

107TH CONGRESS
1ST SESSION

H. R. 1882

To establish the Cultural Heritage Assistance Partnership Program in the Department of the Interior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2001

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish the Cultural Heritage Assistance Partnership Program in the Department of the Interior, 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 “Cultural Heritage As-
5 sistance Partnership Act of 2001”.

6 **SEC. 2. ESTABLISHMENT OF PARTNERSHIP PROGRAM.**

7 (a) ESTABLISHMENT.—The Secretary of the Interior
8 shall establish in the National Park Service a Cultural
9 Heritage Assistance Partnership Program.

1 (b) PURPOSES.—The purposes of the Partnership
2 Program are the following:

3 (1) Fostering and supporting cooperative part-
4 nerships among Federal agencies, State and local
5 governments, Indian tribes, nongovernmental organi-
6 zations, and individuals, to preserve and enhance the
7 cultural heritage of the United States.

8 (2) Coordinating Federal programs and pro-
9 viding information, technical assistance, and grants
10 to States, Indian tribes, local governments, and non-
11 profit organizations, to facilitate cultural heritage
12 activities.

13 (3) Encouraging cultural heritage activities, in-
14 cluding by planning, developing, and promoting her-
15 itage areas, cultural heritage tourism, and related
16 cultural heritage economic and community develop-
17 ment.

18 (4) Providing Federal agencies with opportuni-
19 ties to participate in cultural heritage activities and
20 to benefit from the knowledge and experience of
21 non-Federal entities and individuals.

22 (c) CONSULTATION.—The Secretary shall implement
23 the Partnership Program in consultation with the Citizens
24 Advisory Committee and the Federal Coordinating Coun-
25 cil, including such consultation in designing information,

1 technical assistance, and award programs under section
2 3 and grant programs under section 6.

3 **SEC. 3. DUTIES OF SECRETARY UNDER PARTNERSHIP PRO-**
4 **GRAM.**

5 (a) COORDINATION.—To carry out the purposes of
6 the Partnership Program, the Secretary shall coordinate
7 with and seek the participation of organizations and agen-
8 cies involved in heritage areas and related cultural herit-
9 age tourism and economic and community development,
10 including the following:

11 (1) Private sector nonprofit organizations.

12 (2) Educational and training institutions.

13 (3) Professional societies and trade associa-
14 tions.

15 (4) State and local government agencies and af-
16 filiated organizations.

17 (5) Indian tribes and tribal organizations.

18 (6) International agencies and organizations.

19 (7) Other offices and programs in the National
20 Park Service and units of the National Park Sys-
21 tem.

22 (8) Federal agencies and organizations, includ-
23 ing Federal agencies not represented on the Federal
24 Coordinating Council, including the Advisory Council
25 on Historic Preservation, the Small Business Admin-

1 istration, the American Folklife Center in the Li-
2 brary of Congress, and the Smithsonian Institution.

3 (b) INFORMATION.—

4 (1) IN GENERAL.—The Secretary shall gather
5 information on cultural heritage resources and ac-
6 tivities, including heritage areas, cultural heritage
7 tourism, and related economic and community devel-
8 opment.

9 (2) AVAILABILITY.—The Secretary shall make
10 available to the public such information—

11 (A) on an Internet site; and

12 (B) by nonelectronic means.

13 (3) INCLUSION OF INFORMATION ON INTERNET
14 SITE.—The Secretary shall develop means for per-
15 sons, subject to reasonable terms and conditions im-
16 posed by the Secretary, to include on the Internet
17 site information about cultural heritage programs
18 and activities.

19 (c) TECHNICAL ASSISTANCE.—To carry out the pur-
20 poses of the Partnership Program, the Secretary may pro-
21 vide or arrange for technical assistance to the types of
22 agencies and organizations described in subsection (a), in-
23 cluding by doing the following:

24 (1) Developing models of cultural heritage part-
25 nership agreements.

1 (2) Holding or sponsoring workshops, con-
2 ferences, training, and public meetings.

3 (3) Providing guidance to non-Federal agencies
4 and organizations on ways to access other Federal
5 programs.

