

§ 410vv-6. Reservation of use and occupancy

In acquiring land within the historic zone, the Secretary may permit an owner of improved residential property within the boundaries of the historic zone to retain a right of use and occupancy of such property for noncommercial residential purposes for a term not to exceed 25 years or a term ending at the death of the owner, or the owner's spouse, whichever occurs last. The owner shall elect the term to be reserved.

(Pub. L. 102-350, § 8, Aug. 26, 1992, 106 Stat. 936.)

§ 410vv-7. General management plan

Not later than 3 complete fiscal years after August 26, 1992, the Secretary shall develop and transmit a general management plan for the park to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate.

(Pub. L. 102-350, § 9, Aug. 26, 1992, 106 Stat. 936; Pub. L. 103-437, § 6(d)(14), Nov. 2, 1994, 108 Stat. 4584.)

AMENDMENTS

1994—Pub. L. 103-437 substituted "Natural Resources" for "Interior and Insular Affairs" after "Committee on".

§ 410vv-8. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 102-350, § 10, Aug. 26, 1992, 106 Stat. 936.)

SUBCHAPTER LIX-U—DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK

PART A—DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK

§ 410ww. Establishment**(a) In general**

There is established, as a unit of the National Park System in the State of Ohio, the Dayton Aviation Heritage National Historical Park (hereinafter in this subchapter referred to as the "park").

(b) Areas included

The park shall consist of the following sites, as generally depicted on a map entitled "Dayton Aviation Heritage National Historical Park", numbered 362-80.010 and dated September 1, 2000:

- (1) A core parcel in Dayton, Ohio, which shall consist of the Wright Cycle Company building, Hoover Block, and lands between.
- (2) The Setzer building property (also known as the Aviation Trail building property), Dayton, Ohio.
- (3) The residential properties at 26 South Williams Street and at 30 South Williams Street, Dayton, Ohio.
- (4) Huffman Prairie Flying Field, located at Wright-Patterson Air Force Base, Ohio.
- (5) The Wright 1905 Flyer III and Wright Hall, including constructed additions and attached structures, known collectively as the

John W. Berry, Sr. Wright Brothers National Museum, Dayton, Ohio.

(6) The Paul Laurence Dunbar State Memorial, Dayton, Ohio.

(c) Additional sites

In addition to the sites described in subsection (b), the park shall consist of the following sites, as generally depicted on a map titled "Dayton Aviation Heritage National Historical Park", numbered 362/80.013 and dated May 2008:

- (1) Hawthorn Hill, Oakwood, Ohio.
- (2) The Wright Company factory and associated land and buildings, Dayton, Ohio.

(Pub. L. 102-419, title I, § 101, Oct. 16, 1992, 106 Stat. 2141; Pub. L. 106-356, § 2(a), Oct. 24, 2000, 114 Stat. 1391; Pub. L. 111-11, title VII, § 7117(a), Mar. 30, 2009, 123 Stat. 1204; Pub. L. 114-328, div. B, title XXVIII, § 2832, Dec. 23, 2016, 130 Stat. 2740.)

AMENDMENTS

2016—Subsec. (b)(5). Pub. L. 114-328 substituted "National Museum" for "Aviation Center".

2009—Subsec. (c). Pub. L. 111-11 added subsec. (c).

2000—Subsec. (b). Pub. L. 106-356 amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: "The park shall consist of the following sites, as generally depicted on a map entitled 'Proposed Dayton Aviation Heritage National Historical Park', numbered NHP-DAH 80,000, and dated February 1992:

"(1) A core parcel in Dayton, Ohio, which shall consist of the Wright Cycle Company Building, Hoover Block, and lands between.

"(2) Huffman Prairie Flying Field, Wright-Patterson Air Force Base, Ohio.

"(3) The Wright 1905 Flyer and Wright Hall, Dayton, Ohio.

"(4) The Paul Laurence Dunbar home, Dayton, Ohio."

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-356, § 1, Oct. 24, 2000, 114 Stat. 1391, provided that: "This Act [amending this section and sections 410ww-6 and 410ww-8 of this title] may be cited as the 'Dayton Aviation Heritage Preservation Amendments Act of 2000'."

SHORT TITLE

Pub. L. 102-419, § 1, Oct. 16, 1992, 106 Stat. 2141, provided that: "This Act [enacting this subchapter] may be cited as the 'Dayton Aviation Heritage Preservation Act of 1992'."

