this subtitle.

(2) **AUTHORITIES.**—For purposes of developing and implementing the management plan, the local coordinating entity may—

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

(B) hire and compensate staff; and

(C) enter into contracts for goods and services.

(e) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall develop and submit to the Secretary a management plan reviewed by participating units of local government within the boundaries of the proposed Heritage Area.

(2) **CONTENTS.**—The management plan shall—

(A) present a comprehensive program for the conservation, interpretation, funding, management, and development of the Heritage Area, in a manner consistent with the existing local, State, and Federal land use laws and compatible economic viability of the Heritage Area;

(B) establish criteria or standards to measure what is selected for conservation, interpretation, funding, management, and development;

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

(D) specify and coordinate, as of the date of the management plan, existing and potential sources of technical and financial assistance under this and other Federal laws to protect, manage, and develop the Heritage Area; and

(E) include—

(i) actions to be undertaken by units of government and private organizations to protect, conserve, and interpret the resources of the Heritage Area;

(ii) 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 meets the establishing criteria (such as, but not exclusive to, visitor readiness) to merit preservation, restoration, management, development, or maintenance because of its natural, cultural, historical, or recreational significance;

(iii) policies for resource management including the development of intergovernmental cooperative agreements, private sector agreements, or any combination thereof, to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(iv) a program for implementation of the management plan by the designated local coordinating entity, in cooperation with its partners and units of local government;

(v) evidence that relevant State, county, and local plans applicable to the Heritage Area have been taken into consideration;

(vi) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this subtitle; and

(vii) a business plan that—

(1) describes in detail the role, operation, financing, and functions of the local coordinating entity for each activity included in the recommendations contained in the management plan; and

(2) provides, to the satisfaction of the Secretary, adequate assurances that the local coordinating entity is likely to have the financial resources necessary to implement the management plan for the Heritage Area, including resources to meet matching requirement for grants awarded under this subtitle.

(3) **CONSIDERATIONS.**—In developing and implementing the management plan, the local coordinating entity shall consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area.

(4) **DISQUALIFICATION FROM FUNDING.**—If a proposed management plan is not submitted to the Secretary within 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall be ineligible to receive additional funding under this subtitle until the date on which the Secretary receives the proposed management plan.

(5) **APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.**—The Secretary shall approve or disapprove the proposed management plan submitted under this subtitle not later than 90 days after receiving such proposed management plan.

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

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

(8) **IMPLEMENTATION.**—

(A) **PRIORITIES.**—The local coordinating entity shall give priority to implementing actions described in the management plan, including—

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

(ii) encouraging local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan.

(B) **PUBLIC MEETINGS.**—The local coordinating entity shall conduct public meetings at least quarterly on the implementation of the management plan. Not less than 25 percent of the public meetings shall be conducted in Missouri.

(f) **PUBLIC NOTICE.**—The local coordinating entity shall place a notice of each of its public meetings in a newspaper of general circulation in the Heritage Area and shall make the minutes of the meeting available to the public.

(g) **ANNUAL REPORT.**—For any year in which Federal funds have been made available under this subtitle, the local coordinating entity shall submit to the Secretary an annual report that describes—

(1) the accomplishments of the local coordinating entity; and

(2) the expenses and income of the local coordinating entity.

(h) **AUDIT.**—The local coordinating entity shall—

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

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

(i) **USE OF FEDERAL FUNDS.**—

(1) **IN GENERAL.**—No Federal funds made available under this subtitle may be used to acquire real property or an interest in real property.

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

SEC. 265. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

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

(1) **IN GENERAL.**—On the request of the local coordinating entity, the Secretary may provide technical and financial assistance for the development and implementation of the management plan.

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

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

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

(3) **SPENDING FOR NON-FEDERAL PROPERTY.**—The local coordinating entity may expend Federal funds made available under this subtitle on non-Federal property that—

(A) meets the criteria in the approved management plan; or

(B) is listed or eligible for listing on the National Register of Historic Places.

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

(b) **OTHER FEDERAL AGENCIES.**—Any Federal entity conducting or supporting an activity that directly affects the Heritage Area shall—

(1) consider the potential effect of the activity on the purposes of the Heritage Area and the management plan;

(2) consult with the local coordinating entity regarding the activity; and

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

(c) **OTHER ASSISTANCE NOT AFFECTED.**—This subtitle does not affect the authority of any Federal official to provide technical or financial assistance under any other law.

(d) **NOTIFICATION OF OTHER FEDERAL ACTIVITIES.**—The head of each Federal agency shall provide to the Secretary and the local coordinating entity, to the extent practicable, advance notice of all activities that may have an impact on the Heritage Area.

SEC. 266. PRIVATE PROPERTY PROTECTION.

(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this subtitle shall be construed to require any private property owner to permit public access (including Federal, State, or local government access) to such private property. Nothing in this subtitle shall be construed to modify any provision of Federal, State, or local law with regard to public access to or use of private lands.

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

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

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

(e) **LAND USE REGULATION.**—

(1) **IN GENERAL.**—The local coordinating entity shall provide assistance and encouragement to State and local governments, private organizations, and persons to protect and promote the resources and values of the Heritage Area.

(2) **EFFECT.**—Nothing in this subtitle—

(A) affects the authority of the State or local governments to regulate under law any use of land; or

(B) grants any power of zoning or land use to the local coordinating entity.

(f) **PRIVATE PROPERTY.**—

(1) **IN GENERAL.**—The local coordinating entity shall be an advocate for land management practices consistent with the purposes of the Heritage Area.

(2) **EFFECT.**—Nothing in this subtitle—

(A) abridges the rights of any person with regard to private property;

(B) affects the authority of the State or local government regarding private property; or

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

(g) **REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.**—

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

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

SEC. 267. SAVINGS PROVISIONS.

(a) **RULES, REGULATIONS, STANDARDS, AND PERMIT PROCESSES.**—Nothing in this subtitle shall be construed to impose any environmental, occupational, safety, or other rule, regulation,

standard, or permit process in the Heritage Area that is different from those that would be applicable if the Heritage Area had not been established.

(b) **WATER AND WATER RIGHTS.**—Nothing in this subtitle shall be construed to authorize or imply the reservation or appropriation of water or water rights.

(c) **NO DIMINISHMENT OF STATE AUTHORITY.**—Nothing in this subtitle shall be construed to diminish the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area.

SEC. 268. AUTHORIZATION OF APPROPRIATIONS.

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

(b) **COST-SHARING REQUIREMENT.**—The Federal share of the total cost of any activity assisted under this subtitle shall be not more than 50 percent.

SEC. 269. TERMINATION OF AUTHORITY.

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

Subtitle F—Upper Housatonic Valley National Heritage Area

SEC. 271. SHORT TITLE.

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

SEC. 272. FINDINGS AND PURPOSES.

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

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

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

(A) five National Historic Landmarks—

(i) Edith Wharton’s home, The Mount, Lenox, Massachusetts;

(ii) Herman Melville’s home, Arrowhead, Pittsfield, Massachusetts;

(iii) W.E.B. DuBois’ Boyhood Homesite, Great Barrington, Massachusetts;

(iv) Mission House, Stockbridge, Massachusetts; and

(v) Crane and Company Old Stone Mill Rag Room, Dalton, Massachusetts; and

(B) four National Natural Landmarks—

(i) Bartholomew’s Cobble, Sheffield, Massachusetts, and Salisbury, Connecticut;

(ii) Beckley Bog, Norfolk, Connecticut;

(iii) Bingham Bog, Salisbury, Connecticut; and

(iv) Cathedral Pines, Cornwall, Connecticut.

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

(4) The upper Housatonic Valley has made significant national cultural contributions through such writers as Herman Melville, Nathaniel Hawthorne, Edith Wharton, and W.E.B. DuBois, artists Daniel Chester French and Norman Rockwell, and the performing arts centers of Tanglewood, Music Mountain, Norfolk (Connecticut) Chamber Music Festival, Jacob’s Pillow, and Shakespeare & Company.

(5) The upper Housatonic Valley is noted for its pioneering achievements in the iron, paper,

and electrical generation industries and has cultural resources to interpret those industries.

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

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

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

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

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

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

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

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

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

SEC. 273. DEFINITIONS.

In this subtitle:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Upper Housatonic Valley National Heritage Area, established in section 274.

(2) **MANAGEMENT ENTITY.**—The term “Management Entity” means the management entity for the Heritage Area designated by section 274(d).

(3) **MANAGEMENT PLAN.**—The term “Management Plan” means the management plan for the Heritage Area specified in section 276.

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

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

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

SEC. 274. UPPER HOUSATONIC VALLEY NATIONAL HERITAGE AREA.

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

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

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

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

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

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

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

SEC. 275. AUTHORITIES, PROHIBITIONS, AND DUTIES OF THE MANAGEMENT ENTITY.

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

(1) prepare and submit a management plan for the Heritage Area to the Secretary in accordance with section 276;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) enter into cooperative agreements with or provide technical assistance to the State of Con-

necticut and the Commonwealth of Massachusetts, their subdivisions, nonprofit organizations, and other interested parties;

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

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

(5) contract for goods or services; and

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

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

SEC. 276. MANAGEMENT PLAN.

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

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

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

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

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

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

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

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

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

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

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

SEC. 277. DUTIES AND AUTHORITIES OF THE SECRETARY.

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 278. DUTIES OF OTHER FEDERAL AGENCIES.

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

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

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

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

SEC. 279. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

(b) **LANDOWNER WITHDRAW.**—Any owner of private property included within the boundary of the Heritage Area shall have their

property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 280. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

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

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

SEC. 280A. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated for the purposes of this subtitle 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 subtitle.

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

SEC. 280B. SUNSET.

The authority of the Secretary to provide assistance under this subtitle shall terminate on the day occurring 15 years after the date of the enactment of this subtitle.

Subtitle G—Champlain Valley National Heritage Partnership

SEC. 281. SHORT TITLE.

This subtitle may be cited as the “Champlain Valley National Heritage Partnership Act of 2006”.

SEC. 282. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the Champlain Valley and its extensive cultural and natural resources have played a significant role in the history of the United States and the individual States of Vermont and New York;

(2) archaeological evidence indicates that the Champlain Valley has been inhabited by humans since the last retreat of the glaciers, with the Native Americans living in the area at the time of European discovery being primarily of Iroquois and Algonquin descent;

(3) the linked waterways of the Champlain valley, including the Richelieu River in Canada, played a unique and significant role in the establishment and development of the United States and Canada through several distinct eras, including—

(A) the era of European exploration, during which Samuel de Champlain and other explorers

used the waterways as a means of access through the wilderness;

(B) the era of military campaigns, including highly significant military campaigns of the French and Indian War, the American Revolution, and the War of 1812; and

(C) the era of maritime commerce, during which canal boats, schooners, and steamships formed the backbone of commercial transportation for the region;

(4) those unique and significant eras are best described by the theme “The Making of Nations and Corridors of Commerce”;

(5) the artifacts and structures associated with those eras are unusually well-preserved;

(6) the Champlain Valley is recognized as having one of the richest collections of historical resources in North America;

(7) the history and cultural heritage of the Champlain Valley are shared with Canada and the Province of Quebec;

(8) there are benefits in celebrating and promoting this mutual heritage;

(9) tourism is among the most important industries in the Champlain Valley, and heritage tourism in particular plays a significant role in the economy of the Champlain Valley;

(10) it is important to enhance heritage tourism in the Champlain Valley while ensuring that increased visitation will not impair the historical and cultural resources of the region;

(11) according to the 1999 report of the National Park Service entitled “Champlain Valley Heritage Corridor Project”, “the Champlain Valley contains resources and represents a theme ‘The Making of Nations and Corridors of Commerce’, that is of outstanding importance in United States history”; and

(12) it is in the interest of the United States to preserve and interpret the historical and cultural resources of the Champlain Valley for the education and benefit of present and future generations.

(b) **PURPOSES.**—The purposes of this subtitle are—

(1) to establish the Champlain Valley National Heritage Partnership in the States of Vermont and New York to recognize the importance of the historical, cultural, and recreational resources of the Champlain Valley region to the United States;

(2) to assist the States of Vermont and New York, including units of local government and nongovernmental organizations in the States, in preserving, protecting, and interpreting those resources for the benefit of the people of the United States;

(3) to use those resources and the theme “the making of nations and corridors of commerce” to—

(A) revitalize the economy of communities in the Champlain Valley; and

(B) generate and sustain increased levels of tourism in the Champlain Valley;

(4) to encourage—

(A) partnerships among State and local governments and nongovernmental organizations in the United States; and

(B) collaboration with Canada and the Province of Quebec to—

(i) interpret and promote the history of the waterways of the Champlain Valley region;

(ii) form stronger bonds between the United States and Canada; and

(iii) promote the international aspects of the Champlain Valley region; and

(5) to provide financial and technical assistance for the purposes described in paragraphs (1) through (4).

SEC. 283. DEFINITIONS.

