

106TH CONGRESS
2D SESSION

H. R. 5518

To authorize the Hoosier Automobile & Truck National Heritage Trail Area.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 2000

Mr. SOUDER (for himself, Mr. BURTON of Indiana, Mr. ROEMER, Ms. CARSON, Mr. MCINTOSH, Mr. HILL of Indiana, and Mr. HOSTETTLER) introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Hoosier Automobile & Truck National Heritage Trail 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 “Hoosier Automobile
5 & Truck National Heritage Trail Area Act of 2000”.

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

7 (a) FINDINGS.—The Congress finds as follows:

8 (1) The industrial, cultural, and natural herit-
9 age legacies of Indiana’s automobile and truck in-
10 dustry are nationally significant.

1 (2) The design and manufacture of the auto-
2 mobile and truck within the State of Indiana helped
3 establish and expand the United States industrial
4 power.

5 (3) The industrial strength of automobile and
6 truck manufacturing was vital to defending freedom
7 and democracy in 2 world wars and played a defin-
8 ing role in American victories.

9 (4) The economic strength of our Nation is con-
10 nected integrally to the vitality of the automobile
11 and truck industry, which employs millions of work-
12 ers and upon which 1 out of 7 United States jobs
13 depends.

14 (5) The industrial and cultural heritage of the
15 automobile and truck industry in Indiana includes
16 the social history and living cultural traditions of
17 several generations.

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 and truck
21 industry.

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

1 merit the involvement of the Federal Government to
2 develop programs and projects in cooperation with
3 the Hoosier Automobile & Truck National Heritage
4 Trail Area Partnership, Inc., (an Indiana not-for-
5 profit corporation), the State of Indiana, and other
6 local and governmental bodies, to adequately con-
7 serve, protect, and interpret this heritage for the
8 educational and recreational benefit of this and fu-
9 ture generations of Americans.

10 (8) The Hoosier Automobile & Truck National
11 Heritage Trail Area Partnership, Inc., would be an
12 appropriate entity to oversee the development of the
13 Hoosier Automobile & Truck National Heritage
14 Trail Area.

15 (9) Multiple museums of regional, national, and
16 international stature are located within the Hoosier
17 Automobile & Truck National Heritage Trail Area
18 as follows:

19 (A) Auburn Cord Duesenberg Museum at
20 Auburn, Indiana.

21 (B) National Automotive and Truck Mu-
22 seum of the United States at Auburn, Indiana.

23 (C) S. Ray Miller Museum at Elkhart, In-
24 diana.

1 (D) RV/MH Hall of Fame, Museum, and
2 Library at Elkhart, Indiana.

3 (E) Studebaker National Museum at South
4 Bend, Indiana.

5 (F) Door Prairie Museum at LaPorte, In-
6 diana.

7 (G) Indianapolis Motor Speedway Museum
8 at Indianapolis, Indiana.

9 (10) Auburn, Indiana, because it is located on
10 Interstate Highway 69, is the home of the Auburn
11 Cord Duesenberg Museum, the National Automotive
12 and Truck Museum of the United States, and the
13 Kruse Auction Park, designates itself as the “Col-
14 lector Car Capital of the World”, and is adjacent to
15 the Michigan Automobile National Heritage Area, is
16 the appropriate focal point for the Hoosier Auto-
17 mobile & Truck National Heritage Trail Area.

18 (11) The natural, cultural, historic, and scenic
19 resources of the Hoosier Automobile & Truck Na-
20 tional Heritage Trail Area have combined to form a
21 cohesive, nationally distinctive landscape arising
22 from patterns of human activity, shaped by geog-
23 raphy which has resulted in the Hoosier National
24 Automobile & Truck National Trail Area being rep-
25 resentative of the national experience through the

1 physical features that remain, the traditions which
2 have evolved within them, and the continued use of
3 the Hoosier National Automobile & Truck National
4 Trail Area by people whose traditions and activities
5 have helped to shape such landscape.

