

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

# S. 2251

To establish the Lackawanna Valley American Heritage Area.

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IN THE SENATE OF THE UNITED STATES

JUNE 26, 1998

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

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## A BILL

To establish the Lackawanna Valley American 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 “Lackawanna Valley  
5       American Heritage Area Act of 1998”.

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

7       (a) FINDINGS.—Congress finds that—

8               (1) the industrial and cultural heritage of  
9       northeastern Pennsylvania, including Lackawanna  
10       County, Luzerne County, Wayne County, and Sus-

1 quehanna County, related directly to anthracite and  
2 anthracite-related industries, is nationally signifi-  
3 cant;

4 (2) the industries referred to in paragraph (1)  
5 include anthracite mining, ironmaking, textiles, and  
6 rail transportation;

7 (3) the industrial and cultural heritage of the  
8 anthracite and anthracite-related industries in the  
9 region described in paragraph (1) includes the social  
10 history and living cultural traditions of the people of  
11 the region;

12 (4) the labor movement of the region played a  
13 significant role in the development of the Nation, in-  
14 cluding—

15 (A) the formation of many major unions  
16 such as the United Mine Workers of America;  
17 and

18 (B) crucial struggles to improve wages and  
19 working conditions, such as the 1900 and 1902  
20 anthracite strikes;

21 (5)(A) the Secretary of the Interior is respon-  
22 sible for protecting the historical and cultural re-  
23 sources of the United States; and

24 (B) there are significant examples of those re-  
25 sources within the region described in paragraph (1)

1 that merit the involvement of the Federal Govern-  
2 ment to develop, in cooperation with the Lacka-  
3 wanna Heritage Valley Authority, the Common-  
4 wealth of Pennsylvania, and local and governmental  
5 entities, programs and projects to conserve, protect,  
6 and interpret this heritage adequately for future  
7 generations, while providing opportunities for edu-  
8 cation and revitalization; and

9 (6) the Lackawanna Heritage Valley Authority  
10 would be an appropriate management entity for a  
11 Heritage Area established in the region described in  
12 paragraph (1).

13 (b) PURPOSES.—The purposes of the Lackawanna  
14 Valley American Heritage Area and this Act are—

15 (1) to foster a close working relationship among  
16 all levels of government, the private sector, and the  
17 local communities in the anthracite coal region of  
18 northeastern Pennsylvania and enable the commu-  
19 nities to conserve their heritage while continuing to  
20 pursue economic opportunities; and

21 (2) to conserve, interpret, and develop the his-  
22 torical, cultural, natural, and recreational resources  
23 related to the industrial and cultural heritage of the  
24 4-county region described in subsection (a)(1).

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) HERITAGE AREA.—The term “Heritage  
4 Area” means the Lackawanna Valley American Her-  
5 itage Area established by section 4.

6 (2) MANAGEMENT ENTITY.—The term “man-  
7 agement entity” means the management entity for  
8 the Heritage Area specified in section 4(c).

9 (3) MANAGEMENT PLAN.—The term “manage-  
10 ment plan” means the management plan for the  
11 Heritage Area developed under section 6(b).

12 (4) PARTNER.—The term “partner” means—  
13 (A) a Federal, State, or local governmental  
14 entity; and  
15 (B) an organization, private industry, or  
16 individual involved in promoting the conserva-  
17 tion and preservation of the cultural and natu-  
18 ral resources of the Heritage Area.

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

21 **SEC. 4. LACKAWANNA VALLEY AMERICAN HERITAGE AREA.**

22 (a) ESTABLISHMENT.—There is established the  
23 Lackawanna Valley American Heritage Area.

24 (b) BOUNDARIES.—The Heritage Area shall be com-  
25 prised of all or parts of Lackawanna County, Luzerne  
26 County, Wayne County, and Susquehanna County, Penn-

1 sylvania, determined in accordance with the compact  
2 under section 5.

3 (c) **MANAGEMENT ENTITY.**—The management entity  
4 for the Heritage Area shall be the Lackawanna Heritage  
5 Valley Authority.

6 **SEC. 5. COMPACT.**

7 (a) **IN GENERAL.**—To carry out this Act, the Sec-  
8 retary shall enter into a compact with the management  
9 entity.

10 (b) **CONTENTS OF COMPACT.**—The compact shall in-  
11 clude information relating to the objectives and manage-  
12 ment of the area, including—

13 (1) a delineation of the boundaries of the Herit-  
14 age Area; and

15 (2) a discussion of the goals and objectives of  
16 the Heritage Area, including an explanation of the  
17 proposed approach to conservation and interpreta-  
18 tion and a general outline of the protection measures  
19 committed to by the partners.