In this subtitle:

(1) **HERITAGE PARTNERSHIP.**—The term “Heritage Partnership” means the Champlain Valley National Heritage Partnership established by section 104(a).

(2) **MANAGEMENT ENTITY.**—The term “management entity” means the Lake Champlain Basin Program.

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan developed under section 284(b)(1)(B)(i).

(4) **REGION.**—

(A) **IN GENERAL.**—The term “region” means any area or community in 1 of the States in which a physical, cultural, or historical resource that represents the theme is located.

(B) **INCLUSIONS.**—The term “region” includes

(i) **THE LINKED NAVIGABLE WATERWAYS OF.**—

(I) Lake Champlain;

(II) Lake George;

(III) the Champlain Canal; and

(IV) the portion of the Upper Hudson River extending south to Saratoga;

(ii) portions of Grand Isle, Franklin, Chittenden, Addison, Rutland, and Bennington Counties in the State of Vermont; and

(iii) portions of Clinton, Essex, Warren, Saratoga and Washington Counties in the State of New York.

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

(6) **STATE.**—the term “State” means

(A) the State of Vermont; and

(B) the State of New York.

(7) **THEME.**—The term “theme” means the theme “The Making of Nations and Corridors of Commerce”, as the term is used in the 1999 report of the National Park Service entitled “Champlain Valley Heritage Corridor Project”, that describes the periods of international conflict and maritime commerce during which the region played a unique and significant role in the development of the United States and Canada.

SEC. 284. HERITAGE PARTNERSHIP.

(a) **ESTABLISHMENT.**—There is established in the region the Champlain Valley National Heritage Partnership.

(b) **MANAGEMENT ENTITY.**—

(1) **DUTIES.**—

(A) **IN GENERAL.**—The management entity shall implement this subtitle.

(B) **MANAGEMENT PLAN.**—

(i) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the management entity shall develop a management plan for the Heritage Partnership.

(ii) **EXISTING PLAN.**—Pending the completion and approval of the management plan, the management entity may implement the provisions of this subtitle based on its federally authorized plan “Opportunities for Action, an Evolving Plan For Lake Champlain”.

(iii) **CONTENTS.**—The management plan shall include—

(I) recommendations for funding, managing, and developing the Heritage Partnership;

(II) a description of activities to be carried out by public and private organizations to protect the resources of the Heritage Partnership;

(III) a list of specific, potential sources of funding for the protection, management, and development of the Heritage Partnership;

(IV) an assessment of the organizational capacity of the management entity to achieve the goals for implementation; and

(V) recommendations of ways in which to encourage collaboration with Canada and the Province of Quebec in implementing this subtitle.

(iv) **CONSIDERATIONS.**—In developing the management plan under clause (i), the management entity shall take into consideration existing Federal, State, and local plans relating to the region.

(v) **SUBMISSION TO SECRETARY FOR APPROVAL.**—

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

(II) *EFFECT OF FAILURE TO SUBMIT.*—If a management plan is not submitted to the Secretary by the date specified in subclause (I), the Secretary shall not provide any additional funding under this subtitle until a management plan for the Heritage Partnership is submitted to the Secretary.

(vi) *APPROVAL.*—Not later than 90 days after receiving the management plan submitted under clause (v)(I), the Secretary, in consultation with the States, shall approve or disapprove the management plan.

(vii) *ACTION FOLLOWING DISAPPROVAL.*—

(I) *GENERAL.*—If the Secretary disapproves a management plan under clause (vi), the Secretary shall—

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

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

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

(II) *DEADLINE FOR APPROVAL OF REVISION.*—Not later than 90 days after the date on which a revision is submitted under subclause (I)(cc), the Secretary shall approve or disapprove the revision.

(viii) *AMENDMENT.*—

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

(aa) review the management plan; and

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

(II) *EXPENDITURE OF FUNDS.*—No funds made available under this subtitle shall be used to implement any amendment proposed by the management entity under subclause (I) until the Secretary approves the amendments.

(2) *PARTNERSHIPS.*—

(A) *IN GENERAL.*—In carrying out this subtitle, the management entity may enter into partnerships with—

(i) the States, including units of local governments in the States;

(ii) nongovernmental organizations;

(iii) Indian Tribes; and

(iv) other persons in the Heritage Partnership.

(B) *GRANTS.*—Subject to the availability of funds, the management entity may provide grants to partners under subparagraph (A) to assist in implementing this subtitle.

(3) *PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.*—The management entity shall not use Federal funds made available under this subtitle to acquire real property or any interest in real property.

(c) *ASSISTANCE FROM SECRETARY.*—To carry out the purposes of this subtitle, the Secretary may provide technical and financial assistance to the management entity.

SEC. 285. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

(a) *NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.*—No privately owned property shall be preserved, conserved, or promoted by the management plan until

(1) the management entity notifies the owner of the private property in writing; and

(2) the owner of the private property provides to the management entity written consent for the preservation, conservation, or promotion.

(b) *LANDOWNER WITHDRAWAL.*—Private property included within the boundary of the Heritage Partnership shall immediately be withdrawn from the Heritage Partnership if the owner of the property submits a written request to the management entity.

SEC. 286. PRIVATE PROPERTY PROTECTION.

(a) *ACCESS TO PRIVATE PROPERTY.*—Nothing in this subtitle—

(1) requires a private property owner to allow public access (including access by the Federal Government or State or local governments) to private property; or

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

(b) *LIABILITY.*—Designation of the Heritage Partnership under this subtitle does not create any liability, or have any effect on liability under any other law, of a private property owner with respect to any persons injured on the private property.

(c) *RECOGNITION OF AUTHORITY TO CONTROL LAND USE.*—Nothing in this subtitle modifies any authority of the Federal Government or State or local governments to regulate land use.

(d) *PARTICIPATION OF PRIVATE PROPERTY OWNERS.*—Nothing in this subtitle requires the owner of any private property located within the boundaries of the Heritage Partnership to participate in, or be associated with the Heritage Partnership.

(e) *EFFECT OF ESTABLISHMENT.*—

(I) *IN GENERAL.*—The boundaries designated for the Heritage Partnership represent the area within which Federal funds appropriated for the purpose of this subtitle shall be expended.

(2) *REGULATORY AUTHORITY.*—The establishment of the Heritage Partnership and the boundaries of the Heritage Partnership do not provide any regulatory authority that is not in existence on the date of enactment of this Act relating to land use within the Heritage Partnership or the viewshed of the Heritage Partnership by the Secretary, the National Park Service, or the management entity.

SEC. 287. EFFECT.

Nothing in this subtitle—

(1) grants powers of zoning or land use to the management entity; or

(2) obstructs or limits private business development activities or resource development activities.

SEC. 288. AUTHORIZATION OF APPROPRIATIONS.

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

(b) *NON-FEDERAL SHARE.*—The non-Federal share of the cost of any activities carried out using Federal funds made available under subsection (a) shall be not less than 50 percent.

SEC. 109. TERMINATION OF AUTHORITY.

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

Subtitle H—Great Basin National Heritage Route

SEC. 291. SHORT TITLE.

This subtitle may be cited as the “Great Basin National Heritage Route Act”.

SEC. 291A. FINDINGS AND PURPOSES.

(a) *FINDINGS.*—Congress finds that—

(1) the natural, cultural, and historic heritage of the North American Great Basin is nationally significant;

(2) communities along the Great Basin Heritage Route (including the towns of Delta, Utah, Ely, Nevada, and the surrounding communities) are located in a classic western landscape that contains long natural vistas, isolated high desert valleys, mountain ranges, ranches, mines, historic railroads, archaeological sites, and tribal communities;

(3) the Native American, pioneer, ranching, mining, timber, and railroad heritages associated with the Great Basin Heritage Route in-

clude the social history and living cultural traditions of a rich diversity of nationalities;

(4) the pioneer, Mormon, and other religious settlements, and ranching, timber, and mining activities of the region played and continue to play a significant role in the development of the United States, shaped by—

(A) the unique geography of the Great Basin;

(B) an influx of people of Greek, Chinese, Basque, Serb, Croat, Italian, and Hispanic descent; and

(C) a Native American presence (Western Shoshone, Northern and Southern Paiute, and Goshute) that continues in the Great Basin today;

(5) the Great Basin housed internment camps for Japanese-American citizens during World War II, 1 of which, Topaz, was located along the Heritage Route;

(6) the pioneer heritage of the Heritage Route includes the Pony Express route and stations, the Overland Stage, and many examples of 19th century exploration of the western United States;

(7) the Native American heritage of the Heritage Route dates back thousands of years and includes—

(A) archaeological sites;

(B) petroglyphs and pictographs;

(C) the westernmost village of the Fremont culture; and

(D) communities of Western Shoshone, Paiute, and Goshute tribes;

(8) the Heritage Route contains multiple biologically diverse ecological communities that are home to exceptional species such as—

(A) bristlecone pines, the oldest living trees in the world;

(B) wildlife adapted to harsh desert conditions;

(C) unique plant communities, lakes, and streams; and

(D) native Bonneville cutthroat trout;

(9) the air and water quality of the Heritage Route is among the best in the United States, and the clear air permits outstanding viewing of the night skies;

(10) the Heritage Route includes unique and outstanding geologic features such as numerous limestone caves, classic basin and range topography with playa lakes, alluvial fans, volcanics, cold and hot springs, and recognizable features of ancient Lake Bonneville;

(11) the Heritage Route includes an unusual variety of open space and recreational and educational opportunities because of the great quantity of ranching activity and public land (including city, county, and State parks, national forests, Bureau of Land Management land, and a national park);

(12) there are significant archaeological, historical, cultural, natural, scenic, and recreational resources in the Great Basin to merit the involvement of the Federal Government in the development, in cooperation with the Great Basin Heritage Route Partnership and other local and governmental entities, of programs and projects to—

(A) adequately conserve, protect, and interpret the heritage of the Great Basin for present and future generations; and

(B) provide opportunities in the Great Basin for education; and

(13) the Great Basin Heritage Route Partnership shall serve as the local coordinating entity for a Heritage Route established in the Great Basin.

(b) *PURPOSES.*—The purposes of this subtitle are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities within White Pine County, Nevada, Millard County, Utah, and the Duckwater Shoshone Reservation;

(2) to enable communities referred to in paragraph (1) to conserve their heritage while continuing to develop economic opportunities; and

(3) to conserve, interpret, and develop the archaeological, historical, cultural, natural, scenic, and recreational resources related to the unique ranching, industrial, and cultural heritage of the Great Basin, in a manner that promotes multiple uses permitted as of the date of enactment of this Act, without managing or regulating land use.

SEC. 291B. DEFINITIONS.

In this subtitle:

(1) **GREAT BASIN.**—The term “Great Basin” means the North American Great Basin.

(2) **HERITAGE ROUTE.**—The term “Heritage Route” means the Great Basin National Heritage Route established by section 291C(a).

(3) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the Great Basin Heritage Route Partnership established by section 291C(c).

(4) **MANAGEMENT PLAN.**—The term “management plan” means the plan developed by the local coordinating entity under section 291E(a).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 291C. GREAT BASIN NATIONAL HERITAGE ROUTE.

(a) **ESTABLISHMENT.**—There is established the Great Basin National Heritage Route to provide the public with access to certain historical, cultural, natural, scenic, and recreational resources in White Pine County, Nevada, Millard County, Utah, and the Duckwater Shoshone Reservation in the State of Nevada, as designated by the local coordinating entity.

(b) **BOUNDARIES.**—The local coordinating entity shall determine the specific boundaries of the Heritage Route.

(c) **LOCAL COORDINATING ENTITY.**—

(1) **IN GENERAL.**—The Great Basin Heritage Route Partnership shall serve as the local coordinating entity for the Heritage Route.

(2) **BOARD OF DIRECTORS.**—The Great Basin Heritage Route Partnership shall be governed by a board of directors that consists of—

(A) 4 members who are appointed by the Board of County Commissioners for Millard County, Utah;

(B) 4 members who are appointed by the Board of County Commissioners for White Pine County, Nevada; and

(C) a representative appointed by each Native American Tribe participating in the Heritage Route.

SEC. 291D. MEMORANDUM OF UNDERSTANDING.

(a) **IN GENERAL.**—In carrying out this subtitle, the Secretary, in consultation with the Governors of the States of Nevada and Utah and the tribal government of each Indian tribe participating in the Heritage Route, shall enter into a memorandum of understanding with the local coordinating entity.

(b) **INCLUSIONS.**—The memorandum of understanding shall include information relating to the objectives and management of the Heritage Route, including—

(1) a description of the resources of the Heritage Route;

(2) a discussion of the goals and objectives of the Heritage Route, including—

(A) an explanation of the proposed approach to conservation, development, and interpretation; and

(B) a general outline of the anticipated protection and development measures;

(3) a description of the local coordinating entity;

(4) a list and statement of the financial commitment of the initial partners to be involved in developing and implementing the management plan; and

(5) a description of the role of the States of Nevada and Utah in the management of the Heritage Route.

