

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2247

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2000

Referred to the Committee on Resources

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## AN ACT

To establish the Wheeling National Heritage Area in the  
State of West Virginia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wheeling National  
5 Heritage Area Act of 2000”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) the area in an around Wheeling, West Vir-  
4 ginia, possesses important historical, cultural, and  
5 natural resources, representing major heritage  
6 themes of transportation, commerce and industry,  
7 and Victorian culture in the United States;

8 (2) the City of Wheeling has played an impor-  
9 tant part in the settlement of this country by serving  
10 as—

11 (A) the western terminus of the National  
12 Road of the early 1800's;

13 (B) the “Crossroads of America” through-  
14 out the nineteenth century;

15 (C) one of the few major inland ports in  
16 the nineteenth century; and

17 (D) the site for the establishment of the  
18 Restored State of Virginia, and later the State  
19 of West Virginia, during the Civil War and as  
20 the first capital of the new State of West Vir-  
21 ginia;

22 (3) the City of Wheeling has also played an im-  
23 portant role in the industrial and commercial herit-  
24 age of the United States, through the development  
25 and maintenance of many industries crucial to the  
26 Nation's expansion, including iron and steel, textile

1 manufacturing, boat building, glass manufacturing,  
2 and stogie and chewing tobacco manufacturing fa-  
3 cilities, many of which are industries that continue  
4 to play an important role in the national economy;

5 (4) the city of Wheeling has retained its na-  
6 tional heritage themes with the designations of the  
7 old custom house (now Independence Hall) and the  
8 historic suspension bridge as National Historic  
9 Landmarks; with five historic districts; and many in-  
10 dividual properties in the Wheeling area listed or eli-  
11 gible for nomination to the National Register of His-  
12 toric Places;

13 (5) the heritage themes and number and diver-  
14 sity of Wheeling's remaining resources should be ap-  
15 propriately retained, enhanced, and interpreted for  
16 the education, benefit, and inspiration of the people  
17 of the United States; and

18 (6) in 1992 a comprehensive plan for the devel-  
19 opment and administration of the Wheeling National  
20 Heritage Area was completed for the National Park  
21 Service, the City of Wheeling, and the Wheeling Na-  
22 tional Heritage Task Force, including—

23 (A) an inventory of the natural and cul-  
24 tural resources in the City of Wheeling;

1 (B) criteria for preserving and interpreting  
2 significant natural and historic resources;

3 (C) a strategy for the conservation, preser-  
4 vation, and reuse of the historical and cultural  
5 resources in the City of Wheeling and the sur-  
6 rounding region; and

7 (D) an implementation agenda by which  
8 the State of West Virginia and local govern-  
9 ments can coordinate their resources as well as  
10 a complete description of the management enti-  
11 ty responsible for implementing the comprehen-  
12 sive plan.

13 (b) PURPOSES.—The purposes of this Act are—

14 (1) to recognize the special importance of the  
15 history and development of the Wheeling area in the  
16 cultural heritage of the Nation;

17 (2) to provide a framework to assist the City of  
18 Wheeling and other public and private entities and  
19 individuals in the appropriate preservation, enhance-  
20 ment, and interpretation of significant resources in  
21 the Wheeling area emblematic of Wheeling's con-  
22 tributions to the Nation's cultural heritage;

23 (3) to allow for limited Federal, State and local  
24 capital contributions for planning and infrastructure  
25 investments to complete the Wheeling National Her-

1 itage Area, in partnership with the State of West  
2 Virginia, the City of Wheeling, and other appro-  
3 priate public and private entities; and

4 (4) to provide for an economically self-sus-  
5 taining National Heritage Area not dependent on  
6 Federal financial assistance beyond the initial years  
7 necessary to establish the heritage area.

8 **SEC. 3. DEFINITIONS.**

9 As used in this Act—

10 (1) the term “city” means the City of Wheeling;

11 (2) the term “heritage area” means the Wheel-  
12 ing National Heritage Area established in section 4;

13 (3) the term “plan” means the “Plan for the  
14 Wheeling National Heritage Area” dated August,  
15 1992;

16 (4) the term “Secretary” means the Secretary  
17 of the Interior; and

18 (5) the term “State” means the State of West  
19 Virginia.

