

106TH CONGRESS  
2D SESSION

# H. R. 4156

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

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2000

Mr. MOLLOHAN (for himself, Mr. RAHALL, and Mr. WISE) introduced the following bill; which was referred to the Committee on Resources

---

## 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  
5       Heritage Area Act of 2000”.

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

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

8               (1) the area in and around Wheeling, West Vir-  
9       ginia, possesses important historical, cultural, and  
10       natural resources, representing major heritage

1 themes of transportation, commerce and industry,  
2 and Victorian culture in the United States;

3 (2) the city of Wheeling has played an impor-  
4 tant part in the settlement of this country by serving  
5 as—

6 (A) the western terminus of the National  
7 Road of the early 1800's;

8 (B) the “Crossroads of America” through-  
9 out the nineteenth century;

10 (C) one of the few major inland ports in  
11 the nineteenth century; and

12 (D) the site for the establishment of the  
13 Restored State of Virginia, and later the State  
14 of West Virginia, during the Civil War and as  
15 the first capital of the new State of West Vir-  
16 ginia;

17 (3) the city of Wheeling has played an impor-  
18 tant role in the industrial and commercial heritage  
19 of the United States, through the development and  
20 maintenance of many industries crucial to the Na-  
21 tion's expansion, including iron and steel, textile  
22 manufacturing, boat building, glass manufacturing,  
23 and stogie and chewing tobacco manufacturing fa-  
24 cilities, many of which are industries that continue  
25 to play an important role in the national economy;

1           (4) the city of Wheeling has retained its na-  
2           tional heritage themes with the designations of the  
3           old custom house (now Independence Hall) and the  
4           historic suspension bridge as National Historic  
5           Landmarks; with five historic districts; and many in-  
6           dividual properties in the Wheeling area listed or eli-  
7           gible for nomination to the National Register of His-  
8           toric Places;

9           (5) the heritage themes and number and diver-  
10          sity of Wheeling's remaining resources should be ap-  
11          propriately retained, enhanced, and interpreted for  
12          the education, benefit, and inspiration of the people  
13          of the United States; and

14          (6) in 1992 a comprehensive plan for the devel-  
15          opment and administration of the Wheeling National  
16          Heritage Area was completed for the National Park  
17          Service, the city of Wheeling, and the Wheeling Na-  
18          tional Heritage Task Force, including—

19                 (A) an inventory of the natural and cul-  
20                 tural resources in the city of Wheeling;

21                 (B) criteria for preserving and interpreting  
22                 significant natural and historic resources;

23                 (C) a strategy for the conservation, preser-  
24                 vation, and reuse of the historical and cultural

1 resources in the city of Wheeling and the sur-  
2 rounding region;

3 (D) an implementation agenda by which  
4 the State of West Virginia and local govern-  
5 ments can coordinate their resources; and

6 (E) a complete description of the manage-  
7 ment entity responsible for implementing the  
8 comprehensive plan.

9 (b) PURPOSES.—The purposes of this Act are—

10 (1) to recognize the special importance of the  
11 history and development of the Wheeling area in the  
12 cultural heritage of the Nation;

13 (2) to provide a framework to assist the city of  
14 Wheeling and other public and private entities and  
15 individuals in the appropriate preservation, enhance-  
16 ment, and interpretation of significant resources in  
17 the Wheeling area emblematic of Wheeling’s con-  
18 tributions to the Nation’s cultural heritage;

19 (3) to allow for limited Federal, State, and local  
20 capital contributions for planning and infrastructure  
21 investments to complete the Wheeling National Her-  
22 itage Area, in partnership with the State of West  
23 Virginia, the city of Wheeling, and other appropriate  
24 public and private entities; and

1           (4) to provide for an economically self-sus-  
2           taining National Heritage Area not dependent on  
3           Federal financial assistance beyond the initial years  
4           necessary to establish the heritage area.

5 **SEC. 3. DEFINITIONS.**

6           As used in this Act—

7           (1) the term “City” means the city of Wheeling;

8           (2) the term “heritage area” means the Wheel-  
9           ing National Heritage Area established in section 4;

10           (3) the term “plan” means the “Plan for the  
11           Wheeling National Heritage Area” dated August  
12           1992;

13           (4) the term “Secretary” means the Secretary  
14           of the Interior; and

15           (5) the term “State” means the State of West  
16           Virginia.

17 **SEC. 4. WHEELING NATIONAL HERITAGE AREA.**

18           (a) ESTABLISHMENT.—In furtherance of the pur-  
19           poses of this Act, there is established in the State of West  
20           Virginia the Wheeling National Heritage Area, as gen-  
21           erally depicted on the map entitled “Boundary Map,  
22           Wheeling National Heritage Area, Wheeling, West Vir-  
23           ginia” and dated March, 1994. The map shall be on file  
24           and available for public inspection in the appropriate of-  
25           fices of the National Park Service.

1           (b) **MANAGEMENT ENTITY.**—The management entity  
2 for the heritage area shall be the Wheeling National Herit-  
3 age Area Corporation, a nonprofit corporation chartered  
4 in the State of West Virginia.

5 **SEC. 5. DUTIES OF THE MANAGEMENT ENTITY.**

6           (a) **IN GENERAL.**—The duties of the management en-  
7 tity shall be to—

8                   (A) manage the heritage area in accord-  
9                   ance with the plan;

10                   (B) implement and coordinate the rec-  
11                   ommendations contained in the plan;

12                   (C) ensure integrated operation of the her-  
13                   itage area;

14                   (D) conserve and interpret the historic and  
15                   cultural resources of the heritage area;

16                   (E) direct and coordinate the diverse con-  
17                   servation, development, programming, edu-  
18                   cational, and interpretive activities within the  
19                   heritage area; and

20                   (F) work with the State and local govern-  
21                   ments to ensure that the plan is formally adopt-  
22                   ed by the City and recognized by the State.