6 (4) Coordinating meetings among Federal agen-
7 cies and non-Federal entities.

8 (d) AWARDS.—The Secretary shall establish a pro-
9 gram for designing and making awards to persons, includ-
10 ing individuals, Indian tribes, Federal agencies, and State
11 or local governments, to recognize exemplary projects or
12 programs that carry out the purposes of the Partnership
13 Program.

14 **SEC. 4. CITIZENS ADVISORY COMMITTEE.**

15 (a) ESTABLISHMENT.—Not later than 6 months after
16 the date of the enactment of this Act, the Secretary shall
17 establish a Cultural Heritage Citizens Advisory Com-
18 mittee.

19 (b) DUTY.—The Citizens Advisory Committee shall
20 advise the Secretary and the Federal Coordinating Council
21 on matters related to carrying out the Partnership Pro-
22 gram.

23 (c) MEMBERSHIP.—The Citizens Advisory Committee
24 shall consist of 11 private citizens appointed by the Sec-
25 retary who represent a range of technical expertise and

1 broad-based interests in cultural heritage resources, herit-
2 age areas, cultural heritage tourism, and related economic
3 and community development.

4 (d) TERMS.—

5 (1) DURATION.—The members of the Citizens
6 Advisory Committee shall each serve for a term of
7 5 years.

8 (2) REAPPOINTMENT.—If the Secretary decides
9 to extend the existence of the Citizens Advisory
10 Committee under subsection (i), the members of the
11 Committee may be reappointed for another term of
12 5 years.

13 (e) PAY; EXPENSES.—Members of the Citizens Advi-
14 sory Committee shall serve without pay, but may receive
15 travel expenses, including per diem in lieu of subsistence,
16 in accordance with applicable provisions under subchapter
17 I of chapter 57 of title 5, United States Code.

18 (f) CHAIRPERSON.—The Chairperson of the Citizens
19 Advisory Committee shall be elected by the members of
20 the committee.

21 (g) MEETINGS.—The Citizens Advisory Committee
22 shall conduct at least 4 meetings each fiscal year, at least
23 1 of which shall be in conjunction with a meeting of the
24 Federal Coordinating Council.

1 (h) ADMINISTRATIVE SUPPORT.—The Secretary shall
2 provide administrative support for the Citizens Advisory
3 Committee.

4 (i) TERMINATION.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 the Citizens Advisory Committee shall terminate 5
7 years after the date of its establishment.

8 (2) RENEWAL.—If the Secretary states in the
9 report submitted under section 7 that the Citizens
10 Advisory Committee will be extended under this
11 paragraph, the Secretary may extend the existence
12 of the Citizens Advisory Committee for a second 5-
13 year period.

14 **SEC. 5. FEDERAL COORDINATING COUNCIL.**

15 (a) FEDERAL COORDINATING COUNCIL.—There is
16 established a Federal Cultural Heritage Coordinating
17 Council, which shall be composed of the following members
18 (or their designees):

19 (1) The Secretary of the Interior, who shall
20 serve as Chairman.

21 (2) The Secretary of Defense.

22 (3) The Secretary of Agriculture.

23 (4) The Secretary of Commerce.

24 (5) The Secretary of Housing and Urban Devel-
25 opment.

1 (6) The Secretary of Transportation.

2 (7) The Secretary of Education.

3 (8) The Administrator of the Environmental
4 Protection Agency.

5 (9) The Chairman of the National Endowment
6 for the Arts.

7 (10) The Chairman of the National Endowment
8 for the Humanities.

9 (11) The Director of the Institute of Museum
10 and Library Services.

11 (b) DUTIES.—The Federal Coordinating Council
12 shall—

13 (1) identify Federal programs and projects that
14 may be of assistance to the Secretary in imple-
15 menting the Partnership Program;

16 (2) establish and implement methods for the
17 members of the Federal Coordinating Council to col-
18 laborate with each other and with other govern-
19 mental agencies and nongovernmental organizations
20 on cultural heritage programs and projects, to the
21 extent permitted by law and consistent with their
22 missions and resources;

23 (3) consider methods for reducing bureaucratic
24 inefficiency in delivering services under existing Fed-

1 eral cultural heritage programs to States, Indian
2 tribes, and local governments; and

3 (4) seek to ensure that the activities conducted
4 under this Act are responsive to the diverse needs of
5 different kinds of communities, ranging from urban
6 centers to remote rural areas, and are balanced in
7 their outreach and funding.

