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SENATE

{ REPORT
110-368

MISSISSIPPI DELTA NATIONAL HERITAGE AREA ACT

JUNE 16, 2008.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 2512]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2512) to establish the Mississippi Delta National Heritage Area in the State of Mississippi, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, does pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mississippi Delta National Heritage Area Act of 2008”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) BOARD.—The term “Board” means the Board of Directors of the local coordinating entity.
- (2) HERITAGE AREA.—The term “Heritage Area” means the Mississippi Delta National Heritage Area established by section 3(a).
- (3) LOCAL COORDINATING ENTITY.—The term “local coordinating entity” means the local coordinating entity for the Heritage Area designated by section 3(d)(1).
- (4) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area developed under section 5.
- (5) MAP.—The term “map” means the map entitled “Mississippi Delta National Heritage Area”, numbered T13/80,000, and dated April 2008.
- (6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (7) STATE.—The term “State” means the State of Mississippi.

SEC. 3. ESTABLISHMENT.

(a) ESTABLISHMENT.—There is established in the State the Mississippi Delta National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include all counties in the State that contain land located in the alluvial floodplain of the Mississippi Delta, including Bo-

liver, Carroll, Coahoma, Desoto, Holmes, Humphreys, Issaquena, Leflore, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica, Warren, Washington, and Yazoo Counties in the State, as depicted on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the office of the Director of the National Park Service.

(d) LOCAL COORDINATING ENTITY.—

(1) DESIGNATION.—The Mississippi Delta National Heritage Area Partnership shall be the local coordinating entity for the Heritage Area.

(2) BOARD OF DIRECTORS.—

(A) COMPOSITION.—

(i) IN GENERAL.—The local coordinating entity shall be governed by a Board of Directors composed of 15 members, of whom—

(I) 1 member shall be appointed by Delta State University;

(II) 1 member shall be appointed by Mississippi Valley State University;

(III) 1 member shall be appointed by Alcorn State University;

(IV) 1 member shall be appointed by the Delta Foundation;

(V) 1 member shall be appointed by the Smith Robertson Museum;

(VI) 1 member shall be appointed from the office of the Governor of the State;

(VII) 1 member shall be appointed by Delta Council;

(VIII) 1 member shall be appointed from the Mississippi Arts Commission;

(IX) 1 member shall be appointed from the Mississippi Department of Archives and History.

(X) 1 member shall be appointed from the Mississippi Humanities Council; and

(XI) up to 5 additional members shall be appointed for staggered 1- and 2-year terms by County boards in the Heritage Area.

(ii) RESIDENCY REQUIREMENTS.—At least 7 members of the Board shall reside in the Heritage Area.

(B) OFFICERS.—

(i) IN GENERAL.—At the initial meeting of the Board, the members of the Board shall appoint a Chairperson, Vice Chairperson, and Secretary/Treasurer.

(ii) DUTIES.—

(I) CHAIRPERSON.—The duties of the Chairperson shall include—

(aa) presiding over meetings of the Board;

(bb) executing documents of the Board; and

(cc) coordinating activities of the Heritage Area with Federal, State, local, and nongovernmental officials.

(II) VICE CHAIRPERSON.—The Vice Chairperson shall act as Chairperson in the absence or disability of the Chairperson.

(C) MANAGEMENT AUTHORITY.—

(i) IN GENERAL.—The Board shall—

(I) exercise all corporate powers of the local coordinating entity;

(II) manage the activities and affairs of the local coordinating entity; and

(III) subject to any limitations in the articles and bylaws of the local coordinating entity, this Act, and any other applicable Federal or State law, establish the policies of the local coordinating entity.

(ii) STAFF.—The Board shall have the authority to employ any services and staff that are determined to be necessary by a majority vote of the Board.

(D) BYLAWS.—

(i) IN GENERAL.—The Board may amend or repeal the bylaws of the local coordinating entity at any meeting of the Board by a majority vote of the Board.