23           (b) **IMPLEMENTATION.**—To the extent practicable,  
24 the management entity shall—

1           (1) implement the recommendations contained  
2           in the plan in a timely manner pursuant to the  
3           schedule identified in the plan;

4           (2) coordinate its activities with the City, the  
5           State, and the Secretary;

6           (3) ensure the conservation and interpretation  
7           of the heritage area’s historical, cultural, and nat-  
8           ural resources, including—

9                   (A) assisting the City and the State in the  
10                  preservation of sites, buildings, and objects  
11                  within the heritage area which are listed or eli-  
12                  gible for listing on the National Register of  
13                  Historic Places;

14                   (B) assisting the City, the State, or a non-  
15                  profit organization in the restoration of any his-  
16                  toric building in the heritage area;

17                   (C) increasing public awareness of and ap-  
18                  preciation for the natural, cultural, and historic  
19                  resources of the heritage area;

20                   (D) assisting the State or City in design-  
21                  ing, establishing, and maintaining appropriate  
22                  interpretive facilities and exhibits in the herit-  
23                  age area;

24                   (E) assisting in the enhancement of public  
25                  awareness and appreciation for the historical,

1 archaeological, and geologic resources and sites  
2 in the heritage area; and

3 (F) encouraging the City and other local  
4 governments to adopt land use policies con-  
5 sistent with the goals of the plan, and to take  
6 actions to implement those policies;

7 (4) encourage intergovernmental cooperation in  
8 the achievement of these objectives;

9 (5) develop recommendations for design stand-  
10 ards within the heritage area; and

11 (6) seek to create public-private partnerships to  
12 finance projects and initiatives within the heritage  
13 area.

14 (c) AUTHORITIES.—The management entity may, for  
15 the purposes of implementing the plan, use Federal funds  
16 made available by this Act to—

17 (1) make loans or grants to the State, City, or  
18 other appropriate public or private organizations, en-  
19 tities, or persons;

20 (2) enter into cooperative agreements with, or  
21 provide technical assistance to Federal agencies, the  
22 State, City, or other appropriate public or private  
23 organizations, entities, or persons;

24 (3) hire and compensate such staff as the man-  
25 agement entity deems necessary;

1           (4) obtain money from any source under any  
2 program or law requiring the recipient of such  
3 money to make a contribution in order to receive  
4 such money;

5           (5) spend funds on promotion and marketing  
6 consistent with the resources and associated values  
7 of the heritage area in order to promote increased  
8 visitation; and

9           (6) contract for goods and services.

10       (d) ACQUISITION OF REAL PROPERTY.—

11           (1) IN GENERAL.—Except as provided in para-  
12 graph (2), the management entity may not acquire  
13 any real property or interest therein within the her-  
14 itage area, other than the leasing of facilities.

15           (2) CONDITIONS FOR ACQUISITION.—(A) Sub-  
16 ject to subparagraph (B), the management entity  
17 may acquire real property, or an interest therein,  
18 within the heritage area by gift or devise, or by pur-  
19 chase from a willing seller with money which was do-  
20 nated, bequeathed, appropriated, or otherwise made  
21 available to the management entity on the condition  
22 that such money be used to purchase real property,  
23 or interest therein, within the heritage area.

24           (B) Any real property or interest therein ac-  
25 quired by the management entity pursuant to this

1 paragraph shall be conveyed in perpetuity by the  
2 management entity to an appropriate public or pri-  
3 vate entity, as determined by the management enti-  
4 ty. Any such conveyance shall be made as soon as  
5 practicable after acquisition, without consideration,  
6 and on the condition that the real property or inter-  
7 est therein so conveyed shall be used for public pur-  
8 poses.

9 **SEC. 6. DUTIES OF THE SECRETARY.**

10 (a) INTERPRETIVE SUPPORT.—The Secretary may,  
11 upon request of the management entity, provide appro-  
12 priate interpretive, planning, educational, staffing, exhib-  
13 its, and other materials or support for the heritage area,  
14 consistent with the plan and as appropriate to the re-  
15 sources and associated values of the heritage area.

16 (b) TECHNICAL ASSISTANCE.—The Secretary shall,  
17 upon request of the management entity and consistent  
18 with the plan, provide technical assistance to the manage-  
19 ment entity.

20 (c) COOPERATIVE AGREEMENTS, LOANS, AND  
21 GRANTS.—The Secretary may, in consultation with the  
22 management entity and consistent with the management  
23 plan, make loans and grants to, and enter into cooperative  
24 agreements with the management entity, the State, City,  
25 nonprofit organization or any person.

1 (d) PLAN AMENDMENTS.—No amendments to the  
2 plan may be made unless such amendments are approved  
3 by the Secretary. The Secretary shall consult with the  
4 management entity in reviewing any proposed amend-  
5 ments.

6 **SEC. 7. DUTIES OF OTHER FEDERAL AGENCIES.**

7 Any Federal department, agency, or other entity con-  
8 ducting or supporting activities directly affecting the herit-  
9 age area shall—

10 (1) consult with the Secretary and the manage-  
11 ment entity with respect to such activities;

12 (2) cooperate with the Secretary and the man-  
13 agement entity in carrying out their duties under  
14 this Act, and to the extent practicable, coordinate  
15 such activities directly with the duties of the Sec-  
16 retary and the management entity; and

17 (3) to the extent practicable, conduct or support  
18 such activities in a manner which the management  
19 entity determines will not have an adverse effect on  
20 the heritage area.

21 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated such sums  
23 as may be necessary to carry out this Act.

○