

105TH CONGRESS
2^D SESSION

S. 2104

To authorize the Automobile National Heritage Area.

IN THE SENATE OF THE UNITED STATES

MAY 20, 1998

Mr. LEVIN (for himself and Mr. ABRAHAM) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To authorize the Automobile National Heritage Area.

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 “Automobile National
5 Heritage Area Act of 1998”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

8 (1) the industrial, cultural, and natural heritage
9 legacies of Michigan’s automobile industry are na-
10 tionally significant;

1 (2) in the areas of Michigan including and in
2 proximity to Detroit, Dearborn, Flint, and Lansing,
3 the design and manufacture of the automobile
4 helped establish and expand the United States in-
5 dustrial power;

6 (3) the industrial strength of automobile manu-
7 facturing was vital to defending freedom and democ-
8 racy in 2 world wars and played a defining role in
9 American victories;

10 (4) the economic strength of our Nation is con-
11 nected integrally to the vitality of the automobile in-
12 dustry, which employs millions of workers and upon
13 which 1 out of 7 United States jobs depends;

14 (5) the industrial and cultural heritage of the
15 automobile industry in Michigan includes the social
16 history and living cultural traditions of several gen-
17 erations;

18 (6) the United Auto Workers and other unions
19 played a significant role in the history and progress
20 of the labor movement and the automobile industry;

21 (7) the Department of the Interior is respon-
22 sible for protecting and interpreting the Nation's
23 cultural and historic resources, and there are signifi-
24 cant examples of these resources within Michigan to
25 merit the involvement of the Federal Government to

1 develop programs and projects in cooperation with
2 the Automobile National Heritage Area Partnership,
3 Incorporated, the State of Michigan, and other local
4 and governmental bodies, to adequately conserve,
5 protect, and interpret this heritage for the edu-
6 cational and recreational benefit of this and future
7 generations of Americans;

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

12 (9) 2 local studies, “A Shared Vision for Metro-
13 politan Detroit” and “The Machine That Changed
14 the World”, and a National Park Service study,
15 “Labor History Theme Study: Phase III; Suitability-
16 Feasibility”, demonstrated that sufficient historical
17 resources exist to establish the Automobile National
18 Heritage Area.

19 (b) PURPOSE.—The purpose of this Act is to estab-
20 lish the Automobile National Heritage Area to—

21 (1) foster a close working relationship with all
22 levels of government, the private sector, and the
23 local communities in Michigan and empower commu-
24 nities in Michigan to conserve their automotive her-

1 itage while strengthening future economic opportuni-
2 ties; and

3 (2) conserve, interpret, and develop the histori-
4 cal, cultural, natural, and recreational resources re-
5 lated to the industrial and cultural heritage of the
6 Automobile National Heritage Area.

7 **SEC. 3. DEFINITIONS.**

8 For purposes of this Act:

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

11 (2) HERITAGE AREA.—The term “Heritage
12 Area” means the Automobile National Heritage
13 Area established by section 4.

14 (3) PARTNERSHIP.—The term “Partnership”
15 means the Automobile National Heritage Area Part-
16 nership, Incorporated (a nonprofit corporation estab-
17 lished under the laws of the State of Michigan).

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

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

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

23 (b) BOUNDARIES.—

24 (1) IN GENERAL.—Subject to paragraph (2),
25 the boundaries of the Heritage Area shall include

1 lands in Michigan that are related to the following
2 corridors:

3 (A) The Rouge River Corridor.

4 (B) The Detroit River Corridor.

5 (C) The Woodward Avenue Corridor.

6 (D) The Lansing Corridor.

7 (E) The Flint Corridor.

8 (F) The Sauk Trail/Chicago Road Cor-
9 ridor.

10 (2) SPECIFIC BOUNDARIES.—The specific
11 boundaries of the Heritage Area shall be those speci-
12 fied in the management plan approved under section
13 6.

14 (3) MAP.—The Secretary shall prepare a map
15 of the Heritage Area which shall be on file and
16 available for public inspection in the office of the Di-
17 rector of the National Park Service.

18 (4) CONSENT OF LOCAL GOVERNMENTS.—(A)
19 The Partnership shall provide to the government of
20 each city, village, and township that has jurisdiction
21 over property proposed to be included in the Herit-
22 age Area written notice of that proposal.

23 (B) Property may not be included in the Herit-
24 age Area if—

1 (i) the Partnership fails to give notice of
2 the inclusion in accordance with subparagraph
3 (A);

4 (ii) any local government to which the no-
5 tice is required to be provided objects to the in-
6 clusion, in writing to the Partnership, by not
7 later than the end of the period provided pursu-
8 ant to clause (iii); or

9 (iii) fails to provide a period of at least 60
10 days for objection under clause (ii).

