

HR 280

National Aviation Heritage Area Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Jan 8, 2003

Current Status: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources. (Nov 19, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/280>

Sponsor

Name: Rep. Hobson, David L. [R-OH-7]

Party: Republican • **State:** OH • **Chamber:** House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boehner, John A. [R-OH-8]	R · OH		Jan 8, 2003
Rep. Brown, Sherrod [D-OH-13]	D · OH		Jan 8, 2003
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jan 8, 2003
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Jan 8, 2003
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Jan 8, 2003
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Jan 8, 2003
Rep. Ney, Robert W. [R-OH-18]	R · OH		Jan 8, 2003
Rep. Oxley, Michael G. [R-OH-4]	R · OH		Jan 8, 2003
Rep. Portman, Rob [R-OH-2]	R · OH		Jan 8, 2003
Rep. Regula, Ralph [R-OH-16]	R · OH		Jan 8, 2003
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Jan 8, 2003
Rep. Turner, Michael R. [R-OH-3]	R · OH		Jan 8, 2003
Rep. Ryan, Timothy J. [D-OH-17]	D · OH		Jan 27, 2003
Rep. Pence, Mike [R-IN-6]	R · IN		Mar 12, 2003

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Referred To	Nov 19, 2003
Natural Resources Committee	House	Reported by	Oct 21, 2003

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
108 S 180	Related bill	Sep 17, 2004: Held at the desk.
108 HR 4492	Related bill	Jul 21, 2004: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 658.
108 HR 521	Related bill	Nov 17, 2003: Placed on the Union Calendar, Calendar No. 210.
108 HR 1594	Related bill	Nov 17, 2003: Placed on the Union Calendar, Calendar No. 211.
108 HR 1618	Related bill	Nov 17, 2003: Placed on the Union Calendar, Calendar No. 212.
108 HR 1798	Related bill	Nov 17, 2003: Placed on the Union Calendar, Calendar No. 215.
108 HR 1862	Related bill	Nov 17, 2003: Placed on the Union Calendar, Calendar No. 216.

Title I: National Aviation Heritage Area - National Aviation Heritage Area Act - (Sec. 104) Establishes within the States of Ohio and Indiana the National Aviation Heritage Area.

(Sec. 105) Permits the Area's management entity, the Aviation Heritage Foundation, Incorporated (AHFI), to make grants to and enter into cooperative agreements with the State of Ohio and political subdivisions of that State, private organizations, or any other persons. Requires the AHFI to: (1) develop and submit to the Secretary of the Interior (the Secretary) a management plan for the Area; (2) give priority to implementing actions set forth in the management plan; (3) encourage economic viability in the Area; and (4) assist units of government and nonprofit organizations in developing the Area in specified ways.

Prohibits the AHFI from using any Federal funds received under this title to acquire real property or an interest in real property.

(Sec. 106) Requires the management plan to provide for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the Area.

Provides that, if a proposed plan is not submitted to the Secretary within three years, AHFI shall be disqualified from receiving additional funding under this title until the Secretary receives the proposed plan.

Directs the Secretary to approve or disapprove the proposed plan and, if a proposed plan is disapproved, to make recommendations for revisions to that plan. Requires the Secretary to review and approve substantial amendments to the plan. Prohibits the use of appropriated funds to implement any changes made by a substantial amendment to the plan without the Secretary's approval.

(Sec. 107) Authorizes the Secretary to provide financial and technical assistance to the Area to develop and implement the plan upon request by the AHFI. Requires any Federal agency involved in activities affecting the Area to: (1) consult with the AHFI and the Secretary; and (2) conduct such activities in a manner in which the AHFI determines will not have an adverse affect on the Area.

(Sec. 108) Requires the Administrator of the National Aeronautics and Space Administration (NASA) and the appropriate Secretary to coordinate decisions affecting the Area.

(Sec. 109) Prohibits the preservation, conservation, or promotion of any privately owned property by the management plan until the owner has been notified in writing by AHFI and has given written consent. Provides for any owner of private property included within the boundary of the Area to have their property immediately removed by submitting a written request to AHFI.

(Sec. 110) Provides that 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 modify any provision of Federal, State, or local law with regard to public access to or use of private property; (2) modify the authority of Federal, State, or local governments to regulate land use; or (3) require the owner of any private property located within the Area's boundaries to participate in or be associated with the Area.