(ii) NOTICE.—The Board shall provide notice of any meeting of the Board at which an amendment to the bylaws is to be considered that includes the text or a summary of the proposed amendment.

(E) MINUTES.—Not later than 60 days after a meeting of the Board, the Board shall distribute the minutes of the meeting among all Board members and the county supervisors in each county within the Heritage Area.

SEC. 4. DUTIES AND AUTHORITIES OF LOCAL COORDINATING ENTITY.

(a) DUTIES OF THE LOCAL COORDINATING ENTITY.—To further the purposes of the Heritage Area, the local coordinating entity shall—

- (1) prepare, and submit to the Secretary, in accordance with section 5, a management plan for the Heritage Area;
 - (2) assist units of local government, regional planning organizations, and non-profit organizations in implementing the approved management plan by—
 - (A) carrying out programs and projects that recognize, protect, and enhance important resource values within the Heritage Area;
 - (B) establishing and maintaining interpretive exhibits and programs within the Heritage Area;
 - (C) developing recreational and educational opportunities in the Heritage Area;
 - (D) increasing public awareness of, and appreciation for, natural, historic, scenic, and cultural resources of the Heritage Area;
 - (E) protecting and restoring historic sites and buildings in the Heritage Area that are consistent with the themes of the Heritage Area;
 - (F) ensuring that signs identifying points of public access and sites of interest are posted throughout the Heritage Area; and
 - (G) promoting a wide range of partnerships among governments, organizations, and individuals to further the purposes of the Heritage Area;
 - (3) consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area in the preparation and implementation of the management plan;
 - (4) conduct meetings open to the public at least semiannually regarding the development and implementation of the management plan;
 - (5) submit an annual report to the Secretary for each fiscal year for which the local coordinating entity receives Federal funds under this Act specifying—
 - (A) the accomplishments of the local coordinating entity;
 - (B) the expenses and income of the local coordinating entity;
 - (C) the amounts and sources of matching funds;
 - (D) the amounts leveraged with Federal funds and sources of the leveraged funds; and
 - (E) grants made to any other entities during the fiscal year;
 - (6) make available for audit for each fiscal year for which the local coordinating entity receives Federal funds under this Act, all information pertaining to the expenditure of the funds and any matching funds;
 - (7) require in all agreements authorizing expenditures of Federal funds by other organizations, that the receiving organizations make available for audit all records and other information pertaining to the expenditure of the funds; and
 - (8) encourage, by appropriate means, economic development that is consistent with the purposes of the Heritage Area.
- (b) **AUTHORITIES.**—The local coordinating entity may, subject to the prior approval of the Secretary, for the purposes of preparing and implementing the management plan, use Federal funds made available under this Act to—
- (1) make grants to the State, political subdivisions of the State, nonprofit organizations, and other persons;
 - (2) enter into cooperative agreements with, or provide technical assistance to, the State, political subdivisions of the State, nonprofit organizations, Federal agencies, and other interested parties;
 - (3) hire and compensate staff;
 - (4) obtain funds or services from any source, including funds and services provided under any other Federal law or program;
 - (5) contract for goods or services; and
 - (6) support activities of partners and any other activities that further the purposes of the Heritage Area and are consistent with the approved management plan.
- (c) **PROHIBITION ON ACQUISITION OF REAL PROPERTY.**—The local coordinating entity may not use Federal funds received under this Act to acquire any interest in real property.

SEC. 5. MANAGEMENT PLAN.