20 **SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT EN-**  
21 **TITY.**

22 (a) **AUTHORITIES OF MANAGEMENT ENTITY.**—The  
23 management entity may, for the purposes of preparing  
24 and implementing the management plan, use funds made  
25 available under this Act—

1           (1) to make loans and grants to, and enter into  
2 cooperative agreements with, any State or political  
3 subdivision of a State, private organization, or per-  
4 son; and

5           (2) to hire and compensate staff.

6           (b) MANAGEMENT PLAN.—

7           (1) IN GENERAL.—The management entity  
8 shall develop a management plan for the Heritage  
9 Area that presents comprehensive recommendations  
10 for the conservation, funding, management, and de-  
11 velopment of the Heritage Area.

12           (2) CONSIDERATION OF OTHER PLANS AND AC-  
13 TIONS.—The management plan shall—

14           (A) take into consideration State, county,  
15 and local plans;

16           (B) involve residents, public agencies, and  
17 private organizations working in the Heritage  
18 Area; and

19           (C) include actions to be undertaken by  
20 units of government and private organizations  
21 to protect the resources of the Heritage Area.

22           (3) SPECIFICATION OF FUNDING SOURCES.—  
23 The management plan shall specify the existing and  
24 potential sources of funding available to protect,  
25 manage, and develop the Heritage Area.

1           (4) OTHER REQUIRED ELEMENTS.—The man-  
2           agement plan shall include the following:

3           (A) An inventory of the resources con-  
4           tained in the Heritage Area, including a list of  
5           any property in the Heritage Area that is relat-  
6           ed to the purposes of the Heritage Area and  
7           that should be preserved, restored, managed,  
8           developed, or maintained because of its histori-  
9           cal, cultural, natural, recreational, or scenic sig-  
10          nificance.

11          (B) A recommendation of policies for re-  
12          source management that considers and details  
13          application of appropriate land and water man-  
14          agement techniques, including the development  
15          of intergovernmental cooperative agreements to  
16          protect the historical, cultural, natural, and rec-  
17          reational resources of the Heritage Area in a  
18          manner that is consistent with the support of  
19          appropriate and compatible economic viability.

20          (C) A program for implementation of the  
21          management plan by the management entity,  
22          including—

23                 (i) plans for restoration and construc-  
24                 tion; and

1 (ii) specific commitments of the part-  
2 ners for the first 5 years of operation.

3 (D) An analysis of ways in which local,  
4 State, and Federal programs may best be co-  
5 ordinated to promote the purposes of this Act.

6 (E) An interpretation plan for the Herit-  
7 age Area.

8 (5) SUBMISSION TO SECRETARY FOR AP-  
9 PROVAL.—

10 (A) IN GENERAL.—Not later than the last  
11 day of the 3-year period beginning on the date  
12 of enactment of this Act, the management en-  
13 tity shall submit the management plan to the  
14 Secretary for approval.

15 (B) EFFECT OF FAILURE TO SUBMIT.—If  
16 a management plan is not submitted to the Sec-  
17 retary by the day referred to in subparagraph  
18 (A), the Secretary shall not, after that day, pro-  
19 vide any grant or other assistance under this  
20 Act with respect to the Heritage Area until a  
21 management plan for the Heritage Area is sub-  
22 mitted to the Secretary.

23 (c) DUTIES OF MANAGEMENT ENTITY.—The man-  
24 agement entity shall—

1           (1) give priority to implementing actions speci-  
2           fied in the compact and management plan, including  
3           steps to assist units of government and nonprofit or-  
4           ganizations in preserving the Heritage Area;

5           (2) assist units of government and nonprofit or-  
6           ganizations in—

7                   (A) establishing and maintaining interpre-  
8                   tive exhibits in the Heritage Area;

9                   (B) developing recreational resources in  
10                  the Heritage Area;

11                  (C) increasing public awareness of and ap-  
12                  preciation for the historical, natural, and archi-  
13                  tectural resources and sites in the Heritage  
14                  Area; and

15                  (D) restoring historic buildings that relate  
16                  to the purposes of the Heritage Area;

17           (3) encourage economic viability in the Heritage  
18           Area consistent with the goals of the management  
19           plan;

20           (4) encourage local governments to adopt land  
21           use policies consistent with the management of the  
22           Heritage Area and the goals of the management  
23           plan;

24           (5) assist units of government and nonprofit or-  
25           ganizations to ensure that clear, consistent, and en-

1 vironmentally appropriate signs identifying access  
2 points and sites of interest are placed throughout  
3 the Heritage Area;