6 (b) PURPOSE.—The purpose of this Act is to estab-
7 lish the Hoosier Automobile & Truck National Heritage
8 Trail Area to—

9 (1) foster a close working relationship with all
10 levels of government, the private sector, and the
11 local communities in Indiana and empower commu-
12 nities in Indiana to conserve their automotive and
13 truck heritage while strengthening future economic
14 opportunities; and

15 (2) conserve, interpret, and develop the histor-
16 ical, cultural, natural, and recreational resources re-
17 lated to the industrial and cultural heritage of the
18 Hoosier Automobile & Truck National Heritage
19 Trail Area.

20 **SEC. 3. DEFINITIONS.**

21 For purposes of this Act:

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

1 (2) HERITAGE AREA.—The term “Heritage
2 Area” means the Hoosier Automobile & Truck Na-
3 tional Heritage Trail Area established by section 4.

4 (3) PARTNERSHIP.—The term “Partnership”
5 means the Hoosier Automobile & Truck National
6 Heritage Trail Area, Incorporated (a nonprofit cor-
7 poration established under the laws of the State of
8 Indiana).

9 (4) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

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

12 (a) ESTABLISHMENT.—There is established in the
13 State of Indiana the Hoosier Automobile & Truck Na-
14 tional Heritage Trail Area.

15 (b) BOUNDARIES.—

16 (1) IN GENERAL.—Subject to paragraph (2),
17 the boundaries of the Heritage Area shall include
18 lands in the following counties in the State of Indi-
19 ana: Lake, Porter, LaPorte, Starke, Elkhart, Kos-
20 ciusko, LaGrange, Steuben, Noble, DeKalb, Whitley,
21 Allen, Huntington, Wells, Adams, Jay, Clinton, Tip-
22 ton, Madison, Delaware, Randolph, Hamilton,
23 Henry, Wayne, Marion, Hancock, Morgan, Johnson,
24 Shelby, Rush, Fayette, Union, Brown, Bartholomew,
25 Decatur, Franklin, Jackson, Jennings, Ripley, Dear-

1 born, Washington, Scott, Jefferson, Ohio, Switzer-
2 land, Clark, Floyd, Harrison, Crawford, Dubois,
3 Perry, Spencer, Sullivan, Greene, Monroe, Knox,
4 Davies, Martin, Lawrence, Orange, Gibson, Pike,
5 Posey, Vanderburgh, and Warrick.

6 (2) SPECIFIC BOUNDARIES.—The specific
7 boundaries of the Heritage Area shall be those speci-
8 fied in the management plan approved under section
9 6.

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

14 (4) CONSENT OF LOCAL GOVERNMENTS.—The
15 Partnership shall provide to the government of each
16 city, village, and township that has jurisdiction over
17 property proposed to be included in the Heritage
18 Area written notice of that proposal.

19 (5) CONDITIONS FOR INCLUSION OF PROPERTY
20 IN HERITAGE AREA.—Property may not be included
21 in the Heritage Area if—

22 (A) the Partnership fails to give notice of
23 the inclusion in accordance with paragraph (4);

24 (B) any local government to which the no-
25 tice is required to be provided objects to the in-

1 clusion, in writing to the Partnership, by not
2 later than the end of the period provided pursu-
3 ant to subparagraph (C); or

4 (C) fails to provide a period of at least 60
5 days for objection under subparagraph (B).

6 (6) ADMINISTRATION.—The Heritage Area
7 shall be administered in accordance with this Act.

8 (7) ADDITIONS AND DELETIONS OF LANDS.—
9 The Secretary may add or remove lands to or from
10 the Heritage Area in response to a request from the
11 Partnership.

12 **SEC. 5. DESIGNATION OF PARTNERSHIP AS MANAGEMENT**
13 **ENTITY.**

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

16 (b) FEDERAL FUNDING.—

17 (1) AUTHORIZATION TO RECEIVE FUNDS.—The
18 Partnership may receive amounts appropriated to
19 carry out this Act.

20 (2) DISQUALIFICATION.—If a management plan
21 for the Area is not submitted to the Secretary as re-
22 quired under section 6 within the time specified in
23 that section, the Partnership shall cease to be au-
24 thorized to receive Federal funding under this Act
25 until such a plan is submitted to the Secretary.