20 **SEC. 4. WHEELING NATIONAL HERITAGE AREA.**

21 (a) ESTABLISHMENT.—In furtherance of the pur-  
22 poses of this Act, there is established in the State of West  
23 Virginia the Wheeling National Heritage Area, as gen-  
24 erally depicted on the map entitled “Boundary Map,  
25 Wheeling National Heritage Area, Wheeling, West Vir-

1 ginia” and dated March, 1994. The map shall be on file  
2 and available for public inspection in the appropriate of-  
3 fices of the National Park Service.

4 (b) **MANAGEMENT ENTITY.**—(1) The management  
5 entity for the heritage area shall be the Wheeling National  
6 Heritage Area Corporation, a non-profit corporation char-  
7 tered in the State of West Virginia.

8 (2) To the extent consistent with this Act, the man-  
9 agement entity shall manage the heritage area in accord-  
10 ance with the plan.

11 **SEC. 5. DUTIES OF THE MANAGEMENT ENTITY.**

12 (a) **MISSION.**—(1) The primary mission of the man-  
13 agement entity shall be—

14 (A) to implement and coordinate the rec-  
15 ommendations contained in the plan;

16 (B) ensure integrated operation of the heritage  
17 area; and

18 (C) conserve and interpret the historic and cul-  
19 tural resources of the heritage area.

20 (2) The management entity shall also direct and co-  
21 ordinate the diverse conservation, development, program-  
22 ming, educational, and interpretive activities within the  
23 heritage area.

24 (b) **RECOGNITION OF PLAN.**—The management enti-  
25 ty shall work with the State of West Virginia and local

1 governments to ensure that the plan is formally adopted  
2 by the City and recognized by the State.

3 (c) IMPLEMENTATION.—To the extent practicable,  
4 the management entity shall—

5 (1) implement the recommendations contained  
6 in the plan in a timely manner pursuant to the  
7 schedule identified in the plan—

8 (2) coordinate its activities with the City, the  
9 State, and the Secretary;

10 (3) ensure the conservation and interpretation  
11 of the heritage area’s historical, cultural, and nat-  
12 ural resources, including—

13 (A) assisting the City and the State in the  
14 preservation of sites, buildings, and objects  
15 within the heritage area which are listed or eli-  
16 gible for listing on the National Register of  
17 Historic Places;

18 (B) assisting the City, the State, or a non-  
19 profit organization in the restoration of any his-  
20 toric building in the heritage area;

21 (C) increasing public awareness of and ap-  
22 preciation for the natural, cultural, and historic  
23 resources of the heritage area;

24 (D) assisting the State or City in design-  
25 ing, establishing, and maintaining appropriate

1 interpretive facilities and exhibits in the herit-  
2 age area;

3 (E) assisting in the enhancement of public  
4 awareness and appreciation for the historical,  
5 archaeological, and geologic resources and sites  
6 in the heritage area; and

7 (F) encouraging the City and other local  
8 governments to adopt land use policies con-  
9 sistent with the goals of the plan, and to take  
10 actions to implement those policies;

11 (4) encourage intergovernmental cooperation in  
12 the achievement of these objectives;

13 (5) develop recommendations for design stand-  
14 ards within the heritage area; and

15 (6) seek to create public-private partnerships to  
16 finance projects and initiatives within the heritage  
17 area.

18 (d) AUTHORITIES.—The management entity may, for  
19 the purposes of implementing the plan, use Federal funds  
20 made available by this Act to—

21 (1) make grants to the State, City, or other ap-  
22 propriate public or private organizations, entities, or  
23 persons;

24 (2) enter into cooperative agreements with, or  
25 provide technical assistance to Federal agencies, the



1 State, City or other appropriate public or private or-  
2 ganizations, entities, or persons;

3 (3) hire and compensate such staff as the man-  
4 agement entity deems necessary;

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

9 (5) spend funds on promotion and marketing  
10 consistent with the resources and associated values  
11 of the heritage area in order to promote increased  
12 visitation; and

13 (6) contract for goods and services.