8 (c) MEETINGS.—

9 (1) IN GENERAL.—The Federal Coordinating
10 Council shall conduct at least 4 meetings each fiscal
11 year.

12 (2) CITIZENS ADVISORY COMMITTEE.—At least
13 one of the 4 meetings shall be conducted in conjunc-
14 tion with a meeting of the Citizens Advisory Com-
15 mittee.

16 (3) PUBLIC ATTENDANCE.—The meetings of
17 the Federal Coordinating Council shall be open to
18 the public.

19 (d) ADMINISTRATIVE SUPPORT.—The Secretary shall
20 provide administrative support for the Federal Coordi-
21 nating Council.

22 (e) SUPPORT FOR PARTNERSHIP PROGRAM.—Each
23 member of the Federal Coordinating Council may provide
24 the Secretary with such funds, personnel, facilities, and
25 services under that member's jurisdiction and control as

1 may be needed to implement the Partnership Program, to
2 the extent that such funds, personnel, facilities, and serv-
3 ices are otherwise available for that purpose.

4 (f) INTERAGENCY PROJECTS.—In carrying out this
5 Act, the Secretary may receive advance payments from
6 other agencies or accounts to be used for interagency
7 projects. Any project to be financed with those payments
8 may be initiated only with approval of the Secretary.

9 **SEC. 6. GRANTS.**

10 (a) IN GENERAL.—The Secretary may make grants
11 on a competitive basis to States, Indian tribes, local gov-
12 ernments, and nonprofit organizations for projects to
13 carry out the purposes of the Partnership Program.

14 (b) PROJECTS.—The activities of such projects may
15 include the following:

16 (1) Developing plans, programs, training, and
17 informational materials relating to the development,
18 management, or interpretation of cultural heritage
19 resources and heritage areas or potential heritage
20 areas.

21 (2) Creating innovative projects that address
22 natural resource conservation, environmental edu-
23 cation, outdoor recreation, economic revitalization,
24 archaeology and ethnography, historic, scenic, or cul-

1 tural preservation, or the arts, humanities, or folk-
2 lore.

3 (3) Carrying out cultural heritage activities in
4 conjunction with libraries, museums, and schools.

5 (4) Improving the organization and manage-
6 ment capacity of cultural heritage organizations and
7 agencies.

8 (5) Creating or implementing innovative ways
9 to combine historic property restoration and con-
10 servation with economic and community develop-
11 ment.

12 (6) Providing electronic access, including equip-
13 ment and training, especially in rural or underserved
14 urban communities, to promote cultural heritage ac-
15 tivities or heritage areas.

16 (7) Developing alliances among heritage areas
17 within a State and among States.

18 (8) Sharing information with other nations on
19 cultural heritage programs in the United States.

20 (9) Developing programs for collecting informa-
21 tion on cultural heritage activities and resources in
22 other nations that might serve as models for similar
23 activities in the United States.

24 (c) CONTRIBUTION REQUIREMENT.—The Secretary
25 may not make a grant under this section to any applicant

1 for a project unless at least 1 other entity will contribute
2 facilities, supplies, or services for the project.

3 (d) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give priority to projects that will
5 be carried out by an applicant that—

6 (1) has more than 2 entities contributing facili-
7 ties, supplies, or services to the project; or

8 (2) represents a broad base of interests and can
9 increase community involvement in the project.

10 (e) LIMITS ON GRANTS.—

11 (1) COST SHARING.—

12 (A) IN GENERAL.—Subject to subpara-
13 graph (B), the Federal share of the cost of ac-
14 tivities carried out with a grant under this sec-
15 tion may not exceed 50 percent of the total cost
16 of the activities.

17 (B) USE OF FUNDS FROM OTHER FED-
18 ERAL SOURCES.—A grantee under this section
19 may apply funds from other Federal sources as
20 the matching funds required under subpara-
21 graph (A), if use of such funds is otherwise au-
22 thorized by law.