(c) **ADDITIONAL REQUIREMENTS.**—In developing the terms of the memorandum of understanding, the Secretary and the local coordinating entity shall—

(1) provide opportunities for local participation; and

(2) include terms that ensure, to the maximum extent practicable, timely implementation of all aspects of the memorandum of understanding.

(d) **AMENDMENTS.**—

(1) **IN GENERAL.**—The Secretary shall review any amendments of the memorandum of understanding proposed by the local coordinating entity or the Governor of the State of Nevada or Utah.

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

SEC. 291E. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to carry out this subtitle, the local coordinating entity shall develop and submit to the Secretary for approval a management plan for the Heritage Route that—

(1) specifies—

(A) any resources designated by the local coordinating entity under section 291C(a); and

(B) the specific boundaries of the Heritage Route, as determined under section 291C(b); and

(2) presents clear and comprehensive recommendations for the conservation, funding, management, and development of the Heritage Route.

(b) **CONSIDERATIONS.**—In developing the management plan, the local coordinating entity shall—

(1) provide for the participation of local residents, public agencies, and private organizations located within the counties of Millard County, Utah, White Pine County, Nevada, and the Duckwater Shoshone Reservation in the protection and development of resources of the Heritage Route, taking into consideration State, tribal, county, and local land use plans in existence on the date of enactment of this Act;

(2) identify sources of funding;

(3) include—

(A) a program for implementation of the management plan by the local coordinating entity, including—

(i) plans for restoration, stabilization, rehabilitation, and construction of public or tribal property; and

(ii) specific commitments by the identified partners referred to in section 291D(b)(4) for the first 5 years of operation; and

(B) an interpretation plan for the Heritage Route; and

(4) develop a management plan that will not infringe on private property rights without the consent of the owner of the private property.

(c) **FAILURE TO SUBMIT.**—If the local coordinating entity fails to submit a management plan to the Secretary in accordance with subsection (a), the Heritage Route shall no longer qualify for Federal funding.

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

(1) **IN GENERAL.**—Not later than 90 days after receipt of a management plan under subsection (a), the Secretary, in consultation with the Governors of the States of Nevada and Utah, shall approve or disapprove the management plan.

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

(A) has strong local support from a diversity of landowners, business interests, nonprofit organizations, and governments associated with the Heritage Route;

(B) is consistent with and complements continued economic activity along the Heritage Route;

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

(D) avoids infringing on private property rights; and

(E) provides methods to take appropriate action to ensure that private property rights are observed.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a management plan under paragraph (1), the Secretary shall—

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

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

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

(e) **IMPLEMENTATION.**—On approval of the management plan as provided in subsection (d)(1), the local coordinating entity, in conjunction with the Secretary, shall take appropriate steps to implement the management plan.

(f) **AMENDMENTS.**—

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

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

SEC. 291F. AUTHORITY AND DUTIES OF LOCAL COORDINATING ENTITY.

(a) **AUTHORITIES.**—The local coordinating entity may, for purposes of preparing and implementing the management plan, use funds made available under this subtitle to—

(1) make grants to, and enter into cooperative agreements with, a State (including a political subdivision), an Indian tribe, a private organization, or any person; and

(2) hire and compensate staff.

(b) **DUTIES.**—In addition to developing the management plan, the local coordinating entity shall—

(1) give priority to implementing the memorandum of understanding and the management plan, including taking steps to—

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

(i) establishing and maintaining interpretive exhibits along the Heritage Route;

(ii) developing recreational resources along the Heritage Route;

(iii) increasing public awareness of and appreciation for the archaeological, historical, cultural, natural, scenic, and recreational resources and sites along the Heritage Route; and

(iv) if requested by the owner, restoring, stabilizing, or rehabilitating any private, public, or tribal historical building relating to the themes of the Heritage Route;

(B) encourage economic viability and diversity along the Heritage Route in accordance with the objectives of the management plan; and

(C) encourage the installation of clear, consistent, and environmentally appropriate signage identifying access points and sites of interest along the Heritage Route;

(2) consider the interests of diverse governmental, business, and nonprofit groups associated with the Heritage Route;

(3) conduct public meetings in the region of the Heritage Route at least semiannually regarding the implementation of the management plan;

(4) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for approval by the Secretary; and

(5) for any year for which Federal funds are received under this subtitle—

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

(i) the accomplishments of the local coordinating entity;

(ii) the expenses and income of the local coordinating entity; and

(iii) each entity to which any loan or grant was made;

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

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

(c) **PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**—The local coordinating entity shall not use Federal funds made available under this subtitle to acquire real property or any interest in real property.

(d) **PROHIBITION ON THE REGULATION OF LAND USE.**—The local coordinating entity shall not regulate land use within the Heritage Route.

SEC. 291G. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

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

(1) **IN GENERAL.**—The Secretary may, on request of the local coordinating entity, provide technical and financial assistance to develop and implement the management plan and memorandum of understanding.

(2) **PRIORITY FOR ASSISTANCE.**—In providing assistance under paragraph (1), the Secretary shall, on request of the local coordinating entity, give priority to actions that assist in—

(A) conserving the significant archaeological, historical, cultural, natural, scenic, and recreational resources of the Heritage Route; and

(B) providing education, interpretive, and recreational opportunities, and other uses consistent with those resources.

(b) **APPLICATION OF FEDERAL LAW.**—The establishment of the Heritage Route shall have no effect on the application of any Federal law to any property within the Heritage Route.

SEC. 291H. LAND USE REGULATION; APPLICABILITY OF FEDERAL LAW.

(a) **LAND USE REGULATION.**—Nothing in this subtitle—

(1) modifies, enlarges, or diminishes any authority of the Federal, State, tribal, or local government to regulate by law (including by regulation) any use of land; or

(2) grants any power of zoning or land use to the local coordinating entity.

(b) **APPLICABILITY OF FEDERAL LAW.**—Nothing in this subtitle—

(1) imposes on the Heritage Route, as a result of the designation of the Heritage Route, any regulation that is not applicable to the area within the Heritage Route as of the date of enactment of this Act; or

(2) authorizes any agency to promulgate a regulation that applies to the Heritage Route solely as a result of the designation of the Heritage Route under this subtitle.

SEC. 291I. AUTHORIZATION OF APPROPRIATIONS.

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

(b) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of any activity assisted under this subtitle shall not exceed 50 percent.

(2) **FORM OF NON-FEDERAL SHARE.**—The non-Federal share may be in the form of in-kind contributions, donations, grants, and loans from individuals and State or local governments or agencies.

SEC. 291J. TERMINATION OF AUTHORITY.

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

SEC. 291K. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

(b) **LANDOWNER WITHDRAW.**—Any owner of private property included within the boundary

of the Heritage Route shall have their property immediately removed from the boundary by submitting a written request to the management entity.

SEC. 291L. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

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

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

Subtitle I—Gullah/Geechee Heritage Corridor

SEC. 295. SHORT TITLE.

This subtitle may be cited as the “Gullah/Geechee Cultural Heritage Act”.

SEC. 295A. PURPOSES.

The purposes of this subtitle are to—

(1) recognize the important contributions made to American culture and history by African Americans known as the Gullah/Geechee who settled in the coastal counties of South Carolina, Georgia, North Carolina, and Florida;

(2) assist State and local governments and public and private entities in South Carolina, Georgia, North Carolina, and Florida in interpreting the story of the Gullah/Geechee and preserving Gullah/Geechee folklore, arts, crafts, and music; and

(3) assist in identifying and preserving sites, historical data, artifacts, and objects associated with the Gullah/Geechee for the benefit and education of the public.

SEC. 295B. DEFINITIONS.

In this subtitle:

(1) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the Gullah/Geechee Cultural Heritage Corridor Commission established by section 295D(a).

(2) **HERITAGE CORRIDOR.**—The term “Heritage Corridor” means the Gullah/Geechee Cultural Heritage Corridor established by section 295C(a).

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

SEC. 295C. GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR.

(a) **ESTABLISHMENT.**—There is established the Gullah/Geechee Cultural Heritage Corridor.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The Heritage Corridor shall be comprised of those lands and waters generally depicted on a map entitled “Gullah/Geechee Cultural Heritage Corridor” numbered GGCHC 80,000 and dated September 2004. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service and in an appropriate State office in each of the States included in the Her-

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

(2) **REVISIONS.**—The boundaries of the Heritage Corridor may be revised if the revision is—

(A) proposed in the management plan developed for the Heritage Corridor;

(B) approved by the Secretary in accordance with this subtitle; and

(C) placed on file in accordance with paragraph (1).

(c) **ADMINISTRATION.**—The Heritage Corridor shall be administered in accordance with the provisions of this subtitle.

SEC. 295D. GULLAH/GEECHEE CULTURAL HERITAGE CORRIDOR COMMISSION.

(a) **ESTABLISHMENT.**—There is hereby established a local coordinating entity to be known as the “Gullah/Geechee Cultural Heritage Corridor Commission” whose purpose shall be to assist Federal, State, and local authorities in the development and implementation of a management plan for those land and waters specified in section 295C(b).

(b) **MEMBERSHIP.**—The local coordinating entity shall be composed of 15 members appointed by the Secretary as follows:

(1) Four individuals nominated by the State Historic Preservation Officer of South Carolina and two individuals each nominated by the State Historic Preservation Officer of each of Georgia, North Carolina, and Florida and appointed by the Secretary.

(2) Two individuals from South Carolina and one individual from each of Georgia, North Carolina, and Florida who are recognized experts in historic preservation, anthropology, and folklore, appointed by the Secretary.

(c) **TERMS.**—Members of the local coordinating entity shall be appointed to terms not to exceed 3 years. The Secretary may stagger the terms of the initial appointments to the local coordinating entity in order to assure continuity of operation. Any member of the local coordinating entity may serve after the expiration of their term until a successor is appointed. A vacancy shall be filled in the same manner in which the original appointment was made.

(d) **TERMINATION.**—The local coordinating entity shall terminate 10 years after the date of enactment of this Act.

SEC. 295E. OPERATION OF THE LOCAL COORDINATING ENTITY.

(a) **DUTIES OF THE LOCAL COORDINATING ENTITY.**—To further the purposes of the Heritage Corridor, the local coordinating entity shall—

(1) prepare and submit a management plan to the Secretary in accordance with section 295F;

(2) assist units of local government and other persons in implementing the approved management plan by—

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

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

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

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

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

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the Heritage Corridor; and

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

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

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

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

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

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

(b) **AUTHORITIES.**—The local coordinating entity may, for the purposes of preparing and implementing the management plan, use funds made available under this subtitle to—

(1) make grants to, and enter into cooperative agreements with, the States of South Carolina, North Carolina, Florida, and Georgia, political subdivisions of those States, a nonprofit organization, or any person;

(2) hire and compensate staff;

(3) obtain funds from any source including any that are provided under any other Federal law or program; and

(4) contract for goods and services.

SEC. 295F. MANAGEMENT PLAN.

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

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

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

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

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

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

(6) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the Heritage Corridor's historical, cultural, and natural resources;

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

(8) include an analysis and recommendations for the ways in which Federal, State, or local programs may best be coordinated to further the purposes of this subtitle; and

(9) include an interpretive plan for the Heritage Corridor.

(b) **SUBMITTAL OF MANAGEMENT PLAN.**—The local coordinating entity shall submit the management plan to the Secretary for approval not later than 3 years after funds are made available for this subtitle.

(c) **FAILURE TO SUBMIT.**—If the local coordinating entity fails to submit the management plan to the Secretary in accordance with subsection (b), the Heritage Corridor shall not qualify for Federal funding until the management plan is submitted.

(d) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

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

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

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

(B) the resource preservation and interpretation strategies contained in the management plan would adequately protect the cultural and historic resources of the Heritage Corridor; and

(C) the Secretary has received adequate assurances from appropriate State and local officials whose support is needed to ensure the effective implementation of the State and local aspects of the plan.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan, the Secretary shall advise the local coordinating entity in writing of the reasons therefore and shall make recommendations for revisions to the management plan. The Secretary shall approve or disapprove a proposed revision not later than 60 days after the date it is submitted.

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

SEC. 295G. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) **IN GENERAL.**—Upon a request of the local coordinating entity, the Secretary may provide technical and financial assistance for the development and implementation of the management plan.

(b) **PRIORITY FOR ASSISTANCE.**—In providing assistance under subsection (a), the Secretary shall give priority to actions that assist in—

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

(2) providing educational and interpretive opportunities consistent with the purposes of the Heritage Corridor.

(c) **SPENDING FOR NON-FEDERAL PROPERTY.**—

(1) **IN GENERAL.**—The local coordinating entity may expend Federal funds made available under this subtitle on nonfederally owned property that is—

(A) identified in the management plan; or

(B) listed or eligible for listing on the National Register for Historic Places.

