

Union Calendar No. 263

103^D CONGRESS
2^D SESSION

H. R. 2843

[Report No. 103-471]

A BILL

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

APRIL 12, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 1993

Mr. MOLLOHAN introduced the following bill; which was referred to the Committee on Natural Resources

APRIL 12, 1994

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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 3, 1993]

A BILL

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 Her-*
5 *itage Area Act of 1994".*

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

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

3 (1) *the community of Wheeling, West Virginia,*
4 *and vicinity, possess important historical, cultural,*
5 *and natural resources, representing major heritage*
6 *themes of transportation and commerce and industry*
7 *and Victorian culture in the United States;*

8 (2) *the City of Wheeling played an important*
9 *part in the settlement of this country by serving as*
10 *the western terminus of the National Road in the*
11 *early 1800's, by serving as one of the few major in-*
12 *land ports in the nineteenth century, by hosting the*
13 *establishment of the Restored State of Virginia, and*
14 *later the State of West Virginia during the Civil War*
15 *years and serving as the first capital of the new State*
16 *of West Virginia, through the development and main-*
17 *tenance of many industries crucial to the Nation's ex-*
18 *pansion, including iron and steel, and textile manu-*
19 *facturing facilities, boat building facilities, glass*
20 *manufacturing facilities, stogie and chewing tobacco*
21 *manufacturing facilities, many of which are indus-*
22 *tries that continue to play an important role in the*
23 *Nation's economy;*

24 (3) *the City of Wheeling has retained its na-*
25 *tional heritage themes with the designations of the old*
26 *custom house, now Independence Hall, as a National*

1 *Historic Landmark; with the designation of the his-*
2 *toric suspension bridge as a National Historic Land-*
3 *mark; with five historic districts, and many individ-*
4 *ual properties in the Wheeling area listed or eligible*
5 *for nomination to the National Register of Historic*
6 *Places; and*

7 *(4) the heritage themes and number and diver-*
8 *sity of Wheeling's remaining resources should be ap-*
9 *propriately retained, enhanced, and interpreted for*
10 *the education, benefit, and inspiration of the people*
11 *of the United States.*

12 *(b) PURPOSES.—The purposes of this Act are to—*

13 *(1) recognize the importance of the history and*
14 *development of the Wheeling area in the cultural her-*
15 *itage of the Nation;*

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

22 *(3) allow for limited Federal, State and local*
23 *capital contributions for planning and infrastructure*
24 *investments to create the Wheeling National Heritage*
25 *Area, in partnership with the State of West Virginia*

1 *and the City of Wheeling, West Virginia and its des-*
2 *ignees; and to provide for an economically self-sus-*
3 *taining National Heritage Area not dependent on*
4 *Federal assistance beyond the initial years necessary*
5 *to establish the National Heritage Area.*

6 **SEC. 3. DEFINITION.**

7 *As used in this Act, the term “Plan” refers to the Plan*
8 *for the Wheeling National Heritage Area, prepared for the*
9 *Wheeling National Heritage Area Task Force, the City of*
10 *Wheeling, and the National Park Service, published in Au-*
11 *gust 1992, which Plan includes—*

12 *(1) an inventory of the natural and cultural re-*
13 *sources in the City of Wheeling;*

14 *(2) criteria for preserving and interpreting sig-*
15 *nificant natural and historic resources;*

16 *(3) a strategy for the conservation, preservation,*
17 *and reuse of the historical and cultural resources in*
18 *the City of Wheeling and the region; and*

19 *(4) an implementation agenda by which the*
20 *State of West Virginia and local governments can*
21 *program their resources as well as a complete descrip-*
22 *tion of the management entity responsible for imple-*
23 *menting the Plan.*

1 **SEC. 4. DESIGNATION OF NATIONAL HERITAGE AREA.**

2 *In furtherance of the purposes of this Act, there is here-*
3 *by established the Wheeling National Heritage Area in the*
4 *State of West Virginia (hereinafter referred to as the*
5 *“Area”). The Area shall include those lands and waters*
6 *within the boundary generally depicted on the map entitled,*
7 *“Boundary Map, Wheeling National Heritage Area, West*
8 *Virginia”, which shall be on file and available for public*
9 *inspection in the offices of the National Park Service, De-*
10 *partment of the Interior, and in Wheeling, West Virginia.*

11 **SEC. 5. DUTIES OF THE SECRETARY.**

12 *(a) PURPOSE.—To carry out the purposes of this Act,*
13 *the Secretary of the Interior shall—*

14 *(1) assist appropriate local entities in the devel-*
15 *opment of interpretive and educational materials as*
16 *specified in the Plan or subsequent planning efforts*
17 *(for example, the interpretive master plan); and*

18 *(2) provide funds for capital improvements to*
19 *projects and initial operating assistance consistent*
20 *with the Plan.*

21 *(b) TECHNICAL ASSISTANCE.—The Secretary shall, as*
22 *outlined in the Plan, provide technical assistance to appro-*
23 *priate local entities in the preparation of any plans or stud-*
24 *ies pursuant to the Plan.*

25 *(c) CAPITAL PROJECTS.—(1) Application for funds for*
26 *capital projects and improvements under this Act shall be*

1 *submitted to the Secretary and shall include a description*
2 *of how the project proposed to be funded will further the*
3 *purposes of the Area.*

4 *(2) In making such funds available, the Secretary shall*
5 *give consideration to projects which provide a greater lever-*
6 *age of Federal funds. Any payment made shall be subject*
7 *to an agreement that conversion, use, or disposal of the*
8 *project so assisted for purposes contrary to the purposes of*
9 *this Act, as determined by the Secretary, shall result in a*
10 *right of the United States of reimbursement of all funds*
11 *made available to such project or the proportion of the in-*
12 *creased value of the project attributable to such funds as*
13 *determined at the time of such conversion, use, or disposal,*
14 *whichever is greater.*

15 **SEC. 6. DUTIES OF OTHER FEDERAL ENTITIES.**

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

19 *(1) consult with the Secretary of the Interior*
20 *with respect to such activities;*

21 *(2) cooperate with the Secretary of the Interior*
22 *in carrying out its duties under this Act and, to the*
23 *maximum extent practicable, coordinate such activi-*
24 *ties with the carrying out of such duties; and*

1 (3) to the maximum extent practicable, conduct
2 or support such activities in a manner which the Sec-
3 retary of the Interior determines will not have an ad-
4 verse affect on the Area.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated to the Secretary
7 of the Interior to carry out this Act not more than—

8 (1) \$5,000,000 for capital projects;

9 (2) \$1,000,000 for planning and studies; and

10 (3) \$500,000 for technical assistance.

11 Funds made available pursuant to paragraphs (1) and (2)
12 shall not exceed 50 percent of the total costs of the project
13 to be funded.