14 (e) ACQUISITION OF REAL PROPERTY.—(1) Except  
15 as provided in paragraph (2), the management entity may  
16 not acquire any real property or interest therein within  
17 the heritage area, other than the leasing of facilities.

18 (2)(A) Subject to subparagraph (B), the management  
19 entity may acquire real property, or an interest therein,  
20 within the heritage area by gift or devise, or by purchase  
21 from a willing seller with money which was donated, be-  
22 queathed, appropriated, or otherwise made available to the  
23 management entity on the condition that such money be  
24 used to purchase real property, or interest therein, within  
25 the heritage area.

1 (B) Any real property or interest therein acquired by  
2 the management entity pursuant to this paragraph shall  
3 be conveyed in perpetuity by the management entity to  
4 an appropriate public or private entity, as determined by  
5 the management entity. Any such conveyance shall be  
6 made as soon as practicable after acquisition, without con-  
7 sideration, and on the condition that the real property or  
8 interest therein so conveyed shall be used for public pur-  
9 poses.

10 (f) REVISION OF PLAN.—Within 18 months after the  
11 date of enactment, the management entity shall submit  
12 to the Secretary a revised plan. Such revision shall in-  
13 clude, but not be limited to—

14 (1) a review of the implementation agenda for  
15 the heritage area;

16 (2) projected capital costs; and

17 (3) plans for partnership initiatives and expan-  
18 sion of community support.

19 **SEC. 6. DUTIES OF THE SECRETARY.**

20 (a) INTERPRETIVE SUPPORT.—The Secretary may,  
21 upon request of the management entity, provide appro-  
22 priate interpretive, planning, educational, staffing, exhib-  
23 its, and other material or support for the heritage area,  
24 consistent with the plan and as appropriate to the re-  
25 sources and associated values of the heritage area.

1 (b) TECHNICAL ASSISTANCE.—The Secretary may,  
2 upon request of the management entity and consistent  
3 with the plan, provide technical assistance to the manage-  
4 ment entity.

5 (c) COOPERATIVE AGREEMENTS AND GRANTS.—The  
6 Secretary may, in consultation with the management enti-  
7 ty and consistent with the management plan, make grants  
8 to, and enter into cooperative agreements with the man-  
9 agement entity, the State, City, non-profit organization or  
10 any person.

11 (d) PLAN AMENDMENTS.—No amendments to the  
12 plan may be made unless approved by the Secretary. The  
13 Secretary shall consult with the management entity in re-  
14 viewing any proposed amendments.

15 **SEC. 7. DUTIES OF OTHER FEDERAL AGENCIES.**

16 Any Federal department, agency, or other entity con-  
17 ducting or supporting activities directly affecting the herit-  
18 age area shall—

19 (1) consult with the Secretary and the manage-  
20 ment entity with respect to such activities;

21 (2) cooperate with the Secretary and the man-  
22 agement entity in carrying out their duties under  
23 this Act, and to the extent practicable, coordinate  
24 such activities directly with the duties of the Sec-  
25 retary and the management entity;

1           (3) to the extent practicable, conduct or support  
2           such activities in a manner which the management  
3           entity determines will not have an adverse effect on  
4           the heritage area.

5 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

6           (a) IN GENERAL.—There is authorized to be appro-  
7           priated to carry out this Act \$10,000,000, except that not  
8           more than \$1,000,000 may be appropriated to carry out  
9           this Act for any fiscal year.

10          (b) MATCHING FUNDS.—Federal funding provided  
11          under this Act shall be matched at least 25 percent by  
12          other funds or in-kind services.

13 **SEC. 9. SUNSET.**

14          The Secretary may not make any grant or provide  
15          any assistance under this Act after September 30, 2015.

Passed the Senate September 18, 2000.

Attest:

GARY SISCO,  
*Secretary.*