1 (c) AUTHORITIES OF PARTNERSHIP.—The Partner-
2 ship may, for purposes of preparing and implementing the
3 management plan for the Heritage Area, use Federal
4 funds made available under this Act—

5 (1) to make grants and loans to the State of
6 Indiana, its political subdivisions, nonprofit organi-
7 zations, and other persons;

8 (2) to enter into cooperative agreements with or
9 provide technical assistance to Federal agencies, the
10 State of Indiana, its political subdivisions, nonprofit
11 organizations, and other persons;

12 (3) to hire and compensate staff;

13 (4) to obtain money from any source under any
14 program or law requiring the recipient of such
15 money to make a contribution in order to receive
16 such money; and

17 (5) to contract for goods and services.

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

22 **SEC. 6. MANAGEMENT DUTIES OF THE HOOSIER AUTO-**
23 **MOBILE & TRUCK NATIONAL HERITAGE**
24 **TRAIL AREA PARTNERSHIP.**

25 (a) HERITAGE AREA MANAGEMENT PLAN.—

1 (1) SUBMISSION FOR REVIEW BY SECRETARY.—
2 The Board of Directors of the Partnership shall,
3 within 3 years after the date of enactment of this
4 Act, develop and submit for review to the Secretary
5 a management plan for the Heritage Area.

6 (2) PLAN REQUIREMENTS, GENERALLY.—A
7 management plan submitted under this section
8 shall—

9 (A) present comprehensive recommenda-
10 tions for the conservation, funding, manage-
11 ment, and development of the Heritage Area;

12 (B) be prepared with public participation;

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

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

21 (E) specify existing and potential sources
22 of Federal and non-Federal funding for the
23 conservation, management, and development of
24 the Heritage Area.

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

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

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

24 (C) A program for implementation of the
25 management plan, including plans for restora-

1 tion and construction and a description of any
2 commitments that have been made by persons
3 interested in management of the Heritage Area.

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

7 (E) An interpretive plan for the Heritage
8 Area.

9 (4) APPROVAL AND DISAPPROVAL OF THE MAN-
10 AGEMENT PLAN.—

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

17 (B) DISAPPROVAL AND REVISIONS.—If the
18 Secretary disapproves the management plan,
19 the Secretary shall advise the Board, in writing,
20 of the reasons for the disapproval and shall
21 make recommendations for revision of the plan.
22 The Secretary shall approve or disapprove pro-
23 posed revisions to the plan not later than 60
24 days after receipt of such revisions from the
25 Board. If the Secretary has taken no action for

1 60 days after receipt, the plan and revisions
2 shall be considered approved.

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

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

9 (A) in conserving the Heritage Area;

10 (B) in establishing and maintaining inter-
11 pretive exhibits in the Heritage Area;

12 (C) in developing recreational opportunities
13 in the Heritage Area;

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

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

21 (F) in ensuring that clear, consistent, and
22 environmentally appropriate signs identifying
23 access points and sites of interest are put in
24 place throughout the Heritage Area; and

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

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

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

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

21 (f) COOPERATION WITH AUDITS.—The Partnership
22 shall, for any fiscal year in which it receives Federal funds
23 under this Act or in which a loan made by the Partnership
24 with Federal funds under section 5(c)(1) is outstanding,
25 make available for audit by the Congress, the Secretary,

1 and appropriate units of government all records and other
2 information pertaining to the expenditure of such funds
3 and any matching funds, and require, for all agreements
4 authorizing expenditure of Federal funds by other organi-
5 zations, that the receiving organizations make available
6 for such audit all records and other information pertaining
7 to the expenditure of such funds.

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

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

13 (a) TECHNICAL ASSISTANCE AND GRANTS.—

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

21 (2) PROHIBITION OF CERTAIN REQUIRE-
22 MENTS.—The Secretary may not, as a condition of
23 the award of technical assistance or grants under
24 this section, require any recipient of such technical

1 assistance or a grant to enact or modify land use re-
2 strictions.

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

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

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

20 (d) DUTIES OF OTHER FEDERAL AGENCIES.—Any
21 Federal entity conducting any activity directly affecting
22 the Heritage Area shall consider the potential effect of the
23 activity on the Heritage Area management plan and shall
24 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 Indiana 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, 2015.

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

2 (a) IN GENERAL.—There is 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 Federal funds.

○