(2) **AGREEMENTS.**—Any payment of Federal funds made pursuant to this subtitle shall be subject to an agreement that conversion, use, or disposal of a project so assisted for purposes contrary to the purposes of this subtitle, as determined by the Secretary, shall result in a right of the United States to compensation of all funds made available to that project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

SEC. 295H. DUTIES OF OTHER FEDERAL AGENCIES.

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

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

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

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

SEC. 295I. COASTAL HERITAGE CENTERS.

In furtherance of the purposes of this subtitle and using the authorities made available under this subtitle, the local coordinating entity shall establish one or more Coastal Heritage Centers at appropriate locations within the Heritage Corridor in accordance with the preferred alternative identified in the Record of Decision for the Low Country Gullah Culture Special Resource Study and Environmental Impact Study, December 2003, and additional appropriate sites.

SEC. 295J. PRIVATE PROPERTY PROTECTION.

(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this subtitle shall be construed to require any private property owner to permit public access (including Federal, State, or local government access) to such private property. Nothing in this subtitle shall be construed to modify any provision of Federal, State, or local law with regard to public access to or use of private lands.

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

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

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

(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the Heritage Corridor represent the area within which Federal funds appropriated for the purpose of this subtitle shall be expended. The establishment of the Heritage Corridor and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Heritage Corridor or its viewshed by the Secretary or the local coordinating entity.

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

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

SEC. 295K. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated for the purposes of this subtitle 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 Corridor under this subtitle.

(b) **COST SHARE.**—Federal funding provided under this subtitle may not exceed 50 percent of the total cost of any activity for which assistance is provided under this subtitle.

(c) **IN-KIND CONTRIBUTIONS.**—The Secretary may accept in-kind contributions as part of the non-Federal cost share of any activity for which assistance is provided under this subtitle.

SEC. 295L. TERMINATION OF AUTHORITY.

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

Subtitle J—Crossroads of the American Revolution National Heritage Area**SEC. 297. SHORT TITLE.**

This subtitle may be cited as the “Crossroads of the American Revolution National Heritage Area Act of 2006”.

SEC. 297A. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the State of New Jersey was critically important during the American Revolution because of the strategic location of the State between the British armies headquartered in New York City, New York, and the Continental Congress in the city of Philadelphia, Pennsylvania;

(2) General George Washington spent almost half of the period of the American Revolution personally commanding troops of the Continental Army in the State of New Jersey, including 2 severe winters spent in encampments in the area that is now Morristown National Historical Park, a unit of the National Park System;

(3) it was during the 10 crucial days of the American Revolution between December 25, 1776, and January 3, 1777, that General Washington, after retreating across the State of New Jersey from the State of New York to the Commonwealth of Pennsylvania in the face of total defeat, recrossed the Delaware River on the night of December 25, 1776, and went on to win crucial battles at Trenton and Princeton in the State of New Jersey;

(4) Thomas Paine, who accompanied the troops during the retreat, described the events during those days as “the times that try men’s souls”;

(5) the sites of 296 military engagements are located in the State of New Jersey, including—

(A) several important battles of the American Revolution that were significant to—

(i) the outcome of the American Revolution; and

(ii) the history of the United States; and
(B) several national historic landmarks, including Washington’s Crossing, the Old Trenton Barracks, and Princeton, Monmouth, and Red Bank Battlefields;

(6) additional national historic landmarks in the State of New Jersey include the homes of—

(A) Richard Stockton, Joseph Hewes, John Witherspoon, and Francis Hopkinson, signers of the Declaration of Independence;

(B) Elias Boudinout, President of the Continental Congress; and

(C) William Livingston, patriot and Governor of the State of New Jersey from 1776 to 1790;

(7) portions of the landscapes important to the strategies of the British and Continental armies, including waterways, mountains, farms, wetlands, villages, and roadways—

(A) retain the integrity of the period of the American Revolution; and

(B) offer outstanding opportunities for conservation, education, and recreation;

(8) the National Register of Historic Places lists 251 buildings and sites in the National Park Service study area for the Crossroads of the American Revolution that are associated with the period of the American Revolution;

(9) civilian populations residing in the State of New Jersey during the American Revolution suffered extreme hardships because of—

(A) the continuous conflict in the State;

(B) foraging armies; and

(C) marauding contingents of loyalist Tories and rebel sympathizers;

(10) because of the important role that the State of New Jersey played in the successful outcome of the American Revolution, there is a Federal interest in developing a regional framework to assist the State of New Jersey, local governments and organizations, and private citizens in—

(A) preserving and protecting cultural, historic, and natural resources of the period; and

(B) bringing recognition to those resources for the educational and recreational benefit of the present and future generations of citizens of the United States; and

(11) the National Park Service has conducted a national heritage area feasibility study in the State of New Jersey that demonstrates that there is a sufficient assemblage of nationally distinctive cultural, historic, and natural resources necessary to establish the Crossroads of the American Revolution National Heritage Area.

(b) **PURPOSES.**—The purposes of this subtitle are—

(1) to assist communities, organizations, and citizens in the State of New Jersey in preserving—

(A) the special historic identity of the State; and

(B) the importance of the State to the United States;

(2) to foster a close working relationship among all levels of government, the private sector, and local communities in the State;

(3) to provide for the management, preservation, protection, and interpretation of the cultural, historic, and natural resources of the State for the educational and inspirational benefit of future generations;

(4) to strengthen the value of Morristown National Historical Park as an asset to the State by—

(A) establishing a network of related historic resources, protected landscapes, educational opportunities, and events depicting the landscape of the State of New Jersey during the American Revolution; and

(B) establishing partnerships between Morristown National Historical Park and other public and privately owned resources in the Heritage Area that represent the strategic fulcrum of the American Revolution; and

(5) to authorize Federal financial and technical assistance for the purposes described in paragraphs (1) through (4).

SEC. 297B. DEFINITIONS.

In this subtitle:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Crossroads of the American Revolution National Heritage Area established by section 297C(a).

(2) **LOCAL COORDINATING ENTITY.**—The term “local coordinating entity” means the local coordinating entity for the Heritage Area designated by section 297C(d).

(3) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Heritage Area developed under section 297D.

(4) **MAP.**—The term “map” means the map entitled “Crossroads of the American Revolution National Heritage Area”, numbered CRRE/80,000, and dated April 2002.

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

(6) **STATE.**—The term “State” means the State of New Jersey.

SEC. 297C. CROSSROADS OF THE AMERICAN REVOLUTION NATIONAL HERITAGE AREA.

(a) **ESTABLISHMENT.**—There is established in the State the Crossroads of the American Revolution National Heritage Area.

(b) **BOUNDARIES.**—The Heritage Area shall consist of the land and water within the boundaries of the Heritage Area, as depicted on the map.

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

(d) **LOCAL COORDINATING ENTITY.**—The Crossroads of the American Revolution Association, Inc., a nonprofit corporation in the State, shall be the local coordinating entity for the Heritage Area.

SEC. 297D. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to

carry out this subtitle, the local coordinating entity shall develop and forward to the Secretary a management plan for the Heritage Area.

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

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

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

(3) describe actions that units of local government, private organizations, and individuals have agreed to take to protect the cultural, historic, and natural resources of the Heritage Area;

(4) identify existing and potential sources of funding for the protection, management, and development of the Heritage Area during the first 5 years of implementation of the management plan; and

(5) include—

(A) an inventory of the cultural, educational, historic, natural, recreational, and scenic resources of the Heritage Area relating to the themes of the Heritage Area that should be restored, managed, or developed;

(B) recommendations of policies and strategies for resource management that result in—

(i) application of appropriate land and water management techniques; and

(ii) development of intergovernmental and interagency cooperative agreements to protect the cultural, educational, historic, natural, recreational, and scenic resources of the Heritage Area;

(C) a program of implementation of the management plan that includes for the first 5 years of implementation—

(i) plans for resource protection, restoration, construction; and

(ii) specific commitments for implementation that have been made by the local coordinating entity or any government, organization, or individual;

(D) an analysis of and recommendations for ways in which Federal, State, and local programs, including programs of the National Park Service, may be best coordinated to promote the purposes of this subtitle; and

(E) an interpretive plan for the Heritage Area.

(c) **APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.**—

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

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

(A) the Board of Directors of the local coordinating entity is representative of the diverse interests of the Heritage Area, including—

(i) governments;

(ii) natural and historic resource protection organizations;

(iii) educational institutions;

(iv) businesses; and

(v) recreational organizations;

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

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

(D) the Secretary has received adequate assurances from the appropriate State and local officials whose support is needed to ensure the effective implementation of the State and local aspects of the management plan.

(3) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

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

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

(C) not later than 60 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.

(d) AMENDMENTS.—

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

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

(e) IMPLEMENTATION.—On completion of the 3-year period described in subsection (a), any funding made available under this subtitle shall be made available to the local coordinating entity only for implementation of the approved management plan.

SEC. 297E. AUTHORITIES, DUTIES, AND PROHIBITIONS APPLICABLE TO THE LOCAL COORDINATING ENTITY.

(a) AUTHORITIES.—For purposes of preparing and implementing the management plan, the local coordinating entity may use funds made available under this subtitle to—

(1) make grants to, provide technical assistance to, and enter into cooperative agreements with, the State (including a political subdivision), a nonprofit organization, or any other person;

(2) hire and compensate staff, including individuals with expertise in—

(A) cultural, historic, or natural resource protection; or

(B) heritage programming;

(3) obtain funds or services from any source (including a Federal law or program);

(4) contract for goods or services; and

(5) support any other activity—

(A) that furthers the purposes of the Heritage Area; and

(B) that is consistent with the management plan.

(b) DUTIES.—In addition to developing the management plan, the local coordinating entity shall—

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

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

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

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

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

(E) protecting and restoring historic sites and buildings that are—

(i) located in the Heritage Area; and

(ii) related to the themes of the Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are installed throughout the Heritage Area; and

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

(2) in preparing and implementing the management plan, consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area;

(3) conduct public meetings at least semiannually regarding the development and implementation of the management plan;

(4) for any fiscal year for which Federal funds are received under this subtitle—

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

(i) the accomplishments of the local coordinating entity;

(ii) the expenses and income of the local coordinating entity; and

(iii) each entity to which a grant was made;

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

(C) require, for all agreements authorizing expenditures of Federal funds by any entity, that the receiving entity make available for audit all records and other information relating to the expenditure of the funds;

(5) encourage, by appropriate means, economic viability that is consistent with the purposes of the Heritage Area; and

(6) maintain headquarters for the local coordinating entity at Morristown National Historical Park and in Mercer County.

(c) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—

(1) FEDERAL FUNDS.—The local coordinating entity shall not use Federal funds made available under this subtitle to acquire real property or any interest in real property.

(2) OTHER FUNDS.—Notwithstanding paragraph (1), the local coordinating entity may acquire real property or an interest in real property using any other source of funding, including other Federal funding.

SEC. 297F. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On the request of the local coordinating entity, the Secretary may provide technical and financial assistance to the Heritage Area for the development and implementation of the management plan.

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

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

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

(3) OPERATIONAL ASSISTANCE.—Subject to the availability of appropriations, the Superintendent of Morristown National Historical Park may, on request, provide to public and private organizations in the Heritage Area, including the local coordinating entity, any operational assistance that is appropriate for the purpose of supporting the implementation of the management plan.

(4) PRESERVATION OF HISTORIC PROPERTIES.—To carry out the purposes of this subtitle, the Secretary may provide assistance to a State or local government or nonprofit organization to provide for the appropriate treatment of—

(A) historic objects; or

(B) structures that are listed or eligible for listing on the National Register of Historic Places.

(5) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the local coordinating entity and other public or private entities to carry out this subsection.

(b) OTHER FEDERAL AGENCIES.—Any Federal agency conducting or supporting an activity that directly affects the Heritage Area shall—

(1) consult with the Secretary and the local coordinating entity regarding the activity;

(2)(A) cooperate with the Secretary and the local coordinating entity in carrying out the of the Federal agency under this subtitle; and

(B) to the maximum extent practicable, coordinate the activity with the carrying out of those duties; and

(3) to the maximum extent practicable, conduct the activity to avoid adverse effects on the Heritage Area.

SEC. 297G. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this subtitle

\$10,000,000, of which not more than \$1,000,000 may be authorized to be appropriated for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity assisted under this subtitle shall be not more than 50 percent.

SEC. 297H. TERMINATION OF AUTHORITY.

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

SEC. 297I. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

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

SEC. 297J. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

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

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

TITLE III—NATIONAL HERITAGE AREA STUDIES

Subtitle A—Western Reserve Heritage Area Study

SEC. 301. SHORT TITLE.

This subtitle may be cited as the “Western Reserve Heritage Areas Study Act”.

SEC. 302. NATIONAL PARK SERVICE STUDY REGARDING THE WESTERN RESERVE, OHIO.

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

(1) The area that encompasses the modern-day counties of Trumbull, Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga, Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ashland in Ohio with the rich history in what was once the Western Reserve, has made a unique contribution to the cultural, political, and industrial development of the United States.