- (a) **IN GENERAL.**—Not later than 3 years after the date on which funds are made available to develop the management plan, the local coordinating entity shall submit to the Secretary for approval a proposed management plan for the Heritage Area.
- (b) **REQUIREMENTS.**—The management plan for the Heritage Area shall—
- (1) describe comprehensive policies, goals, strategies, and recommendations for telling the story of the heritage of the region and encouraging long-term resource protection, enhancement, interpretation, funding, management, and development of the Heritage Area;

(2) take into consideration existing State, county, and local plans in the development and implementation of the management plan;

(3) include a description of actions and commitments that governments, private organizations, and citizens plan to take to protect, enhance, and interpret the cultural, historical, archaeological, natural, and recreational resources of the Heritage Area;

(4) specify existing and potential sources of funding or economic development strategies to protect, enhance, interpret, fund, manage, and develop the Heritage Area;

(5) include an inventory of the cultural, historical, archaeological, natural, and recreational resources of the Heritage Area relating to the stories and themes of the region that should be protected, enhanced, managed, or developed;

(6) recommend policies and strategies for resource management including, the development of intergovernmental and interagency agreements to protect the natural, historic, cultural, educational, scenic, and recreational resources of the Heritage Area;

(7) describe a program for implementation of the management plan, including—

(A) performance goals;

(B) plans for resource protection, enhancement, and interpretation; and

(C) specific commitments for implementation that have been made by the local coordinating entity or any government, organization, business, or individual;

(8) include an analysis of, and recommendations for, ways in which Federal, State, tribal, and local programs may best be coordinated (including the role of the National Park Service and other Federal agencies associated with the Heritage Area) to further the purposes of this Act;

(9) include an interpretive plan for the Heritage Area; and

(10) include a business plan that—

(A) describes the role, operation, financing, and functions of the local coordinating entity and of each of the major activities described in the management plan; and

(B) provides adequate assurances that the local coordinating entity has the partnerships and financial and other resources necessary to implement the management plan for the Heritage Area.

(c) **TERMINATION OF FUNDING.**—If the management plan is not submitted to the Secretary in accordance with this subsection, the local coordinating entity shall not qualify for additional financial assistance under this Act until the management plan is submitted to, and approved by, the Secretary.

(d) **APPROVAL OF MANAGEMENT PLAN.**—

(1) **REVIEW.**—Not later than 180 days after the date on which the Secretary receives the management plan, the Secretary shall approve or disapprove the management plan.

(2) **CONSULTATION REQUIRED.**—The Secretary shall consult with the Governor of the State and any tribal government in which the Heritage Area is located before approving the management plan.

(3) **CRITERIA FOR APPROVAL.**—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the local coordinating entity represents the diverse interests of the Heritage Area, including governments, natural and historic resource protection organizations, educational institutions, businesses, community residents, and recreational organizations;

(B) the local coordinating entity has afforded adequate opportunity for public and governmental involvement (including through workshops and public meetings) in the preparation of the management plan;

(C) the resource protection and interpretation strategies described in the management plan, if implemented, would adequately protect the cultural, historical, archaeological, natural, and recreational resources of the Heritage Area;

(D) the management plan would not adversely affect any activities authorized on Federal or tribal land under applicable laws or land use plans;

(E) the Secretary has received adequate assurances from the appropriate State, tribal, and local officials whose support is needed to ensure the effective implementation of the State, tribal, and local aspects of the management plan; and

(F) the local coordinating entity has demonstrated the financial capability, in partnership with others, to carry out the management plan.

(4) **ACTION FOLLOWING DISAPPROVAL.**—

(A) IN GENERAL.—If the Secretary disapproves the management plan, the Secretary—

- (i) shall advise the local coordinating entity in writing of the reasons for the disapproval; and
- (ii) may make recommendations to the local coordinating entity for revisions to the management plan.

(B) DEADLINE.—Not later than 180 days after receiving a revised management plan, the Secretary shall approve or disapprove the revised management plan.

(5) AMENDMENTS.—

(A) IN GENERAL.—An amendment to the management plan that substantially alters the purposes of the Heritage Area shall be reviewed by the Secretary and approved or disapproved in the same manner as the original management plan.

(B) IMPLEMENTATION.—The local coordinating entity shall not use Federal funds authorized to be appropriated by this Act to implement an amendment to the management plan until the Secretary approves the amendment.