PURPOSES

Pub. L. 102-419, § 2, Oct. 16, 1992, 106 Stat. 2141, provided that: "The purposes of this Act [this subchapter] are—

"(1) to establish a unit of the National Park System in Dayton, Ohio, consisting of certain lands and structures associated with Wilbur and Orville Wright and the early development of aviation; and

"(2) to create partnerships among Federal, State, and local governments and the private sector to preserve, enhance, and interpret for present and future generations the historic and cultural structures, districts, and artifacts in Dayton and the Miami Valley in the State of Ohio, which are associated with the Wright brothers, the invention and development of aviation, or the life and works of Paul Laurence Dunbar, and which, as a whole, represent a nationally significant resource."

§ 410ww-1. Protection of historic properties**(a) Acquisition of properties within park**

Within the boundaries of the park the Secretary shall, subject to the availability of appro-

appropriated funds, acquire Hawthorn Hill, the Wright Company factory, the Wright Cycle Company Building and Hoover Block, and may acquire other properties, or interests therein, referred to in section 410ww(b) of this title, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(b) Cooperative agreements

The Secretary is authorized to enter into cooperative agreements with other Federal agencies, State and local public bodies, and private interests and organizations relating to the preservation, development, use, and interpretation of properties within the boundaries of the park in order to contribute to the appropriate use and management of such properties consistent with the purposes of this subchapter.

(c) Cooperative agreements

The Secretary is authorized to enter into a cooperative agreement with a partner or partners, including the Wright Family Foundation, to operate and provide programming for Hawthorn Hill and charge reasonable fees notwithstanding any other provision of law, which may be used to defray the costs of park operation and programming.

(d) Conditions

Cooperative agreements under this section shall provide, whenever appropriate, that—

- (1) the public may have access to any such property at specified reasonable times for purposes of viewing such property or the exhibits or attending programs established by the Secretary under this subsection; and
- (2) the Secretary may make such improvements to any such property as the Secretary deems necessary after consultation with the Aviation Heritage Foundation to enhance the public use and enjoyment of such property and programs.

(Pub. L. 102-419, title I, §102, Oct. 16, 1992, 106 Stat. 2142; Pub. L. 111-11, title VII, §7117(b), Mar. 30, 2009, 123 Stat. 1204.)

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-11, §7117(b)(1), inserted “Hawthorn Hill, the Wright Company factory,” before “the Wright Cycle Company Building”.

Subsec. (b). Pub. L. 111-11, §7117(b)(2), redesignated last sentence as subsec. (d).

Subsec. (c). Pub. L. 111-11, §7117(b)(3), added subsec. (c).

Subsec. (d). Pub. L. 111-11, §7117(b)(2), redesignated last sentence of subsec. (b) as (d), inserted heading, and substituted “Cooperative agreements under this section” for “Such agreements” in introductory provisions.

Subsec. (d)(2). Pub. L. 111-11, §7117(b)(4), substituted “Aviation Heritage Foundation” for “Commission”.

§ 410ww-2. Park general management plan

(a) In general

Not later than 3 complete fiscal years after October 16, 1992, the Secretary, with the advice of the Commission, shall prepare and submit to the Congress a general management plan for the park which includes but is not limited to the information described in section 100502 of title 54, and which takes into account the preservation

and development plan developed under section 410ww-22 of this title.

(b) Park partnerships

The management plan shall identify partnership opportunities between the Secretary and other Federal, State, and local governments and the private sector for the development, use, and interpretation of properties within the park.

(Pub. L. 102-419, title I, §103, Oct. 16, 1992, 106 Stat. 2142.)

CODIFICATION

In subsec. (a), “section 100502 of title 54” substituted for “section 12(b) of the Act of August 18, 1970 (16 U.S.C. 1a-7(b))” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

§ 410ww-3. Studies

The Secretary shall study the following properties to determine the feasibility and suitability of including them within the park:

- (1) Properties within the Wright-Dunbar Historic District.
- (2) Wright Company Factory, Dayton, Ohio.

A report of the study of such properties shall be submitted as part of the general management plan required by section 410ww-2 of this title.

(Pub. L. 102-419, title I, §104, Oct. 16, 1992, 106 Stat. 2142.)

§ 410ww-4. Administration

(a) In general

The park shall be administered in accordance with this subchapter and with the provisions of law generally applicable to units of the National Park System, including, but not limited to, the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4).¹

(b) Donations

The Secretary may accept donations of funds, property, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purposes of managing the park.

(c) Programs

The Secretary may sponsor, coordinate, or enter into cooperative agreements for educational or cultural programs related to the park as the Secretary considers appropriate to carry out the purposes of this subchapter.

(d) Identification and marking of significant historical sites

The Secretary may identify other significant sites related to the Wright brothers, the history of aviation, or Paul Laurence Dunbar in the Miami Valley which are related to the park, and, with the consent of the owner or owners thereof, may mark the sites appropriately and make reference to them in any interpretive literature. The Secretary may provide interpretive markers along transportation routes leading to units of the park.

¹ See References in Text note below.