(2) The Western Reserve is distinctive as the land settled by the people of Connecticut after

the Revolutionary War. The Western Reserve holds a unique mark as the original wilderness land of the West that many settlers migrated to in order to begin life outside of the original 13 colonies.

(3) The Western Reserve played a significant role in providing land to the people of Connecticut whose property and land was destroyed during the Revolution. These settlers were descendants of the brave immigrants who came to the Americas in the 17th century.

(4) The Western Reserve offered a new destination for those who moved west in search of land and prosperity. The agricultural and industrial base that began in the Western Reserve still lives strong in these prosperous and historical counties.

(5) The heritage of the Western Reserve remains transfixed in the counties of Trumbull, Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga, Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ashland in Ohio. The people of these counties are proud of their heritage as shown through the unwavering attempts to preserve agricultural land and the industrial foundation that has been embedded in this region since the establishment of the Western Reserve. Throughout these counties, historical sites, and markers preserve the unique traditions and customs of its original heritage.

(6) The counties that encompass the Western Reserve continue to maintain a strong connection to its historic past as seen through its preservation of its local heritage, including historic homes, buildings, and centers of public gatherings.

(7) There is a need for assistance for the preservation and promotion of the significance of the Western Reserve as the natural, historic and cultural heritage of the counties of Trumbull, Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga, Summit, Medina, Huron, Lorain, Erie, Ottawa and Ashland in Ohio.

(8) The Department of the Interior is responsible for protecting the Nation's cultural and historical resources. There are significant examples of such resources within these counties and what was once the Western Reserve to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the State of Ohio and other local governmental entities, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) STUDY.—

(1) IN GENERAL.—The Secretary, acting through the National Park Service Rivers, Trails, and Conservation Assistance Program, Midwest Region, and in consultation with the State of Ohio, the counties of Trumbull, Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga, Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ashland, and other appropriate organizations, shall carry out a study regarding the suitability and feasibility of establishing the Western Reserve Heritage Area in these counties in Ohio.

(2) CONTENTS.—The study shall include analysis and documentation regarding whether the Study Area—

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

(B) reflects traditions, customs, beliefs, and folklore that are a valuable part of the national story;

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

(D) provides outstanding recreational and educational opportunities;

(E) contains resources important to the identified theme or themes of the Study Area that re-

tain a degree of integrity capable of supporting interpretation;

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

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

(H) has a conceptual boundary map that is supported by the public; and

(I) has potential or actual impact on private property located within or abutting the Study Area.

(c) BOUNDARIES OF THE STUDY AREA.—The Study Area shall be comprised of the counties of Trumbull, Mahoning, Ashtabula, Portage, Geauga, Lake, Cuyahoga, Summit, Medina, Huron, Lorain, Erie, Ottawa, and Ashland in Ohio.

Subtitle B—St. Croix National Heritage Area Study

SEC. 311. SHORT TITLE.

This subtitle may be cited as the “St. Croix National Heritage Area Study Act”.

SEC. 312. STUDY.

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

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

(2) reflects traditions, customs, beliefs, and folklore that are a valuable part of the national story;

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

(4) provides outstanding recreational and educational opportunities;

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

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

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

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

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

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

Subtitle C—Southern Campaign of the Revolution

SEC. 321. SHORT TITLE.

This subtitle may be cited as the “Southern Campaign of the Revolution Heritage Area Study Act”.

SEC. 322. SOUTHERN CAMPAIGN OF THE REVOLUTION HERITAGE AREA STUDY.

(a) STUDY.—The Secretary of the Interior, in consultation with appropriate State historic preservation officers, States historical societies, the South Carolina Department of Parks, Recreation, and Tourism, and other appropriate organizations, shall conduct a study regarding the suitability and feasibility of designating the study area described in subsection (b) as the Southern Campaign of the Revolution Heritage Area. The study shall include analysis, documentation, and determination regarding whether the study area—

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

(2) reflects traditions, customs, beliefs, and folklore that are a valuable part of the national story;

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

(4) provides outstanding recreational and educational opportunities;

(5) contains resources important to the identified theme or themes of the study area that retain a degree of integrity capable of supporting interpretation;

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

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

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

(b) STUDY AREA.—

(1) IN GENERAL.—

(A) SOUTH CAROLINA.—The study area shall include the following counties in South Carolina: Anderson, Pickens, Greenville County, Spartanburg, Cherokee County, Greenwood, Laurens, Union, York, Chester, Darlington, Florence, Chesterfield, Marlboro, Fairfield, Richland, Lancaster, Kershaw, Sumter, Orangeburg, Georgetown, Dorchester, Colleton, Charleston, Beaufort, Calhoun, Clarendon, and Williamsburg.

(B) NORTH CAROLINA.—The study area may include sites and locations in North Carolina as appropriate.

(2) SPECIFIC SITES.—The heritage area may include the following sites of interest:

(A) NATIONAL PARK SERVICE SITE.—Kings Mountain National Military Park, Cowpens National Battlefield, Fort Moultrie National Monument, Charles Pickney National Historic Site, and Ninety Six National Historic Site as well as the National Park Affiliate of Historic Camden Revolutionary War Site.

(B) *STATE-MAINTAINED SITES*.—Colonial Dorchester State Historic Site, Eutaw Springs Battle Site, Hampton Plantation State Historic Site, Landsford Canal State Historic Site, Andrew Jackson State Park, and Musgrove Mill State Park.

(C) *COMMUNITIES*.—Charleston, Beaufort, Georgetown, Kingtree, Cheraw, Camden, Wimsboro, Orangeburg, and Cayce.

(D) *OTHER KEY SITES OPEN TO THE PUBLIC*.—Middleton Place, Goose Creek Church, Hopsewee Plantation, Walnut Grove Plantation, Fort Watson, and Historic Brattonsville.

(c) *REPORT*.—Not later than 3 fiscal years after the date on which funds are first made available to carry out this subtitle, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

SEC. 323. PRIVATE PROPERTY.

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

TITLE IV—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR ACT AMENDMENTS

SEC. 401. SHORT TITLE.

This title may be cited as the “Illinois and Michigan Canal National Heritage Corridor Act Amendments of 2006”.

SEC. 402. TRANSITION AND PROVISIONS FOR NEW LOCAL COORDINATING ENTITY.

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 (Public Law 98-398; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103—

(A) in paragraph (8), by striking “and”;

(B) in paragraph (9), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(10) the term ‘Association’ means the Canal Corridor Association (an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code).”

(2) By adding at the end of section 112 the following new paragraph:

“(7) The Secretary shall enter into a memorandum of understanding with the Association to help ensure appropriate transition of the local coordinating entity to the Association and coordination with the Association regarding that role.”

(3) By adding at the end the following new sections:

“SEC. 119. ASSOCIATION AS LOCAL COORDINATING ENTITY.

“Upon the termination of the Commission, the local coordinating entity for the corridor shall be the Association.

“SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.

“For purposes of preparing and implementing the management plan developed under section 121, the Association may use Federal funds made available under 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;

“(2) to hire, train, and compensate staff; and

“(3) to enter into contracts for goods and services.

“SEC. 121. DUTIES OF THE ASSOCIATION.

“The Association shall—

“(1) develop and submit to the Secretary for approval under section 123 a proposed management plan for the corridor not later than 2 years after Federal funds are made available for this purpose;

“(2) give priority to implementing actions set forth in the management plan, including taking steps to assist units of local government, regional planning organizations, and other organizations—

“(A) in preserving the corridor;

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

“(C) in developing recreational resources in the corridor;

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

“(E) in facilitating the restoration of any historic building relating to the themes of the corridor;

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

“(4) consider the interests of diverse governmental, business, and other groups within the corridor;

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

“(6) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary; and

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

“(A) submit an annual report to the Secretary setting forth the Association’s accomplishments, expenses and income, and the identity of each entity to which any loans and grants were made during the year for which the report is made;

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

“(C) 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.

“SEC. 122. USE OF FEDERAL FUNDS.

“(a) *IN GENERAL*.—The Association shall not use Federal funds received under this title to acquire real property or an interest in real property.

“(b) *OTHER SOURCES*.—Nothing in this title precludes the Association from using Federal funds from other sources for authorized purposes.

“SEC. 123. MANAGEMENT PLAN.

“(a) *PREPARATION OF MANAGEMENT PLAN*.—Not later than 2 years after the date that Federal funds are made available for this purpose, the Association shall submit to the Secretary for approval a proposed management plan that shall—

“(1) take into consideration State and local plans and involve residents, local governments and public agencies, and private organizations in the corridor;

“(2) present comprehensive recommendations for the corridor’s conservation, funding, management, and development;

“(3) include actions proposed to be undertaken by units of government and nongovernmental and private organizations to protect the resources of the corridor;

“(4) specify the existing and potential sources of funding to protect, manage, and develop the corridor; and

“(5) include—

“(A) identification of the geographic boundaries of the corridor;

“(B) a brief description and map of the corridor’s overall concept or vision that show key sites, visitor facilities and attractions, and physical linkages;

“(C) identification of overall goals and the strategies and tasks intended to reach them, and a realistic schedule for completing the tasks;

“(D) a listing of the key resources and themes of the corridor;

“(E) identification of parties proposed to be responsible for carrying out the tasks;

“(F) a financial plan and other information on costs and sources of funds;

“(G) a description of the public participation process used in developing the plan and a proposal for public participation in the implementation of the management plan;

“(H) a mechanism and schedule for updating the plan based on actual progress;

“(I) a bibliography of documents used to develop the management plan; and

“(J) a discussion of any other relevant issues relating to the management plan.

“(b) *DISQUALIFICATION FROM FUNDING*.—If a proposed management plan is not submitted to the Secretary within 2 years after the date that Federal funds are made available for this purpose, the Association shall be ineligible to receive additional funds under this title until the Secretary receives a proposed management plan from the Association.

“(c) *APPROVAL OF MANAGEMENT PLAN*.—The Secretary shall approve or disapprove a proposed management plan submitted under this title not later than 180 days after receiving such proposed management plan. If action is not taken by the Secretary within the time period specified in the preceding sentence, the management plan shall be deemed approved. The Secretary shall consult with the local entities representing the diverse interests of the corridor including governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners prior to approving the management plan. The Association shall conduct semi-annual public meetings, workshops, and hearings to provide adequate opportunity for the public and local and governmental entities to review and to aid in the preparation and implementation of the management plan.

“(d) *EFFECT OF APPROVAL*.—Upon the approval of the management plan as provided in subsection (c), the management plan shall supersede the conceptual plan contained in the National Park Service report.

“(e) *ACTION FOLLOWING DISAPPROVAL*.—If the Secretary disapproves a proposed management plan within the time period specified in subsection (c), the Secretary shall advise the Association in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed management plan.

“(f) *APPROVAL OF AMENDMENTS*.—The Secretary shall review and approve all substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan. Funds made available under this title may not be expended to implement any changes made by a substantial amendment until the Secretary approves that substantial amendment.

“SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

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

“(1) conserving the significant natural, historic, cultural, and scenic resources of the corridor; and

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

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

“(1) consult with the Secretary and the Association with respect to such activities;

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

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

“(4) to the maximum extent practicable, conduct or support such activities in a manner which the Association determines is not likely to have an adverse effect on the corridor.

“SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

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

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

“SEC. 126. SUNSET.

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

SEC. 403. PRIVATE PROPERTY PROTECTION.

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 is further amended by adding after section 126 (as added by section 402) the following new sections:

“SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

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

“(b) *LANDOWNER WITHDRAWAL.*—Any owner of private property included within the boundary of the corridor, and not notified under subsection (a), shall have their property immediately removed from the boundary of the corridor by submitting a written request to the Association.

“SEC. 128. PRIVATE PROPERTY PROTECTION.

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

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

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

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

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

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

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

SEC. 404. TECHNICAL AMENDMENTS.

Section 116 of Illinois and Michigan Canal National Heritage Corridor Act of 1984 is amended—

(1) by striking subsection (b); and

(2) in subsection (a)—

(A) by striking “(a)” and all that follows through “For each” and inserting “(a) For each”;

(B) by striking “Commission” and inserting “Association”;

(C) by striking “Commission’s” and inserting “Association’s”;

(D) by redesignating paragraph (2) as subsection (b); and

(E) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

TITLE V—MOKELUMNE RIVER FEASIBILITY STUDY

SEC. 501. AUTHORIZATION OF MOKELUMNE RIVER REGIONAL WATER STORAGE AND CONJUNCTIVE USE PROJECT STUDY.

Pursuant to the Reclamation Act of 1902 (32 Stat. 388) and Acts amendatory thereof and supplemental thereto, not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior (hereafter in this title referred to as the “Secretary”), through the Bureau of Reclamation, and in consultation and cooperation with the Mokelumne River Water and Power Authority, shall complete and submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate copies of a study to determine the feasibility of constructing a project to provide additional water supply and improve water management reliability through the development of new water storage and conjunctive use programs.

SEC. 502. USE OF REPORTS AND OTHER INFORMATION.