SEC. 6. DUTIES AND AUTHORITIES OF THE SECRETARY.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On the request of the local coordinating entity, the Secretary may provide technical and financial assistance, on a reimbursable or non-reimbursable basis (as determined by the Secretary), to the local coordinating entity to develop and implement the management plan.

(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the local coordinating entity and other public or private entities to provide technical or financial assistance under paragraph (1).

(3) PRIORITY.—In assisting the Heritage Area, the Secretary shall give priority to actions that assist in—

(A) conserving the significant cultural, historical, archaeological, natural, and recreational resources of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(4) PROHIBITION OF CERTAIN REQUIREMENTS.—The Secretary may not, as a condition of the provision of technical or financial assistance under this subsection, require any recipient of the assistance to impose or modify any land use restriction or zoning ordinance.

(b) EVALUATION; REPORT.—

(1) IN GENERAL.—Not later than 3 years before the date on which authority for Federal funding terminates for the Heritage Area under section 10, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the Heritage Area; and

(B) prepare a report with recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area, in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

- (A) assess the progress of the local coordinating entity with respect to—
 - (i) accomplishing the purposes of this Act for the Heritage Area; and
 - (ii) achieving the goals and objectives of the approved management plan for the Heritage Area;

(B) analyze the Federal, State, local, and private investments in the Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the Heritage Area for purposes of identifying the critical components for sustainability of the Heritage Area.

(3) REPORT.—

(A) IN GENERAL.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall prepare a report that includes recommendations for the future role of the National Park Service, if any, with respect to the Heritage Area.

(B) REQUIRED ANALYSIS.—If the report prepared under this paragraph recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

- (i) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and
- (ii) the appropriate time period necessary to achieve the recommended reduction or elimination.

(C) SUBMISSION TO CONGRESS.—On completion of a report under this paragraph, the Secretary shall submit the report to—

- (i) the Committee on Energy and Natural Resources of the Senate;
- and
- (ii) the Committee on Natural Resources of the House of Representatives.

SEC. 7. RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) IN GENERAL.—Nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(b) CONSULTATION AND COORDINATION.—To the maximum extent practicable, the head of any Federal agency planning to conduct activities that may have an impact on the Heritage Area is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity.

(c) OTHER FEDERAL AGENCIES.—Nothing in this Act—

- (1) modifies, alters, or amends any laws (including regulations) authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;
- (2) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of the Heritage Area; or
- (3) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

SEC. 8. PROPERTY OWNERS AND REGULATORY PROTECTIONS.

Nothing in this Act—

- (1) abridges the rights of any owner of public or private property, including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;
- (2) requires any property owner to—
 - (A) permit public access (including Federal, tribal, State, or local government access) to the property; or
 - (B) modify any provisions of Federal, tribal, State, or local law with regard to public access or use of private land;
- (3) alters any duly adopted land use regulations, approved land use plan, or any other regulatory authority of any Federal, State, or local agency, or tribal government;
- (4) conveys any land use or other regulatory authority to the local coordinating entity;
- (5) authorizes or implies the reservation or appropriation of water or water rights;
- (6) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area;
- (7) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property;
- (8) restricts an Indian tribe from protecting cultural or religious sites on tribal land; or
- (9) diminishes the trust responsibilities of government-to-government obligations of the United States of any federally recognized Indian tribe.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$10,000,000, of which not more than \$1,000,000 may be made available for any fiscal year.

(b) COST-SHARING REQUIREMENT.—

- (1) IN GENERAL.—The Federal share of the total cost of any activity under this Act shall be not more than 50 percent.
- (2) FORM.—The non-Federal contribution—
 - (A) shall be from non-Federal sources; and
 - (B) may be in the form of in-kind contributions of goods or services fairly valued.

SEC. 10. TERMINATION OF FINANCIAL ASSISTANCE.

The authority of the Secretary to provide financial assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

PURPOSE

The purpose of S. 2512 is to designate the Mississippi Delta National Heritage Area in the State of Mississippi.