23 (2) MAXIMUM AMOUNT.—The Secretary may
24 not make any grant or combination of grants under

1 this section in any fiscal year to a particular grantee
2 in an amount totaling more than \$50,000.

3 (f) APPLICATION.—

4 (1) IN GENERAL.—To seek a grant under this
5 section, an applicant shall submit an application to
6 the Secretary at such time, in such manner, and ac-
7 companied by such information as the Secretary may
8 reasonably require.

9 (2) SIMPLIFICATION.—In developing application
10 forms and deadlines, the Secretary should consider
11 ways to simplify the application process to the max-
12 imum extent possible.

13 **SEC. 7. REPORT.**

14 (a) SUBMISSION.—Not later than 4 years after the
15 date of the enactment of this Act, the Secretary shall sub-
16 mit to the Congress a report that—

17 (1) describes the accomplishments of the Part-
18 nership Program;

19 (2) identifies any problems encountered in im-
20 plementing this Act; and

21 (3) recommends any changes needed in the
22 Partnership Program, including amendments to this
23 Act.

24 (b) REVIEW.—In developing the report, the Secretary
25 shall provide an opportunity for review of and comment

1 on the report by the public and representatives of State
2 and local governments, Indian tribes, and private sector
3 organizations.

4 (c) CONSULTATION.—In preparing a report under
5 this section, the Secretary shall consult with the Citizens
6 Advisory Committee and the Federal Coordinating Coun-
7 cil.

8 **SEC. 8. VOLUNTEERS.**

9 To carry out this Act, the Secretary may accept and
10 use voluntary and other uncompensated services.

11 **SEC. 9. DEFINITIONS.**

12 For purposes of this Act:

13 (1) CITIZENS ADVISORY COMMITTEE.—The
14 term “Citizens Advisory Committee” means the Cul-
15 tural Heritage Citizens Advisory Committee estab-
16 lished under section 4.

17 (2) CULTURAL HERITAGE.—The term “cultural
18 heritage” means resources relating to natural, his-
19 toric, cultural, ethnographic, scenic, or recreational
20 values that traditionally define the distinct character
21 of an area or region and its peoples.

22 (3) STATE.—The term “State” includes the
23 several States, the District of Columbia, the Com-
24 monwealth of Puerto Rico, the Commonwealth of the
25 Northern Mariana Islands, American Samoa, Guam,

1 the Virgin Islands, and any other territory or posses-
2 sion of the United States.

3 (4) FEDERAL COORDINATING COUNCIL.—The
4 term “Federal Coordinating Council” means the
5 Federal Cultural Heritage Coordinating Council es-
6 tablished by section 5.

7 (5) INDIAN TRIBE.—The term “Indian tribe”
8 means any Indian tribe, band, nation, pueblo, or
9 other organized group or community, that is recog-
10 nized as eligible for the special programs and serv-
11 ices provided by the United States to Indians be-
12 cause of their status as Indians.

13 (6) HERITAGE AREA.—The term “heritage
14 area” means a discrete geographic area or region
15 (including trails, corridors, rivers, and watersheds)
16 designated by an Indian tribe or by Federal, State,
17 or local executive or legislative action in recognition
18 of the area or region’s distinctive sense of place em-
19 bodied in its historic buildings, communities, tradi-
20 tions, or cultural or natural features.

21 (7) PARTNERSHIP PROGRAM.—The term “Part-
22 nership Program” means the Cultural Heritage As-
23 sistance Partnership Program established under sec-
24 tion 2.

1 (8) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior, acting through the Di-
3 rector of the National Park Service.

4 **SEC. 10. FUNDING.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to the Secretary to carry
7 out this Act \$10,000,000 for each of fiscal years 2002,
8 2003, 2004, 2005, and 2006, as follows:

9 (1) \$9,000,000 for grants under section 6.

10 (2) \$500,000 for information and technical as-
11 sistance.

12 (3) \$500,000 for program administration.

13 (b) AVAILABILITY.—Amounts appropriated under
14 this Act shall remain available until expended.

○