In developing the study under section 501, the Secretary shall use, as appropriate, reports and any other relevant information supplied by the Mokelumne River Water and Power Authority, the East Bay Municipal Utility District, and other Mokelumne River Forum stakeholders.

SEC. 503. COST SHARES.

(a) *FEDERAL SHARE.*—The Federal share of the costs of the study conducted under this title shall not exceed 50 percent of the total cost of the study.

(b) *IN-KIND CONTRIBUTIONS.*—The Secretary shall accept, as appropriate, such in-kind contributions of goods or services from the Mokelumne River Water and Power Authority as the Secretary determines will contribute to the conduct and completion of the study conducted under this title. Goods and services accepted under this section shall be counted as part of the non-Federal cost share for that study.

SEC. 504. WATER RIGHTS.

Nothing in this title shall be construed to invalidate, preempt, or create any exception to State water law, State water rights, or Federal or State permitted activities or agreements.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary \$3,300,000 for the Federal cost share of the study conducted under this title.

TITLE VI—DELAWARE NATIONAL COASTAL SPECIAL RESOURCES STUDY

SEC. 601. SHORT TITLE.

This title may be cited as the “Delaware National Coastal Special Resources Study Act”.

SEC. 602. STUDY.

(a) *IN GENERAL.*—The Secretary of the Interior (referred to in this title as the “Secretary”) shall conduct a special resources study of the national significance, suitability, and feasibility of including sites in the coastal region of the State of Delaware in the National Park System.

(b) *INCLUSION OF SITES IN THE NATIONAL PARK SYSTEM.*—The study under subsection (a) shall include an analysis and any recommendations of the Secretary concerning the suitability and feasibility of designating 1 or more of the sites along the Delaware coast, including Fort Chris-

tina, as a unit of the National Park System that relates to the themes described in section 603.

(c) *STUDY GUIDELINES.*—In conducting the study authorized under subsection (a), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System contained in section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

(d) *CONSULTATION.*—In preparing and conducting the study under subsection (a), the Secretary shall consult with—

(1) the State of Delaware;

(2) the coastal region communities;

(3) owners of private property that would likely be impacted by a National Park Service designation; and

(4) the general public.

SEC. 603. THEMES.

The study authorized under section 602 shall evaluate sites along the coastal region of the State of Delaware that relate to—

(1) the history of indigenous peoples, which would explore the history of Native American tribes of Delaware, such as the Nanticoke and Leni Lenape;

(2) the colonization and establishment of the frontier, which would chronicle the first European settlers in the Delaware Valley who built fortifications for the protection of settlers, such as Fort Christina;

(3) the founding of a nation, which would document the contributions of Delaware to the development of our constitutional republic;

(4) industrial development, which would investigate the exploitation of water power in Delaware with the mill development on the Brandywine River;

(5) transportation, which would explore how water served as the main transportation link, connecting Colonial Delaware with England, Europe, and other colonies;

(6) coastal defense, which would document the collection of fortifications spaced along the river and bay from Fort Delaware on Pea Patch Island to Fort Miles near Lewes;

(7) the last stop to freedom, which would detail the role Delaware has played in the history of the Underground Railroad network; and

(8) the coastal environment, which would examine natural resources of Delaware that provide resource-based recreational opportunities such as crabbing, fishing, swimming, and boating.

SEC. 604. REPORT.

Not later than 2 years after funds are made available to carry out this title under section 605, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report containing the findings, conclusions, and recommendations of the study conducted under section 602.

TITLE VII—JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR REAUTHORIZATION

SEC. 701. SHORT TITLE.

This title may be cited as the “John H. Chafee Blackstone River Valley National Heritage Corridor Reauthorization Act of 2006”.

SEC. 702. JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR.

(a) *COMMISSION MEMBERSHIP.*—Section 3(b) of Public Law 99-647 (16 U.S.C. 461 note) is amended—

(1) by striking “nineteen members” and inserting “25 members”;

(2) in paragraph (2)—

(A) by striking “six” and inserting “6”; and

(B) by striking “Department of Environmental Management Directors from Rhode Island and Massachusetts” and inserting “the Director of the Rhode Island Department of Environmental Management and the Secretary of the Massachusetts Executive Office of Environmental Affairs”;

(3) in paragraph (3)—

(A) by striking “four” each place it appears and inserting “5”; and

(B) by striking “and” after the semicolon;

(4) in paragraph (4)—

(A) by striking “two” each place it appears and inserting “3”; and

(B) by striking the period and inserting “; and”; and

(5) by inserting after paragraph (4) the following:

“(5) 1 representative of a nongovernmental organization from Massachusetts and 1 from Rhode Island, to be appointed by the Secretary, which have expertise in historic preservation, conservation, outdoor recreation, cultural conservation, traditional arts, community development, or tourism.”.

(b) QUORUM.—Section 3(f)(1) of Public Law 99-647 (16 U.S.C. 461 note) is amended by striking “Ten” and inserting “13”.

(c) UPDATE OF PLAN.—Section 6 of Public Law 99-647 (16 U.S.C. 461 note) is amended by adding at the end the following:

“(e) UPDATE OF PLAN.—(1) Not later than 2 years after the date of enactment of this subsection, the Commission shall update the plan under subsection (a).

“(2) In updating the plan under paragraph (1), the Commission shall take into account the findings and recommendations included in the Blackstone Sustainability Study conducted by the National Park Service Conservation Study Institute.”.

“(3) The update shall include—

“(A) performance goals; and

“(B) an analysis of—

“(i) options for preserving, enhancing, and interpreting the resources of the Corridor;

“(ii) the partnerships that sustain those resources; and

“(iii) the funding program for the Corridor.

“(4) (A) Except as provided in subparagraph (B), the Secretary shall approve or disapprove any changes to the plan proposed in the update in accordance with subsection (b).

“(B) Minor revisions to the plan shall not be subject to the approval of the Secretary.”.

(d) EXTENSION OF COMMISSION.—Public Law 99-647 (16 U.S.C. 461 note) is amended by striking section 7 and inserting the following:

“SEC. 7. TERMINATION OF COMMISSION.

“The Commission shall terminate on the date that is 5 years after the date of enactment of the John H. Chafee Blackstone River Valley National Heritage Corridor Reauthorization Act of 2006.”.

(e) SPECIAL RESOURCE STUDY.—Section 8 of Public Law 99-647 (16 U.S.C. 461 note) is amended by adding at the end the following:

“(d) SPECIAL RESOURCE STUDY.—

“(1) IN GENERAL.—The Secretary shall conduct a special resource study of sites and associated landscape features within the boundaries of the Corridor that contribute to the understanding of the Corridor as the birthplace of the industrial revolution in the United States.

“(2) EVALUATION.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary shall complete the study under paragraph (1) to evaluate the possibility of—

“(A) designating 1 or more site or landscape feature as a unit of the National Park System; and

“(B) coordinating and complementing actions by the Commission, local governments, and State and Federal agencies, in the preservation and interpretation of significant resources within the Corridor.

“(3) COORDINATION.—The Secretary shall coordinate the Study with the Commission.

“(4) REPORT.—Not later than 30 days after the date on which the study under paragraph (1) is completed, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

“(A) the findings of the study; and

“(B) the conclusions and recommendations of the Secretary.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 10 of Public Law 99-647 (16 U.S.C. 461 note) is amended—

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

(2) by striking subsection (b) and inserting the following:

“(b) DEVELOPMENT FUNDS.—There is authorized to be appropriated to carry out section 8(c) not more than \$10,000,000 for the period of fiscal years 2006 through 2016, to remain available until expended.

“(c) SPECIAL RESOURCE STUDY.—There are authorized to be appropriated such sums as are necessary to carry out section 8(d).”.

TITLE VIII—CALIFORNIA RECLAMATION GROUNDWATER REMEDIATION INITIATIVE

SEC. 801. SHORT TITLE.

This title may be cited as the “California Reclamation Groundwater Remediation Initiative”.

SEC. 802. DEFINITIONS.

For the purposes of this title:

(1) GROUNDWATER REMEDIATION.—The term “groundwater remediation” means actions that are necessary to prevent, minimize, or mitigate damage to groundwater.

(2) LOCAL WATER AUTHORITY.—The term “local water authority” means the Santa Clara Valley Water District or a public water district, public water utility, public water planning agency, municipality, or Indian tribe located within the Santa Clara Valley; and a public water district, public water utility, public water planning agency, municipality, or Indian tribe located within the natural watershed of the Santa Ana river in the State of California.

(3) REMEDIATION FUND.—The term “Remediation Fund” means the California Basins Groundwater Remediation Fund established pursuant to section 803(a).

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

SEC. 803. CALIFORNIA BASINS REMEDIATION.

(a) CALIFORNIA BASINS REMEDIATION.—

(1) ESTABLISHMENT OF REMEDIATION FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the California Basins Groundwater Remediation Fund.

(2) ADMINISTRATION OF REMEDIATION FUND.—The Remediation Fund shall be administered by the Secretary of the Interior, acting through the Bureau of Reclamation. The Secretary shall administer the Remediation Fund in cooperation with the local water authority.

(3) PURPOSES OF REMEDIATION FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Remediation Fund, including interest accrued, shall be used by the Secretary to provide grants to the local water authority to reimburse the local water authority for the Federal share of the costs associated with designing and constructing groundwater remediation projects to be administered by the local water authority.

(B) COST-SHARING LIMITATION.—

(i) IN GENERAL.—The Secretary may not obligate any funds appropriated to the Remediation Fund in a fiscal year until the Secretary has deposited into the Remediation Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary for a project are from funds provided to the Secretary for that project by the non-Federal interests.

(ii) NON-FEDERAL RESPONSIBILITY.—Each local water authority shall be responsible for providing the non-Federal amount required by clause (i) for projects under that local water authority. The State of California, local government agencies, and private entities may provide all or any portion of the non-Federal amount.

(iii) CREDITS TOWARD NON-FEDERAL SHARE.—For purposes of clause (ii), the Secretary shall

credit the appropriate local water authority with the value of all prior expenditures by non-Federal interests made after January 1, 2000, that are compatible with the purposes of this section, including—

(I) all expenditures made by non-Federal interests to design and construct groundwater remediation projects, including expenditures associated with environmental analyses and public involvement activities that were required to implement the groundwater remediation projects in compliance with applicable Federal and State laws; and

(II) all expenditures made by non-Federal interests to acquire lands, easements, rights-of-way, relocations, disposal areas, and water rights that were required to implement a groundwater remediation project.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate remediation and protection of any groundwater subbasin eligible for funding pursuant to this title. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Remediation Fund \$25,000,000. Subject to the limitations in section 804, such funds shall remain available until expended.

SEC. 804. SUNSET OF AUTHORITY.

This title—

(1) shall take effect on the date of the enactment of this Act; and

(2) is repealed effective as of the date that is 10 years after the date of the enactment of this Act.

TITLE IX—NATIONAL COAL HERITAGE AREA

SEC. 901. NATIONAL COAL HERITAGE AREA AMENDMENTS.

Title I of Division II of the Omnibus Parks and Public Lands Management Act of 1996 is amended as follows:

(1) In section 103(b)—

(A) by striking “comprised of the counties” and inserting “shall be comprised of the following:

“(1) The counties; and”.

(B) by inserting after paragraph (1) (as so designated by paragraph (1) of this subsection) the following new paragraphs:

“(2) Lincoln County, West Virginia.

“(3) Paint Creek and Cabin Creek within Kanawha County, West Virginia.”.

(2) In section 104, by striking “Governor” and all that follows through “organizations” and inserting “National Coal Heritage Area Authority, a public corporation and government instrumentality established by the State of West Virginia, pursuant to which the Secretary shall assist the National Coal Heritage Area Authority”.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Senate concur in the House amendment and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

S. 3661

Mr. CORNYN. Mr. President, I thank the Senator from Vermont for being here so we can discuss briefly a bill that has just by unanimous consent been passed.

The reason we are here is to help clarify some concerns which I know he has with the legislation. I appreciate his willingness to work with Senator HUTCHISON and myself in expediting this passage.

This bill will ultimately repeal the Wright amendment, a law designed to reflect the compromise with respects to flights coming into and out of Love Field in Dallas, TX and, therefore, operating just a few miles down the road from Dallas-Ft. Worth Airport but which has proved a hindrance to competition among airlines; and has resulted in increased fares to those who travel through DFW Airport.

The legislation before us recognizes that the city of Dallas is the entity responsible for operating Love Field, and will reduce the gates there to 20 and will allocate those gates with existing commitments and obligations, including commitments to accommodate potential new entrants.

I point out that doing so will allow the city of Dallas to maintain an appropriate number of gates to address the critically important considerations of local noise, air pollution, congestion, and safety.

I yield to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate what the Senator from Texas has said. I appreciate the colloquy and the days we spent trying to work through this issue. He and I talked about this before the break in August. I knew working with him we would work out a solution. I believe we have. It is a complicated solution for competition law and obviously important for Texas.