BACKGROUND AND NEED

The Mississippi Delta National Heritage Area would encompass 18 counties along the Mississippi River Delta in western Mississippi. The area has been strongly influenced by the immigration of people of African, Asian, and European descent to the United States. The Mississippi Delta has been the backdrop for a culture of the United States, not found anywhere else, including the birth of Delta Blues music and the setting for the popular Mark Twain stories.

Congress authorized a study of the entire Mississippi Delta region in 1994 and the study was completed in 1998. The bill requires that the Mississippi Delta National Heritage Area Partnership be the coordinating entity for the heritage area.

LEGISLATIVE HISTORY

S. 2512 was introduced by Senator Cochran on December 18, 2007. Senator Wicker is a cosponsor. The Subcommittee on National Parks held a hearing on the bill on April 23, 2008.

At its business meeting on May 7, 2008, the Committee on Energy and Natural Resources ordered S. 2512 favorably reported, with an amendment in the nature of a substitute.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in an open business session on May 7, 2008, by a voice vote of a quorum present, recommends that the Senate pass S. 2512, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 2512, the Committee adopted an amendment in the nature of a substitute. The amendment removes the findings section, incorporates consistent with other national heritage area designations reported by the Committee, and makes other clarifying and conforming changes. The amendment is described in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title, the “Mississippi Delta National Heritage Area Act of 2008.”

Section 2 defines the key terms used in the Act.

Section 3 (a) establishes the Mississippi Delta National Heritage Area (“heritage area”) in the State of Mississippi.

Subsection (b) describes the boundaries of the heritage area and lists the counties as depicted on the referenced map.

Subsection (c) states that a map of the heritage area shall be made available on file in appropriate offices of the National Park Service.

Subsection (d) authorizes the Mississippi Delta National Heritage Area Partnership as the local coordinating entity for the heritage area, and describes the composition of its Board of Directors.

Section 4 describes the duties and authorities of the local coordinating entity.

Subsection (a) requires the local coordinating entity to prepare and submit a management plan to the Secretary for the heritage area.

Subsection (b) details the authorities of the management entity.

Subsection (c) prohibits the acquisition of any interest in real property.

Section 5(a) requires the management entity to prepare and submit for review a management plan to the Secretary not later than three years after the date on which the funds are made available to carry out this Act.

Subsection (b) lists the requirements for the contents of the management plan.

Subsection (c) states that if the management plan is not submitted within the three-year period, Federal funding is suspended until the plan is submitted to the Secretary.

Subsection (d) requires the Secretary to approve or disapprove the management plan within 180 days after receiving the plan and lists the criteria the Secretary is to consider in determining whether to approve or disapprove the plan.

Section 6(a) authorizes the Secretary to provide technical and financial assistance to the local coordinating entity in developing and implementing the management plan.

Subsection (b) requires that the Secretary conduct an evaluation of the heritage area and prepare a report with recommendations for the future role of the National Park Service, no later than 3 years before the date on which authority for federal funding terminates.

Section 7 describes the relationship of the heritage area to other Federal Agencies.

Subsection (a) clarifies that nothing in this Act affects the authority of a Federal agency to provide technical or financial assistance under any other law.

Subsection (b) encourages the head of a Federal agency planning to conduct activities that may have an impact on the heritage area to consult and coordinate the activities with the Secretary and the management entity to the maximum extent practicable.

Subsection (c) clarifies that nothing in this Act modifies authorities of Federal agencies to manage Federal land, limits the discretion of a Federal agency to implement an approved land use plan, or modifies or alters any authorized use of Federal land.

Section 8 contains several savings provisions to clarify that the designation of the national heritage area will not affect private property rights, affect governmental land use regulation, reserve or appropriate water rights, and diminish the authority of the State to manage fish and wildlife, or create any liability for property owners within the heritage area.

Section 9(a) authorizes the appropriations of \$10 million, with not more than \$1 million authorized to be appropriated for any fiscal year.