Declares that the boundaries designated for the Area represent the area within which Federal funds appropriated for this title may be expended and that the establishment of the Area and its boundaries shall not be construed to provide any

nonexisting regulatory authority on land use within the Area or its viewshed by the Secretary, the National Park Service, or AHFI.

(Sec. 111) Authorizes appropriations. Limits: (1) the total amount of funding to carry out this title and the total for any fiscal year; and (2) the Federal share of the cost of activities carried out using any assistance or grant under this title to 50 percent.

(Sec. 112) Terminates assistance for the Area 15 years after funds are first made available for this title.

Title II: Wright Company Factory Study - Requires the Secretary to conduct and report to specified congressional committees on an updated special resource study detailing alternatives for incorporating the Wright Company factory as a unit of the Dayton Aviation Heritage National Historical Park. Instructs the Secretary to consult with the Delphi Corporation, the AHFI, State and local agencies, and other interested parties in the area.

Title III: Steel Industry National Historic Site -Steel Industry National Historic Site Act - (Sec. 303) Establishes the Steel Industry National Historic Site in Pennsylvania as a unit of the National Park System. Requires the Historic Site to consist of the following properties (the properties) which relate to the former U.S. Steel Homestead Works: (1) the Battle of Homestead site; (2) the Carrie Furnace complex; and (3) the Hot Metal Bridge.

Authorizes the Secretary of the Interior to acquire only by donation the following property for inclusion within the Site: (1) any land or interest in land in the properties; (2) up to ten acres of land adjacent to or in the general proximity of such properties for the development of visitor, administrative, museum, curatorial, and maintenance facilities; and (3) personal property associated with and appropriate for interpretation of such Site.

Prohibits anything in this title from being construed to: (1) require any private property owner to permit public access (including Federal, State, or local government access) to the private property; or (2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

Allows the Secretary, until such time as the Secretary has acquired the properties, to enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution to further the purposes of the Site. Provides that, any payment made by the Secretary pursuant to a cooperative agreement shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purpose of the Site shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project attributable to such funds at the time of such conversion, use, or disposal, whichever is greater.

Authorizes the Secretary to provide technical assistance for the: (1) preservation of historic structures within the Site; and (2) maintenance of the natural and cultural landscape of such Site.

Requires the Secretary to prepare and submit to specified congressional committees a general management plan for the Site, which will incorporate or otherwise address substantive comments made during consultation with: (1) an appropriate official of each appropriate political subdivision of Pennsylvania that has jurisdiction over all or part of the lands included in the Site; (2) an appropriate official of the Steel Industry Heritage Corporation; and (3) private property owners in the vicinity of such Site.

(Sec. 304) Authorizes appropriations.

Title IV: St. Croix National Heritage Area Study - St. Croix National Heritage Area Study Act - Requires the Secretary

of the Interior to study and report to specified congressional committees on the suitability and feasibility of designating the island of St. Croix, United States Virgin Islands, as the St. Croix National Heritage Area. Instructs the Secretary, in conducting such study, to analyze the impact that designation of the island of St. Croix as a national heritage area is likely to have on land within the proposed area or bordering the proposed area that is privately owned.

Title V: Arabia Mountain National Heritage Area - Arabia Mountain National Heritage Area Act - (Sec. 504) Establishes the Arabia Mountain National Heritage Area in Georgia. Designates the Arabia Mountain Heritage Area Alliance as the Area's management entity.

(Sec. 505) Provides for the Alliance to: (1) make grants to and enter into cooperative agreements with the State of Georgia, political subdivisions of the State, and private organizations; (2) develop and submit to the Secretary a management plan for the Area; and (3) assist units of government and nonprofit organizations in preserving resources within the Area.

Requires the Alliance, for any year in which Federal funds have been made available under this title, to submit to the Secretary of the Interior annual reports on its accomplishments, expenses, and income.

Instructs the Alliance to 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 those funds.

Prohibits the Alliance from using Federal funds made available under this title to acquire real property or an interest in real property.

(Sec. 506) Requires the management plan to provide for the protection, enhancement, and interpretation of the natural, cultural, historical, scenic, and recreational resources of the Area. Requires that the plan be based on the preferred concept in the document entitled " Arabia Mountain National Heritage Area Feasibility Study" (February 28, 2001).

Provides that, if a management plan is not submitted to the Secretary for approval within three years, the Secretary shall not provide any additional funding under this title until such a plan is submitted to the Secretary.