The Senate Judiciary Committee is responsible for ensuring competition—and thereby protecting consumers—through enactment and enforcement of antitrust laws. I support repeal of the Wright amendment, but the bill originally introduced by Senator HUTCHISON went well beyond a simple repeal. It would have explicitly insulated from competition review private agreements among competitors. Such insulation is inappropriate and unprecedented, and it is bad for consumers.

I am sensitive to the hard work that the cities of Dallas and Fort Worth, and the airport authority there, have put in to craft a solution to the complicated web of problems created by the Wright amendment. It is more than unfortunate that Congress permitted such a clearly anticompetitive situation to exist in the first place, and it is certainly our obligation to try to rectify that problem. Doing so in a way that creates a new set of anticompetitive issues—and the resulting harm to consumers—would only be to repeat the errors of the past.

I appreciate the changes we have been able to agree to, stripping the explicit antitrust exemption from the bill, and speaking only to the obligations of the city of Dallas, rather than blessing the agreement among the cities, the airport authority, and two airlines. I am still concerned, however, because while Congress is no longer explicitly deeming the contract in compliance with competition laws, an implicit protection from those important guardians of consumer welfare may remain.

The parties to the contract, both public and private, all assure me that the contract is not anticompetitive, and that the statute should not be read to create an exemption. I would prefer to be more precise in the statutory language, but I trust that they are correct. Senator CORNYN and I share a concern about providing antitrust immunity to agreements involving private parties. While I would prefer greater clarity on this point in the bill, I am pleased that Senator CORNYN and I agree that this is an entirely unique situation, which should not be repeated. I understand that in the view of the Senators from Texas, this unique situation requires a unique, if inelegant solution. I disagree and would have preferred a solution that more clearly preserves the antitrust laws. I have worked hard both with the affected parties and Senator CORNYN, to craft such a solution.

The similar respect Senator CORNYN and I have for preserving competition laws has made our conversations productive and moved the legislative process forward. While my concerns remain about this legislation, I am prepared to accept it. We have come a long way from where this process started with an explicit antitrust exemption.

I expect that in the future, legislation that may have anticompetitive effects will be referred to, and vetted by, the Senate Judiciary Committee so that concerns over competition can be handled in regular order and addressed early.

Mr. CORNYN. I know the Senior Senator from Vermont has genuine concerns about the legislation. And while I do not take a position about the creation of an antitrust exemption, implicit or otherwise, share his view that this is a unique situation. I join him in saying that the solution is not perfect. We do not agree on many issues, but on some important ones—including intellectual property legislation—we share a commitment to promoting free market principles—and the goal of any arrangement such as this should be to maximize those principles.

The legislation contemplated here should not be a model for any future arrangement. In no way can I imagine a situation arising with a set of facts remotely similar to that created in Dallas by the passage of the Wright amendment. It is entirely unique and is precisely the reason for this legislation—legislation that moves the ball

forward considerably with respect to increasing competition in the Dallas-Fort Worth area.

In addition, the proposed legislation reflects a Congressional sanction for the city of Dallas to manage Love Field in a manner that it deems in the best interests of its citizens, and in accordance with a hard fought local compromise, a sanction made necessary only by the existence of the Wright amendment itself. By doing so, while not perfect by any means, I am hopeful that we will afford literally millions of citizens in north Texas and elsewhere the enormous benefits of enhanced airline competition that they have long been denied because of the Wright amendment.

Mrs. HUTCHISON. Mr. President, I would like to talk a little bit about S. 3661 because I am the sponsor of the legislation and have worked for 12 years to try to explain the Wright amendment to every interested party in Congress. It is so important to North Texas, to DFW Airport, and Love Field that we have an agreement, a plan to move forward beyond the Wright amendment in a way that is going to increase competition immeasurably.

Most people do not realize the history of the Wright amendment. When DFW Airport was forced on the cities of Dallas and Ft. Worth by a Federal mandate, the cities made agreements with airlines that DFW Airport would be the only functioning major airport in the region. It was to be the international airport, and Love Field was to be closed. After litigation, Love Field was allowed to be an intrastate airport. The Wright amendment later opened Love Field to serve the contiguous States, but that became untenable as aviation traffic continued to grow. The Wright amendment was very confining and was not the best competitive situation.

There have been many attempts to expand the Wright amendment. There have also been attempts to repeal the Wright amendment. Many in Congress asked the mayors of the two cities to come up with a local solution, rather than have Congress once again pass legislation that may or may not take into consideration the interests of the people who live and work and pay taxes in the Dallas-Ft. Worth area. The mayors did just that.

Mayor Laura Miller and Mayor Mike Moncrief, the mayors of Dallas and Ft. Worth, did an incredible job. They came together and made an agreement. Cities can make agreements. Under State law, cities can make agreements and there is never an antitrust issue when cities make agreements.

The antitrust issue was raised because two airlines became part of the agreement. The cities brought them in because lease agreements that were in place with those air carriers were going to have to be compromised, they were going to have to be changed and broken.

Instead of pursuing condemnation, the parties were brought together to

get a consensus of their willingness to give up some rights in order to settle this once and for all and open competition both at Love Field and at DFW Airport.

The cities did a great job. They made an agreement and they brought it to Congress. I have felt since the beginning, it was Congress's responsibility to take that agreement, ratify it and mandate that the agreement be kept in its entirety because it is so balanced. And if you did away with the Wright amendment, but you did not have the 20 gate limit and the implementation of the 20 gates, it could have gone out of balance.

So this act, regardless of anything else that has been said, authorizes, mandates, and protects all aspects of performance of the legislation's terms, including that the city of Dallas reduce and allocate gates according to this act, its contractual obligations as contemplated by the act, and the local compromise and the balance it has achieved.

This legislation will allow the DFW Metroplex to end decades of bitterness and infighting that have plagued the Wright amendment. It provides a solution that all parties affected have agreed to. And just about every party to this agreement has given something up for the good of the North Texas economy and the traveling public.

We can now move forward to allow immediate benefits to consumers and the traveling public because airline prices are going to go down when this bill is passed. Actually, the bill has already passed. I am very pleased to say it has passed the Senate. It is going to the House now. And you will see, when the bill becomes law, that the prices of tickets from Dallas Love Field are going to go down to every destination. That is going to increase competition and interest in flying, which is going to be good for everyone.

Mr. President, I have a letter that was sent to four of the ranking members and committee chairs on September 28, 2006. It is addressed to Senator SPECTER, Senator LEAHY, Congressman SENSENBRENNER, and Congressman CONYERS. And it is from the mayor of Dallas and the mayor of Fort Worth. I ask unanimous consent it be printed in the RECORD. It tells the history of the Wright amendment and how competition will be increased.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 28, 2006.

Re Repeal of the Wright Amendment—S. 3661; H.R. 5830.

Hon. ARLEN SPECTER,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. PATRICK J. LEAHY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

Hon. JOHN CONYERS, Jr.,
Ranking Member, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR SENATORS AND REPRESENTATIVES: We are writing in response to letters from various detractors of the proposed legislation to repeal the Wright Amendment. As the duly-elected mayors and their city attorneys, and on behalf of the citizens of Dallas and Fort Worth, we offer the following observations for your consideration.

1. The suggestion by critics that the proposed legislation is somehow anticompetitive and would lead to higher fares and reduced service for consumers in the Dallas-Fort Worth area is patently incorrect. Not surprisingly, these suggestions are unaccompanied by any factual foundation or economic analysis. On the contrary, the proposed Agreement would enhance airline competition in the Dallas-Fort Worth area and benefit consumers and airlines seeking to provide service to the area. As we describe more fully below, independent studies confirm that, in the short term, passage of the proposed legislation would (1) increase the number of passengers traveling to and from North Texas by two million annually, (2) result in fare savings of approximately \$260 million per year, and (3) produce overall economic benefits of \$2.4 billion annually.

2. The detractors of the proposed legislation wholly fail to address the critically important considerations of aircraft noise, air quality, traffic congestion in the airport vicinity, and economic activity in the region. With few exceptions, airport operations reflect tradeoffs between economic and environmental considerations. The proposed legislation concerning Love Field is no different. The legislation reflects a carefully crafted balance of these considerations by the local governments principally responsible for managing these issues. Unlike the observations offered by certain critics, the compromise reflected in the proposed legislation is not confined to the issues of airline competition only, but rather reflects an accommodation of a full range of economic and environmental considerations that are important to Dallas and Fort Worth.

I. THE WRIGHT AMENDMENT COMPROMISE WAS FORGED BY LOCAL GOVERNMENT LEADERS AT THE URGING OF CONGRESS

As an initial matter, it bears emphasis that a number of Congressional leaders have long urged the cities of Dallas and Fort Worth to work towards a local compromise to resolve the longstanding controversies over the 1979 Wright Amendment and its restrictions on commercial air service to and from Dallas Love Field. Prompted by that Congressional call for action, the mayors of Dallas and Fort Worth spearheaded efforts to forge a compromise among local government leaders and representatives of the Dallas-Fort Worth International Airport Board ("DFW Board").

The mayors and representatives of the DFW Board first reached consensus among themselves on the propriety of a local solution for repeal of the Wright Amendment. Thereafter, the mayors and DFW Board persuaded Southwest Airlines and American Airlines (as the principal tenants of the main

terminal at Love Field that would be called on to give up property rights at Love Field) of the virtues of a local solution, and that the solution the mayors and DFW Board proposed likely would be favorably received by Congress. As a consequence, Southwest and American each decided to support the Wright Amendment compromise forged by Dallas, Fort Worth, and the DFW Board.

II. THE WRIGHT AMENDMENT COMPROMISE IS GOOD FOR AIRLINE COMPETITION AND FOR CONSUMERS

After considerable study and examination, it is the view of Dallas and Fort Worth that the Wright Amendment compromise reflected in S. 3661 and H.R. 5830 would open the North Texas market to considerably more competition in air transportation.

To begin with, congressional approval of the Wright Amendment compromise would enable Southwest and other airlines serving Love Field immediately to begin selling "through tickets" for travel to and from Love Field. This would allow Love Field customers to travel on a one-stop basis to and from cities nationwide. By contrast, under the terms of the Wright and Shelby Amendments, airlines flying out of Love Field are limited to a handful of nearby states.

Detractors maintain that the proposed legislation could be anticompetitive, perhaps resulting in higher fares on many routes. This is conjecture unsubstantiated by any facts. Quite to the contrary, the Agreement, if implemented, would result in a reduction in fares and hundreds of millions of dollars in cost savings for consumers.

Two highly respected economic consulting firms, the Campbell-Hill Aviation Group and SH&E International Air Transport Consultancy, recently performed an economic analysis of the Wright Amendment compromise. Their joint findings show that "through ticketing" at Love Field would increase the number of passengers traveling to and from North Texas by two million, produce \$259 million in fare savings, and generate \$2.4 billion in overall economic benefits—all on an annual basis.

Equally unsupported are the arguments regarding the proposed reduction of gates at Love Field. However, these critics fail to acknowledge that the proposed reduction of gates at Love Field from 32 to 20 would still leave more gates in service than the 19 or fewer gates that airlines have utilized since the inception of the Wright Amendment.

More fundamentally, besides ignoring the economic analysis of the Wright Amendment Compromise set forth in the Campbell-Hill and SH&E study, these commentators also fail to acknowledge a study commissioned by the City of Dallas, which was prepared by DMJM Aviation and released on May 31, 2006. The DMJM Aviation study found that if the Wright Amendment is repealed, the optimal number of gates at Love Field would be 20 in order to prevent excessive noise, emissions, and traffic congestion in the local community. Repeal of the Wright Amendment, which limits long-haul service to aircraft of 56 seats or less, would result in more large aircraft carrying more passengers to and from Love Field. Thus, the study concluded a 20-gate limit without the Wright Amendment would be equivalent in noise, pollution, and congestion to the 32 gates now found at Love Field (again, only 19 of which are currently utilized).

Just as the prognostication of an increase in airfares is incorrect, so, too, is the speculation that the proposed elimination of twelve gates at Love Field would bar potential competitors from gaining access to the market. In truth, carriers would not be prevented from obtaining access to Love Field in the future. As set forth in the July 31, 2001

Airline Competition Plan submitted by the City of Dallas for Love Field, "the operational main terminal gates at Love Field are all subject to scarce resource provisions that, when invoked, render those gates preferential use gates." Thus, the "scarce resource" provision allows the City of Dallas to require incumbent airlines to share gates that are not fully used at Love Field. This provision is essentially the same as the procedures used at most other major U.S. airports to accommodate new entrant carriers.

The process for accommodating an airline seeking space involves three stages, as outlined in the Love Field Airline Competition Plan. First, if the City of Dallas has space available to lease directly, it would do so. Second, in the absence of space available for direct lease, the City of Dallas would refer the requesting airline to parties who are known to have gates or gate capacity available. Finally, if neither of these approaches proves fruitful, the "scarce resource" provisions of the lease permit the City of Dallas to unilaterally require an incumbent airline to accommodate a requesting airline in its premises. Thus, the assertion that accommodation of new entrants resides solely within the good graces of the incumbent airlines is false.