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

13 (d) ADDITIONS AND DELETIONS OF LANDS.—The
14 Secretary may add or remove lands to or from the Herit-
15 age Area in response to a request from the Partnership.

16 **SEC. 5. DESIGNATION OF PARTNERSHIP AS MANAGEMENT**
17 **ENTITY.**

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

20 (b) FEDERAL FUNDING.—

21 (1) AUTHORIZATION TO RECEIVE FUNDS.—The
22 Partnership may receive amounts appropriated to
23 carry out this Act.

24 (2) DISQUALIFICATION.—If a management plan
25 for the Area is not submitted to the Secretary as re-

1 required under section 6 within the time specified in
2 that section, the Partnership shall cease to be au-
3 thorized to receive Federal funding under this Act
4 until such a plan is submitted to the Secretary.

5 (c) AUTHORITIES OF PARTNERSHIP.—The Partner-
6 ship may, for purposes of preparing and implementing the
7 management plan for the Area, use Federal funds made
8 available under this Act—

9 (1) to make grants and loans to the State of
10 Michigan, its political subdivisions, nonprofit organi-
11 zations, and other persons;

12 (2) to enter into cooperative agreements with or
13 provide technical assistance to Federal agencies, the
14 State of Michigan, its political subdivisions, non-
15 profit organizations, and other persons;

16 (3) to hire and compensate staff;

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

21 (5) to contract for goods and services.

22 (d) PROHIBITION OF ACQUISITION OF REAL PROP-
23 erty.—The Partnership may not use Federal funds re-
24 ceived under this Act to acquire real property or any inter-
25 est in real property.

1 **SEC. 6. MANAGEMENT DUTIES OF THE AUTOMOBILE NA-**
2 **TIONAL HERITAGE AREA PARTNERSHIP.**

3 (a) HERITAGE AREA MANAGEMENT PLAN.—

4 (1) SUBMISSION FOR REVIEW BY SECRETARY.—

5 The Board of Directors of the Partnership shall,
6 within 3 years after the date of enactment of this
7 Act, develop and submit for review to the Secretary
8 a management plan for the Area.

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

12 (A) present comprehensive recommenda-
13 tions for the conservation, funding, manage-
14 ment, and development of the Heritage Area;

15 (B) be prepared with public participation;

16 (C) take into consideration existing Fed-
17 eral, State, county, and local plans and involve
18 residents, public agencies, and private organiza-
19 tions in the Heritage Area;

20 (D) include a description of actions that
21 units of government and private organizations
22 are recommended to take to protect the re-
23 sources of the Heritage Area; and

24 (E) specify existing and potential sources
25 of Federal and non-Federal funding for the

1 conservation, management, and development of
2 the Heritage Area.

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

6 (A) An inventory of resources contained in
7 the Heritage Area, including a list of property
8 in the Heritage Area that should be conserved,
9 restored, managed, developed, or maintained be-
10 cause of the natural, cultural, or historic sig-
11 nificance of the property as it relates to the
12 themes of the Heritage Area. The inventory
13 may not include any property that is privately
14 owned unless the owner of the property con-
15 sents in writing to that inclusion.

16 (B) A recommendation of policies for re-
17 source management that consider and detail the
18 application of appropriate land and water man-
19 agement techniques, including (but not limited
20 to) the development of intergovernmental coop-
21 erative agreements to manage the historical,
22 cultural, and natural resources and recreational
23 opportunities of the Heritage Area in a manner
24 consistent with the support of appropriate and
25 compatible economic viability.

1 (C) A program for implementation of the
2 management plan, including plans for restora-
3 tion and construction and a description of any
4 commitments that have been made by persons
5 interested in management of the Heritage Area.

6 (D) An analysis of means by which Fed-
7 eral, State, and local programs may best be co-
8 ordinated to promote the purposes of this Act.

9 (E) An interpretive plan for the Heritage
10 Area.

11 (4) APPROVAL AND DISAPPROVAL OF THE MAN-
12 AGEMENT PLAN.—

13 (A) IN GENERAL.—Not later than 60 days
14 after submission of the Heritage Area manage-
15 ment plan by the Board, the Secretary shall ap-
16 prove or disapprove the plan. If the Secretary
17 has taken no action after 60 days, the plan
18 shall be considered approved.

19 (B) DISAPPROVAL AND REVISIONS.—If the
20 Secretary disapproves the management plan,
21 the Secretary shall advise the Board, in writing,
22 of the reasons for the disapproval and shall
23 make recommendations for revision of the plan.
24 The Secretary shall approve or disapprove pro-
25 posed revisions to the plan not later than 60

1 days after receipt of such revisions from the
2 Board. If the Secretary has taken no action for
3 60 days after receipt, the plan and revisions
4 shall be considered approved.