Subsection (b) requires Federal funding to be matched on a 50:50 basis with funds from non-Federal sources.

Section 10 provides that the authority of the Secretary to provide assistance under the Act terminates 15 years after the date of enactment.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

S. 2512—Mississippi Delta National Heritage Area Act of 2008

S. 2512 would establish the Mississippi Hills National Heritage Area (NHA) in Mississippi and designate the Mississippi Delta National Heritage Area Partnership, a local nonprofit organization, as the management entity for the NHA. The bill would authorize the appropriation of \$10 million, not to exceed \$1 million annually, for financial assistance to the partnership and other eligible entities over the next 15 years.

Assuming appropriation of the authorized amounts, CBO estimates that implementing S. 2512 would cost \$5 million over the 2009–2013 period and an additional \$5 million after 2013. Enacting the legislation would have no effect on direct spending or revenues.

S. 2512 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2512. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2512, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

In accordance with paragraph 4(b) of rule XLIV of the Standing Rules of the Senate, the Committee provides the following identification of congressionally directed spending items contained in the bill, as reported:

| Section | Provision | Member |
|---------|---------------------------------------|---------|
| 9 | Authorization of appropriations | Cochran |

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the April 23, 2008, hearing on S. 2512 follows:

STATEMENT OF KATHERINE H. STEVENSON, ACTING ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to

present the views of the Department of the Interior on S. 2512, a bill to establish the Mississippi Delta National Heritage Area in the State of Mississippi.

The Department cannot support S. 2512 unless the bill is amended to be a feasibility study for a Mississippi Delta National Heritage Area. The Department believes that a feasibility study should be required for every proposed national heritage area and the study should be evaluated against our interim criteria before designation. The standards for evaluating areas proposed for national designation are an essential element prior to establishing a national heritage area. A study should be prepared that demonstrates evidence of place-based resources that tell a nationally important story, which has the support and involvement of the local community.

Various congressionally mandated studies have previously gathered information on the Mississippi Delta region, including the Lower Mississippi Delta Region Heritage Study and the Mississippi River Corridor Study. While these studies have confirmed the importance and significance of the Mississippi Delta region, they were undertaken before generally accepted criteria for designating heritage areas had been established, and were directed at a much larger region than the area encompassed by this bill.

The Department is willing to provide advice or assistance in the completion of a study that meets applicable standards and provides Congress with the necessary information and assessment upon which to base its decision regarding designation in the future.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals forthcoming, the Administration believes it is critical for Congress to enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation would also clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that goal.

The Mississippi River's role as a major transporter of goods and people has long influenced the Delta's history and character. Since the earliest days of human habitation, the Mississippi River has been essential for transportation, communication, and commerce. The river and associated ecosystems are part of North America's largest wetland area and provide habitat for a wide variety of flora, fauna, and aquatic species. Archeological sites across the Delta attest to the thousands of years of human occupation.

The Mississippi Delta's cultural traditions are rich and diverse; it is a land of converging cultures. The Delta has

also been the site of a number of important historic events, such as the Great Flood of 1927 and the Civil Rights Movement.

S. 2512 would establish a Mississippi Delta National Heritage Area along the lines outlined in the Lower Mississippi Delta Region Heritage Study, but covering a substantially smaller area, located entirely in the State of Mississippi. It would include some 18 counties in the State located within the alluvial floodplain of the Mississippi River. It would also encompass the Delta National Forest.

The bill designates the Mississippi Delta National Heritage Area Partnership as the coordinating entity of the heritage area. The Partnership is to be governed by a board of directors composed of 15 members. The members are to be appointed by various entities, including the Governor; various universities, councils, and commissions; and County boards from the heritage area.

Mr. Chairman, the Department is prepared to work with the subcommittee on amending S. 2512 to authorize a feasibility study for a Mississippi Delta National Heritage Area.

This concludes my prepared remarks. I would be pleased to answer any questions you or any members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill, S. 2512, as ordered reported.

