

**§ 410ww-22. Dayton historic resources preservation and development plan**

**(a) In general**

Within 2 years after the date on which the Commission conducts its first meeting, the Commission shall submit to the Secretary a preservation and development plan which may include the Wright-Dunbar Historic District, the Dunbar Historic District, the Ed Sines House and the Daniel Fitch House, and the 45 sites identified in Appendix A of the document entitled "Study of Alternatives Dayton's Aviation Heritage, Ohio" published by the National Park Service. Within 90 days after the receipt of such plan, the Secretary shall approve such plan or return it with comments to the Commission. If the Secretary has taken no action after 90 days upon receipt, the plan shall be considered approved. If the Secretary disapproves a plan, the Commission shall submit a revised plan to the Secretary. The plan shall include specific preservation and interpretation goals and a priority timetable for their achievement. The Secretary shall forward copies of the approved plan to the Congress.

**(b) Contents of plan**

The plan referred to in subsection (a) of this section shall—

- (1) set detailed goals for the preservation, protection, enhancement, and utilization of the resources of sites referred to in subsection (a) of this section;
- (2) identify properties which should be preserved, restored, developed, maintained, or acquired;
- (3) include a tentative budget for the subsequent five fiscal years;
- (4) propose a management strategy for a permanent organizational structure to enhance and coordinate such resources, and aviation-related properties, and institutions;
- (5) recommend methods for establishing partnerships with Federal, State, and local governments and the private sector to foster development and to preserve and enhance such resources;
- (6) propose transportation links, including pedestrian facilities and bicycle trails among historic aviation sites including an interurban between the Wright-Dunbar Historic District and the historic resources at Wright-Patterson Air Force Base;
- (7) address the use of private vehicles, traffic patterns, parking, and public transportation;
- (8) propose educational and cultural programs to encourage appreciation of such resources;
- (9) establish standards and criteria applicable to the construction, preservation, restoration, alteration, and use of the properties among such resources;
- (10) establish an index which shall contain documentary evidence of historical and cultural significance and which includes property in the Miami Valley associated with the Wright brothers, the history of aviation, or Paul Laurence Dunbar.

**(c) Consultation**

In developing the plan, the Commission shall consult with appropriate officials of any local

government or Federal or State agency which has jurisdiction over historic aviation resources in the Miami Valley area. The Commission shall also consult with property owners and business, historic, professional, neighborhood, and citizen organizations affected by the actions proposed in the plan.

(Pub. L. 102-419, title II, §202, Oct. 16, 1992, 106 Stat. 2145.)

**§ 410ww-23. General powers of Commission**

**(a) Hearings**

The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable.

**(b) Donations**

Notwithstanding any other provision of law, the Commission may seek and accept donations of funds, property, or service from individuals, foundations, corporations, and other private entities and public entities for the purpose of carrying out its duties.

**(c) Use of funds to obtain money**

The Commission may use its funds to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money.

**(d) Mail**

The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

**(e) Uses of acquired assets**

Any revenues or other assets acquired by the Commission by donations, the lease or sale of property, or fees for services shall be available to the Commission, without fiscal year limitations, to be used for any function of the Commission.

**(f) Historical and cultural programs**

The Commission is authorized to carry out historical, educational, or cultural programs which encourage or enhance appreciation of the historic resources in the Miami Valley associated with the Wright brothers, aviation, or the life and works of Paul Laurence Dunbar.

**(g) Technical and preservation assistance**

The Commission may provide technical and preservation assistance to owners of property within the districts, sites, and properties referred to in section 410ww-22(a) of this title consistent with the purposes of this subchapter.

**(h) Obtaining property**

(1) The Commission may obtain by purchase, rental, donation, or otherwise, such property, facilities, and services as may be needed to carry out its duties except that the Commission may not acquire any real property or interest in real property otherwise than under paragraph (2).

(2) Subject to paragraph (3), the Commission may acquire real property, or interests in real property, in the districts, sites, and properties referred to in section 410ww-22(a) of this title—

(A) by gift or devise; or  
 (B) by purchase from a willing seller with money which was given or bequeathed to the Commission on the condition that such money would be used to purchase real property, or interests in real property, in such district and sites.

(3) Any real property or interest in real property acquired by the Commission under paragraph (2) shall be conveyed by the Commission to an appropriate public agency, as determined by the Commission. Any such conveyance shall be made—

(A) as soon as practicable after such acquisition;

(B) without consideration; and

(C) on the condition that the real property or interest in real property so conveyed is used for public purposes.

(Pub. L. 102-419, title II, §203, Oct. 16, 1992, 106 Stat. 2146.)

#### § 410ww-24. Staff of Commission

##### (a) Director

The Commission shall have a Director who shall be appointed by the Commission.

##### (b) Additional personnel

The Commission may appoint and fix the pay of such additional personnel as the Commission deems necessary. Such staff may include specialists in areas such as interpretation, historic preservation, black history and literature, aviation history and technology, and urban revitalization.

##### (c) Temporary services

Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, but at rates determined by the Commission to be reasonable.

##### (d) Detail

Upon request of the Commission, the head of any Federal agency represented by a member on the Commission may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under this subchapter.

##### (e) Administrative support

The Administrator of the General Services Administration shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

##### (f) State and local services

The Commission may accept the services of personnel detailed from the State or any political subdivision of the State and may reimburse the State or such political subdivision for such services.

##### (g) Inapplicability of certain provisions of title 5

The director and staff of the Commission may be appointed without regard to the provisions of title 5 governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of

chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay payable for grade GS-15 of the General Schedule.

(Pub. L. 102-419, title II, §204, Oct. 16, 1992, 106 Stat. 2147.)

#### REFERENCES IN TEXT

Grade GS-15 of the General Schedule, referred to in subsec. (g), is set out under section 5332 of Title 5.

#### § 410ww-25. Authorization of appropriations

There are authorized to be appropriated annually to the Commission to carry out its duties under this subchapter \$350,000, except that the Federal contribution to the Commission shall not exceed 50 percent of the annual costs to the Commission in carrying out those duties.

(Pub. L. 102-419, title II, §205, Oct. 16, 1992, 106 Stat. 2148.)

### SUBCHAPTER LIX-V—DRY TORTUGAS NATIONAL PARK

#### § 410xx. Establishment

##### (a) In general

In order to preserve and protect for the education, inspiration, and enjoyment of present and future generations nationally significant natural, historic, scenic, marine, and scientific values in South Florida, there is hereby established the Dry Tortugas National Park (hereinafter in this subchapter referred to as the “park”).

##### (b) Area included

The park shall consist of the lands, waters, and interests therein generally depicted on the map entitled “Boundary Map, Fort Jefferson National Monument”, numbered 364-90,001, and dated April 1980 (which is the map referenced by section 201 of Public Law 96-287). The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

##### (c) Abolition of monument

The Fort Jefferson National Monument is hereby abolished.

(Pub. L. 102-525, title II, §201, Oct. 26, 1992, 106 Stat. 3439.)

#### REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this title”, meaning title II of Pub. L. 102-525, Oct. 26, 1992, 106 Stat. 3439, which enacted this subchapter and amended provisions listed in a National Monuments Established Under Presidential Proclamation table set out under section 431 of this title. For complete classification of title II to the Code, see Tables.

Section 201 of Public Law 96-287, referred to in subsec. (b), appears in a table under the heading “National Monuments Established Under Presidential Proclamation”, set out as a note under section 431 of this title.

#### § 410xx-1. Administration

##### (a) In general

The Secretary shall administer the park in accordance with this subchapter and with the pro-