4 (6) consider the interests of diverse govern-  
5 mental, business, and nonprofit groups within the  
6 Heritage Area;

7 (7) conduct public meetings not less often than  
8 quarterly concerning the implementation of the man-  
9 agement plan;

10 (8) submit substantial amendments (including  
11 any increase of more than 20 percent in the cost es-  
12 timates for implementation) to the management plan  
13 to the Secretary for the Secretary's approval; and

14 (9) for each year in which Federal funds have  
15 been received under this Act—

16 (A) submit a report to the Secretary that  
17 specifies—

18 (i) the accomplishments of the man-  
19 agement entity;

20 (ii) the expenses and income of the  
21 management entity; and

22 (iii) each entity to which any loan or  
23 grant was made during the year;

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

4 (C) require, with respect to all agreements  
5 authorizing expenditure of Federal funds by  
6 other organizations, that the receiving organiza-  
7 tions make available to the Secretary for audit  
8 all records concerning the expenditure of such  
9 funds.

10 (d) USE OF FEDERAL FUNDS.—

11 (1) FUNDS MADE AVAILABLE UNDER THIS  
12 ACT.—The management entity shall not use Federal  
13 funds received under this Act to acquire real prop-  
14 erty or any interest in real property.

15 (2) FUNDS FROM OTHER SOURCES.—Nothing  
16 in this Act precludes the management entity from  
17 using Federal funds obtained through law other  
18 than this Act for any purpose for which the funds  
19 are authorized to be used.

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

21 (a) TECHNICAL AND FINANCIAL ASSISTANCE.—

22 (1) IN GENERAL.—

23 (A) PROVISION OF ASSISTANCE.—The Sec-  
24 retary may, at the request of the management  
25 entity, provide technical and financial assist-

1           ance to the management entity to develop and  
2           implement the management plan.

3                   (B) PRIORITY IN ASSISTANCE.—In assist-  
4           ing the management entity, the Secretary shall  
5           give priority to actions that assist in—

6                           (i) conserving the significant histori-  
7                           cal, cultural, and natural resources that  
8                           support the purposes of the Heritage Area;  
9                           and

10                           (ii) providing educational, interpretive,  
11                           and recreational opportunities consistent  
12                           with the resources and associated values of  
13                           the Heritage Area.

14                   (2) EXPENDITURES FOR NON-FEDERALLY  
15           OWNED PROPERTY.—

16                   (A) IN GENERAL.—To further the pur-  
17           poses of this Act, the Secretary may expend  
18           Federal funds directly on non-federally owned  
19           property, especially for assistance to units of  
20           government relating to appropriate treatment of  
21           districts, sites, buildings, structures, and ob-  
22           jects listed or eligible for listing on the National  
23           Register of Historic Places.

24                   (B) STUDIES.—The Historic American  
25           Buildings Survey/Historic American Engineer-

1           ing Record shall conduct such studies as are  
2           necessary to document the industrial, engineer-  
3           ing, building, and architectural history of the  
4           Heritage Area.

5           (b) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
6 PLANS.—

7           (1) IN GENERAL.—The Secretary, in consulta-  
8           tion with the Governor of the Commonwealth of  
9           Pennsylvania, shall approve or disapprove a manage-  
10          ment plan submitted under this Act not later than  
11          90 days after receipt of the management plan.

12          (2) ACTION FOLLOWING DISAPPROVAL.—

13           (A) IN GENERAL.—If the Secretary dis-  
14           approves a management plan, the Secretary  
15           shall advise the management entity in writing  
16           of the reasons for the disapproval and shall  
17           make recommendations for revisions to the  
18           management plan.

19           (B) DEADLINE FOR APPROVAL OF REVI-  
20           SION.—The Secretary shall approve or dis-  
21           approve a proposed revision within 90 days  
22           after the date on which the revision is submit-  
23           ted to the Secretary.

24          (c) APPROVAL OF AMENDMENTS.—

1           (1) REVIEW.—The Secretary shall review sub-  
2           stantial amendments (as determined under section  
3           6(c)(8)) to the management plan for the Heritage  
4           Area.

5           (2) REQUIREMENT OF APPROVAL.—Funds  
6           made available under this Act shall not be expended  
7           to implement the amendments described in para-  
8           graph (1) until the Secretary approves the amend-  
9           ments.

10 **SEC. 8. SUNSET PROVISION.**

11           The Secretary shall not provide any grant or other  
12           assistance under this Act after September 30, 2012.

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

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

18           (b) 50 PERCENT MATCH.—The Federal share of the  
19           cost of activities carried out using any assistance or grant  
20           under this Act shall not exceed 50 percent.

○