Directs the Secretary to approve or disapprove the management plan, and if the plan is disapproved, to make recommendations for revisions to such plan and to allow the Alliance to submit revisions to that plan. Requires the Alliance to periodically review the plan and to submit for review and approval its recommendations for any revisions that it considers to be appropriate. Prohibits the use of any funds made available under this title to implement any revision proposed by the Alliance until such revision is approved by the Secretary.

(Sec. 507) Authorizes the Secretary to provide financial and technical assistance to the Area to develop and implement the plan, upon request by the Alliance.

(Sec. 508) Provides that nothing in this title: (1) imposes an occupational, safety, conservation, or environmental regulation on the Area that is more stringent than the regulations that would be applicable to the Area, but for the Area's establishment; or (2) authorizes a Federal agency to promulgate such a regulation for the Area that is more stringent than the regulations applicable to the Area solely as a result of the Area's establishment.

Provides that nothing in this title: (1) modifies, enlarges, or diminishes any existing authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations); or (2) grants

zoning or land use powers to the Alliance.

(Sec. 509) Prohibits the preservation, conservation, or promotion of any privately owned property by the management plan until the owner has been notified in writing by the Alliance and has given written consent. Provides for any owner of private property included within the boundary of the Area to have their property immediately removed by submitting a written request to the Alliance.

(Sec. 510) Provides that 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 modify any provision of Federal, State, or local law with regard to public access to or use of private property; (2) modify the authority of Federal, State, or local governments to regulate land use; or (3) require the owner of any private property located within the Area's boundaries to participate in or be associated with the Area.

Declares that the boundaries designated for the Area represent the area within which Federal funds appropriated for this title may be expended and that the establishment of the Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Area or its viewshed by the Secretary, the National Park Service, or the Alliance.

(Sec. 511) Authorizes appropriations. Limits: (1) the amount of funding that may be used in any fiscal year to carry out this title; and (2) the Federal share of the cost of projects or activities carried out using funds made available under this title to 50 percent.

(Sec. 512) Terminates grants or assistance for the Area under this title on September 30, 2016.

Title VI: Upper Housatonic Valley National Heritage Area - Upper Housatonic Valley National Heritage Area Act -
(Sec. 604) Establishes the Upper Housatonic Valley National Heritage Area in Connecticut and Massachusetts.

Designates the Upper Housatonic Valley National Heritage Area, Inc., as the Area's management entity, which shall: (1) submit to the Secretary of the Interior for approval a management plan which includes policies, strategies, and recommendations for conservation, funding, management, development, and interpretation of the Area; and (2) assist local governments, regional planning organizations, and nonprofit organizations in implementing the plan. Allows the management entity, for purposes of preparing and implementing the plan for the Area, to make grants and enter into cooperative agreements to provide technical assistance to Connecticut and Massachusetts and other specified entities.

(Sec. 605) Prohibits the management entity from using Federal funds received under this title to acquire real property, but may use any other source of funding, including other Federal funding, intended for the acquisition of real property.

(Sec. 606) Requires the management entity to submit the management plan within three years after funds are made available for this title. Bars the entity, if the plan is not submitted to the Secretary by such deadline, from qualifying for Federal funding under this title until it is submitted.

(Sec. 607) Authorizes the Secretary to provide technical and financial assistance to the Area, upon request by the management entity and enter into cooperative agreements with the management entity and other public or private entities to develop and implement the plan. Directs the Secretary to approve or disapprove the plan and, if the plan is disapproved, to make recommendations for revisions to that plan. Requires the Secretary to review and approve substantial amendments to the plan. Prohibits the use of Federal funds authorized by this title to implement any amendments without the Secretary's approval.

(Sec. 609) Prohibits the preservation, conservation, or promotion of any privately owned property by the plan until the owner of that private property has been notified in writing by the management entity and has given written consent. Provides for any owner of private property included within the Area's boundary to have their property immediately removed from the boundary by submitting a written request to the management entity.

(Sec. 610) Provides that 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 modify any provision of Federal, State, or local law with regard to public access to or use of private property; (2) modify the authority of Federal, State, or local governments to regulate land use; and (3) require the owner of any private property located within the Area's boundaries to participate in or be associated with the Area.

Declares that the boundaries designated for the Area represent the area within which Federal funds appropriated for this title may be expended and that the establishment of the Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Area or its viewshed by the Secretary, the National Park Service, or the management entity.

(Sec. 611) Authorizes appropriations. Limits: (1) the amount of funding for this title for any fiscal year; (2) the total amount that may be appropriated for the Area under this title; and (3) Federal matching funds provided under this title to 50 percent of the total cost of any assistance or grant provided or authorized under this title.