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

9 (1) assisting units of government, regional plan-
10 ning organizations, and nonprofit organizations—

11 (A) in conserving the Heritage Area;

12 (B) in establishing and maintaining inter-
13 pretive exhibits in the Heritage Area;

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

16 (D) in increasing public awareness of and
17 appreciation for the natural, historical, and cul-
18 tural resources of the Heritage Area;

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

23 (F) in ensuring that clear, consistent, and
24 environmentally appropriate signs identifying

1 access points and sites of interest are put in
2 place throughout the Heritage Area; and

3 (2) consistent with the goals of the manage-
4 ment plan, encouraging economic viability in the af-
5 fected communities by appropriate means.

6 (c) CONSIDERATION OF INTERESTS OF LOCAL
7 GROUPS.—The Partnership shall, in preparing and imple-
8 menting the management plan for the Heritage Area, con-
9 sider the interest of diverse units of government, busi-
10 nesses, private property owners, and nonprofit groups
11 within the Heritage Area.

12 (d) PUBLIC MEETINGS.—The Partnership shall con-
13 duct public meetings at least annually regarding the im-
14 plementation of the Heritage Area management plan.

15 (e) ANNUAL REPORTS.—The Partnership shall, for
16 any fiscal year in which it receives Federal funds under
17 this Act or in which a loan made by the Partnership with
18 Federal funds under section 5(c)(1) is outstanding, submit
19 an annual report to the Secretary setting forth its accom-
20 plishments, its expenses and income, and the entities to
21 which it made any loans and grants during the year for
22 which the report is made.

23 (f) COOPERATION WITH AUDITS.—The Partnership
24 shall, for any fiscal year in which it receives Federal funds
25 under this Act or in which a loan made by the Partnership

1 with Federal funds under section 5(c)(1) is outstanding,
2 make available for audit by the Congress, the Secretary,
3 and appropriate units of government all records and other
4 information pertaining to the expenditure of such funds
5 and any matching funds, and require, for all agreements
6 authorizing expenditure of Federal funds by other organi-
7 zations, that the receiving organizations make available
8 for such audit all records and other information pertaining
9 to the expenditure of such funds.

10 (g) DELEGATION.—The Partnership may delegate
11 the responsibilities and actions under this section for each
12 corridor identified in section 4(b)(1). All delegated actions
13 are subject to review and approval by the Partnership.

14 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

15 (a) TECHNICAL ASSISTANCE AND GRANTS.—

16 (1) IN GENERAL.—The Secretary may provide
17 technical assistance and, subject to the availability
18 of appropriations, grants to units of government,
19 nonprofit organizations, and other persons upon re-
20 quest of the Partnership, and to the Partnership, re-
21 garding the management plan and its implementa-
22 tion.

23 (2) PROHIBITION OF CERTAIN REQUIRE-
24 MENTS.—The Secretary may not, as a condition of
25 the award of technical assistance or grants under

1 this section, require any recipient of such technical
2 assistance or a grant to enact or modify land use re-
3 strictions.

4 (3) DETERMINATIONS REGARDING ASSIST-
5 ANCE.—The Secretary shall decide if a person shall
6 be awarded technical assistance or grants and the
7 amount of that assistance. Such decisions shall be
8 based on the relative degree to which the Heritage
9 Area effectively fulfills the objectives contained in
10 the Heritage Area management plan and achieves
11 the purposes of this Act. Such decisions shall give
12 consideration to projects which provide a greater
13 leverage of Federal funds.

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

18 (c) OTHER ASSISTANCE.—The Secretary may enter
19 into cooperative agreements with public and private orga-
20 nizations for the purposes of implementing this subsection.

21 (d) DUTIES OF OTHER FEDERAL AGENCIES.—Any
22 Federal entity conducting any activity directly affecting
23 the Heritage Area shall consider the potential effect of the
24 activity on the Heritage Area management plan and shall
25 consult with the Partnership with respect to the activity

1 to minimize the adverse effects of the activity on the Her-
2 itage Area.

3 **SEC. 8. LACK OF EFFECT ON LAND USE REGULATION AND**
4 **PRIVATE PROPERTY.**

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

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

13 (c) LOCAL AUTHORITY AND PRIVATE PROPERTY
14 NOT AFFECTED.—Nothing in this Act shall be construed
15 to affect or to authorize the Partnership to interfere
16 with—

17 (1) the rights of any person with respect to pri-
18 vate property; or

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

22 **SEC. 9. SUNSET.**

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

1 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated under this Act not more than \$1,000,000 for any
4 fiscal year. Not more than a total of \$10,000,000 may
5 be appropriated for the Heritage Area under this Act.

6 (b) 50 PERCENT MATCH.—Federal funding provided
7 under this Act, after the designation of the Heritage Area,
8 may not exceed 50 percent of the total cost of any activity
9 carried out with any financial assistance or grant provided
10 under this Act.

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