In fact, the City of Dallas regularly offers its support to requesting carriers to assist in the negotiation of reasonable sublease terms. Significantly, there have been no cases in which an air carrier that was ready and willing to begin or expand service to Love Field has been unable to do so due to inability to secure reasonable access to needed facilities.

Moreover, as previously recognized in an unsuccessful antitrust case brought by the Department of Justice against American, "there are no structural barriers to entry at DFW, which can accommodate any domestic carrier that seeks to establish or expand service." *United States v. AMR Corp.*, 140 F. Supp. 2d 1141, 1210 (D. Kan. 2001), *aff'd*, 335 F. 3d 1109 (10th Cir. 2003). DFW has 15 gates that are currently available to be leased, and many other gates that are underutilized. In fact, DFW has one of the most aggressive Air Service Incentive Programs in the country. A carrier that is willing to offer new domestic air service to one of DFW's top 50 domestic markets is eligible to receive up to six months free landing fees, up to \$100,000 in marketing support, and an additional \$50,000 in marketing support if the carrier is new to DFW. See also *United States v. AMR Corp.*, 140 F. Supp. 2d at 1210.

In sum, there is ready access to both Love Field and DFW, and the proposed Wright Amendment compromise would ensure continued access to the marketplace by carriers seeking to provide service. Contrary to the suggestions of others, the economic analyses conducted to date demonstrate that the proposed legislation would foster competition among carriers, enable consumers to save hundreds of millions of dollars in air fares each year, and provide a carefully-constructed and sensible solution to a decades-old problem.

In essence, these critics apparently contend that Congress should simply repeal the Wright Amendment, while ignoring the other important issues resolved by the proposed legislation. That suggestion ignores the genesis and history of this local compromise, the practical reasons for its detailed terms, and the substantial tangible benefits this legislation would provide not only for the people of Dallas-Fort Worth, but for air travelers nationwide. The proposed legislation is the result of a local government initiative to forge a solution to a series of pressing and inter-related regional transportation issues. The cities of Dallas and Fort Worth spearheaded this effort not only to repeal the

Wright Amendment and thereby improve air competition, but simultaneously to improve the regional transportation infrastructure serving Dallas and Fort Worth, to stimulate to the greatest extent possible regional economic growth, and to address community concerns about the noise, traffic, and air pollution associated with increased service at these airports. Balancing these interests was an enormously difficult endeavor, requiring years of economic and environmental study, planning, negotiation, and compromise. After much study and consideration, we strongly believe the result is a compromise that is good for the region and good for air competition. In short, these detractors simply do not recognize the complexity of the issues or the care with which local officials and various constituencies have addressed these important issues.

Again, thank you for your careful continued consideration of the proposed legislation concerning the repeal of the Wright Amendment. We stand ready to respond to any questions you or members of your staffs might have.

Sincerely,

LAURA MILLER,
Mayor, City of Dallas.

THOMAS P. PERKINS, Jr.,
City Attorney, City of Dallas.

MIKE MONCRIEF,
Mayor,

DAVID L. YETT,
City Attorney, City of Fort Worth.

Mrs. HUTCHISON. A lot of people—so many people—helped put this agreement together and hammer out the differences and views on the issues. We heard today that Senator LEAHY has one view. Senator CORNYN has a view. I have a view. Just about everybody in Congress who has dealt with this issue has a view.

But I think the law we are passing speaks for itself. The law is very clear in what it instructs the city of Dallas to do, as well as the FAA and the Department of Transportation in implementing this agreement. I think it is a major piece of legislation that is absolutely right.

I agree with Senator LEAHY and Senator CORNYN that this is not going to set a precedent. It is a unique situation that was brought on by a Federal mandate and then a Federal law. And the local community has had less input into its own aviation capabilities than maybe any other two major cities in America with major airports. I think today we have clarified the Wright amendment, and I do not think it is ever going to set a precedent because no other airport has a Wright amendment.

So as we phase it out gradually, in an orderly way, to protect the integrity of the DFW Airport, as well as increasing competition in both DFW and Love Field, this is, for the taxpayers and the consumers and the traveling public, a win all the way around.

I want to thank a few people because no one could have passed this bill alone. It took so much cooperation and so many things that were necessary to bring everyone together.

I thank Senator STEVENS and Senator INOUE, the chairman and ranking member of the committee of jurisdiction, the Commerce Committee. I could

not have asked for more help. The bill passed out of the Commerce Committee 21 to 1. Senator ROCKEFELLER was the only one who voted no, but he could not have been more accommodating and honorable in his objection. Once we passed the bill out of committee, we worked with him to make sure he was a part of everything we did. He has been wonderful to work with.

I thank Senator SPECTER and Senator LEAHY, who had concerns on the Judiciary Committee. I thank Senator BURNS, Senator FRIST, Senator REID, Senator ENSIGN, Senator MCCAIN, former Speaker Jim Wright, who also agrees the time has come to have an orderly repeal of the amendment that he put in place, and, of course, Senator CORNYN. I also want to say Senator SUNUNU was just a gentleman in these last couple of days to help us in the ultimate solution of this bill.

I want to say that staff people, who are pro-progress, who have innovation, and are willing to work so hard—which staff people in this Senate do on such a routine basis—I am so appreciative and so respectful of them. I want to mention a couple because without them we would never have gotten this done.

I thank Lisa Sutherland, Christine Kurth, Ken Nahagian, Sam Whitehorn, Jarrod Thompson, Gael Sullivan, and James Reid on the Commerce Committee. Every one of them had an immense impact on this legislation. I thank Harold Kim, Joe Jacquot, and Ivy Johnson, from Senator SPECTER's staff; J.P. Dowd, Susan Davies, and Ed Pagano from Senator LEAHY's staff;—all who were incredible and so helpful.

I want to take a moment to say that Senator DURBIN and Senator SCHUMER also helped in many of the negotiations on this issue. Senator LOTT was there from the very beginning.

But I also want to take a moment of personal privilege about my staff. I have never seen such dedication on such a tough issue as James Christoferson, Matthew Acock, Lindsey Dickinson, Dick Ribbentrop, and Marc Short made in contributing to this victory for my constituents in Texas. These five people worked on this bill, this negotiation, on a daily basis for the last 6 months. There was never a day when we did not have some item that we were trying to move forward to get this bill to the point that we could pass it on the Senate floor. I think the people of Texas owe a great deal of gratitude to these dedicated members of my staff for never giving up, even when it was bleak from time to time, and being as dedicated as I was to making sure the right result for all parties to this agreement became a part of the solution.

When you work on something for so long, and you know how important it is, and how many people are counting on you, you just feel honorbound to do your best to make sure the people who have worked hard are rewarded. When Mayor Miller and Mayor Moncrief

made this agreement, and when they got the support they needed from the DFW Airport, from American Airlines, and from Southwest Airlines—because their rights were affected—everybody gave a little in order to do good for the populace.

I know in the coming years the traveling public in the North Texas area—in and out—are going to see the benefits of a great competitive atmosphere. The DFW Airport gives the greatest service. They are the mid-country airport that really is the stopping off point for so many travelers going to the rest of the world. That is going to increase, and it is going to increase with lower fares and more convenience. It is going to be more convenient even with the safety antiterrorism measures that are being taken, which we know can inconvenience the traveling public.

DFW Airport is going to be the long-haul service carrier that will be the window to the world for people who live in the middle part of our country. Love Field is going to be a dynamic, limited-use airport because it sits right in the middle of an area that is full of wonderful neighborhoods, schools, churches, and businesses. The right of the city of Dallas to protect the citizens who live in the area is well recognized in the law, and they are invoking it. The city is doing a great job of making sure we have more competition and better fares. Love Field, while a dynamic airport sitting in the middle of a neighborhood, also deserves the safety and the environmental protections of all of our citizens.

So, Mr. President, I thank you for the time. I am very pleased this bill has passed. I look forward to seeing the benefits.

I yield the floor.

The PRESIDING OFFICER (Mr. THUNE). Under the previous order, the Senator from Oklahoma is recognized for 15 minutes.

Mr. COBURN. Mr. President, hopefully, I will not take all that time. I think the American people need to pay attention to what we have just done. The Energy bill, which was actually 41 bills wrapped into one, that we agreed to through unanimous consent, is going to cost the American taxpayer \$1.5 billion.

The real question is, in light of where we find ourselves—fighting the war, trying to help the people in Louisiana, Mississippi, and Alabama, and running in excess of a \$300 billion real deficit this year—should we be spending money on these priorities? A real problem in Washington is getting Congress to make tough decisions about what is a priority.

I will spend a few minutes outlining what is in the bill because the American people have no idea what was in the bill. The first thing is \$500,000 to study lighthouses in Michigan for tourism. Tourism is already a \$16 billion industry in Michigan. There is nothing in the Constitution that would say that is a Federal responsibility. We will do it anyway.

Indiana Dunes Visitor Center, \$1.2 million to establish a building, construct a theater and a bookstore. Is that a priority right now when we are spending our grandkids' money? We are going to build a bookstore and create a visitor center now when we cannot even pay for the war that we are fighting and we are charging that to our children?

There are new national heritage designations. We have a backlog of over \$4 billion in repairs to the National Parks we have today. We cannot even take care of the parks we have today, and we are going to create 10 new national heritage centers, spending over \$100 million to do so.

This bothers me on several fronts. Most important, it isn't a priority. It isn't something we ought to be spending money on right now. We are getting ready to do it. We already have 30 national heritage centers. We are going to delete the resources that are going to those by adding 10 more.

Finally, the problem with national heritage areas is they undermine property rights because the money is used to change zoning laws to back the people who have property rights around the national heritages. We are using Federal dollars to create national heritage areas that will undermine individual property rights. That is wrong.

The other thing that is in this bill is a study to assess creating four more national heritages.

The process is broken under which we bring bills such as this to the Senate, at a time when we cannot afford to pay what we are doing today. We spent a ton of our time on appropriations. After what I was told through all this process, after having written a letter raising objections, meeting with the committee, meeting with our leadership, we had a leadership meeting this week which basically said: If you don't let all of these packages of spending of low priority and no priority go through, the Senate will come to a standstill and we will see everything else blocked by the minority.

I believe we ought to be making choices about the right priorities for our country. It is not that heritage areas are wrong. It is that we cannot afford them. We are going to spend money on things we cannot afford and borrow the money from our children and our grandchildren to pay for things that we have to do.

It is cheating our children and our grandchildren. It also is beneath the dignity of this Senate.

This process has to be fixed. We cannot continue to authorize, authorize, and authorize more spending without doing the hard work, looking at what we have authorized that is not working, is inefficient, or is duplicated. But we continue to do it, and I will continue to stand up for the next 4 years and raise this issue every time.

This is not a Democratic or Republican issue. This is an American issue that this Senate does not want to ad-

dress. We seem to be blinded by the fact that we can just spend and authorize all the money we want and to have no impact. We do not authorize unless we expect it to get spent.

With this bill, through the chairman working with us, he agreed to deauthorize over \$150 million. That is a start. But other bills that come to the Senate that have new spending in the future ought to meet a test; that is, have we looked at everything else in that area? Is it working well? Are we spending the money wisely? Are we spending it efficiently? Are there programs that are not working that we ought to deauthorize so we can afford to authorize this as a better priority?

We are not doing that in this country. That is something the American people deserve to have done rather than to hang our children and grandchildren out to dry with debt.

This year, 8 percent of our budget is for interest. In 2035, 29 years from now, 25 percent of our budget is going to be interest. That is \$1 trillion. We spent \$200 billion this year on interest because we will not be frugal with the American taxpayers' money. There is over \$200 billion worth of fraud, waste, and abuse in the Government programs we have today, and we will not go and fix it. Instead, we will spend another \$1.5 million because that is easy to do. It sounds good at home, but we will not do what is necessary to secure the financial future of this country.

The notice I am placing today is there is a precedent established with this bill. If you want to authorize new programs and you want this Senator not to object or to debate them on the floor, there better be deauthorizations of programs of that committee's jurisdiction before they can expect my vote on a unanimous consent agreement to spend into the future and to undermine the future of the next generation of Americans.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized for 10 minutes.

H-2A PROGRAM

Mr. CHAMBLISS. Mr. President, I take a few minutes to respond to some of the comments made this afternoon by my colleagues from Idaho, from California, and Massachusetts. First of all, they are correct in stating the H-2A program, which is the existing temporary nonimmigrant worker program for agriculture, does not work the way it should.

However, what Senator CRAIG, Senator FEINSTEIN, Senator BOXER, and Senator KENNEDY propose to do, rather than make many of the necessary changes to make the H-2A program viable nationwide is, first of all, to grant an amnesty to virtually everyone who has passed through agricultural occupations in the past 2 years.

We all know that agriculture has been the traditional gateway occupation for illegal immigrants in the