(Sec. 612) Terminates assistance for the Area 15 years after funds are first made available for this title.

Title VII: Oil Region National Heritage Area - Oil Region National Heritage Area Act - (Sec. 703) Establishes the Oil Region National Heritage Area in Pennsylvania. Designates the Oil Heritage Region, Inc., to be the management entity for the Area.

(Sec. 704) Directs the Secretary to enter into a compact with the management entity to carry out this title.

(Sec. 705) Permits the management entity to make grants to and enter into cooperative agreements with States and their political subdivisions, private organizations, or any other persons. Requires the management entity to: (1) develop a management plan for the Area; (2) assist units of government, regional planning organizations, and nonprofit organizations in developing the Area in specified ways; and (3) encourage economic viability in the Area.

Requires the management plan to provide for the conservation, funding, management, and development of the Area. Requires the management entity to submit the management plan to the Secretary within two years after funds are made available for this title. Provides that if a management plan is not submitted, the management entity shall not qualify for Federal assistance under this title.

Prohibits such entity from using Federal funds under this title to acquire real property or an interest in real property.

(Sec. 706) Authorizes the Secretary to provide technical and financial assistance to the management entity, upon request by such entity.

Directs the Secretary, acting through the Historic American Building Survey and the Historic American Engineering Record, to conduct studies to document the industrial, engineering, building, and architectural history of the Area.

Directs the Secretary to approve or disapprove a submitted management plan, and if a plan is disapproved, to make recommendations for revisions to that plan. Requires the Secretary to review and approve amendments that make

substantial changes to the plan. Prohibits the use of appropriated funds to implement such changes without the Secretary's approval. Provides that if the Secretary does not approve or disapprove a management plan, revision, or change within 90 days after it is submitted, then such management plan, revision, or change shall be deemed to have been approved by the Secretary.

(Sec. 708) Terminates grants or assistance for the Area 15 years after funds are first made available for this title.

(Sec. 709) Prohibits any privately owned property from being preserved, conserved, or promoted by the management plan until the owner has been notified in writing by the management entity and has given written consent. Allows any owner of private property included within the boundary of the Area to have their property immediately removed by submitting a written request to the management entity.

(Sec. 710) Provides that 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 modify any provision of Federal, State, or local law with regard to public access to or use of private property; (2) modify the authority of Federal, State, or local governments to regulate land use; or (3) require the owner of any private property located within the Area's boundaries to participate in or be associated with the Area.

Declares that the boundaries designated for the Area represent the area within which Federal funds appropriated for this title may be expended and that the establishment of the Area and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the Area or its viewshed by the Secretary, the National Park Service, or the management entity.

(Sec. 712) Authorizes appropriations. Limits: (1) the amount of funding for this title for any fiscal year; (2) the total amount to carry out this title; and (3) the Federal assistance match to 50 percent of any activity's total cost.

Actions Timeline

- **Nov 19, 2003:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Nov 18, 2003:** Mr. Souder moved to suspend the rules and pass the bill, as amended.
- **Nov 18, 2003:** Considered under suspension of the rules. (consideration: CR 11/19/2003 H11448-11459)
- **Nov 18, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 280.
- **Nov 18, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR 11/19/2003 H11448-11456)
- **Nov 18, 2003:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR 11/19/2003 H11448-11456)
- **Nov 18, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 17, 2003:** Reported (Amended) by the Committee on Resources. H. Rept. 108-370.
- **Nov 17, 2003:** Reported (Amended) by the Committee on Resources. H. Rept. 108-370.
- **Nov 17, 2003:** Placed on the Union Calendar, Calendar No. 220.
- **Oct 29, 2003:** Committee Consideration and Mark-up Session Held.
- **Oct 29, 2003:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Oct 21, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **Oct 21, 2003:** Forwarded by Subcommittee to Full Committee (Amended) by Unanimous Consent.
- **Oct 16, 2003:** Subcommittee Hearings Held.
- **Sep 16, 2003:** Subcommittee Hearings Held.
- **Feb 12, 2003:** Referred to the Subcommittee on National Parks, Recreation and Public Lands.
- **Feb 12, 2003:** Executive Comment Requested from Interior.
- **Jan 8, 2003:** Introduced in House
- **Jan 8, 2003:** Introduced in House
- **Jan 8, 2003:** Referred to the House Committee on Resources.