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LACKAWANNA VALLEY NATIONAL HERITAGE AREA ACT OF 1999

JULY 12, 2000.—Ordered to be printed

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

REPORT

[To accompany H.R. 940]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 940) to designate the Lackawanna Valley National Heritage Area, and for other purposes, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the Act, as amended, do pass.

The amendments are as follows:

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

TITLE I—LACKAWANNA VALLEY NATIONAL HERITAGE AREA

SECTION 101. SHORT TITLE.

This title may be cited as the "Lackawanna Valley National Heritage Area Act of 2000".

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the industrial and cultural heritage of northeastern Pennsylvania, including Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, related directly to anthracite and anthracite-related industries, is nationally significant;

(2) the industries referred to in paragraph (1) include anthracite mining, ironmaking, textiles, and rail transportation;

(3) the industrial and cultural heritage of the anthracite and anthracite-related industries in the region described in paragraph (1) includes the social history and living cultural traditions of the people of the region;

(4) the labor movement of the region played a significant role in the development of the Nation, including—

(A) the formation of many major unions such as the United Mine Workers of America; and

(B) crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes;

(5)(A) the Secretary of the Interior is responsible for protecting the historical and cultural resources of the United States; and

(B) there are significant examples of those resources within the region described in paragraph (1) that merit the involvement of the Federal Government to develop, in cooperation with the Lackawanna Heritage Valley Authority, the Commonwealth of Pennsylvania, and local and governmental entities, programs and projects to conserve, protect, and interpret this heritage adequately for future generations, while providing opportunities for education and revitalization; and

(6) the Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region described in paragraph (1).

(b) PURPOSE.—The purpose of the Lackawanna Valley National Heritage Area are—

(1) to foster a close working relationship among all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region described in subsection (a)(1).

SEC. 103. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term "Heritage Area" means the Lackawanna Valley National Heritage Area established by section 4.

(2) MANAGEMENT ENTITY.—Term "management entity" means the management entity for the Heritage Area specified in section 4(c).

(3) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Heritage Area developed under section 6(b).

(4) PARTNER.—The term "partner" means—

(A) a Federal, State, or local governmental entity; and

(B) an organization, private industry, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 104. LACKAWANNA VALLEY NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Lackawanna Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of all or parts of Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, Pennsylvania, determined in accordance with the compact under section 5.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

SEC. 105. COMPACT.

(a) IN GENERAL.—To carry out this Title, the Secretary shall enter into a compact with the management entity.

(b) CONTENTS OF COMPACT.—The compact shall include information relating to the objectives and management of the area, including—

(1) a delineation of the boundaries of the Heritage Area; and

(2) a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.

SEC. 106. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for the purposes of preparing and implementing the management plan, use funds made available under this Title to hire and compensate staff.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—The management entity shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(2) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(A) take into consideration State, county, and local plans;

(B) involve residents, public agencies, and private organizations working in the Heritage Area; and

(C) include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area.

(3) SPECIFICATION OF FUNDING SOURCES.—The management plan shall specify the existing and potential sources of funding available to protect, manage, and develop the Heritage Area.

(4) OTHER REQUIRED ELEMENTS.—The management plan shall include the following:

(A) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the purposes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its historical, cultural, natural, recreational, or scenic significance.

(B) A recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, natural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the partners for the first 5 years of operation.

(D) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act.

(E) An interpretation plan for the Heritage Area.

(5) SUBMISSION TO SECRETARY FOR APPROVAL.—

(A) IN GENERAL.—Not later than the last day of the 3-year period beginning on the date of enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(B) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the day referred to in subparagraph (A), the Secretary shall not, after that day, provide any grant or other assistance under this Title with respect to the Heritage Area until a management plan for the Heritage Area is submitted to the Secretary.

(c) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions specified in the compact and management plan, including steps to assist units of government and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purpose of the Heritage Area;

(3) encourage economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

(6) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(7) conduct public meetings not less often than quarterly concerning the implementation of the management plan;

(8) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval; and

(9) for each year in which Federal funds have been received under this Title—

(A) submit a report to the Secretary that specifies—

(i) the accomplishments of the management entity; and

(ii) the expenses and income of the management entity;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make

available to the Secretary for audit all records concerning the expenditure of such funds.

(d) USE OF FEDERAL FUNDS.—

(1) FUNDS MADE AVAILABLE UNDER THIS TITLE.—The management entity shall not use Federal funds received under this Title to acquire real property or any interest in real property.

(2) FUNDS FROM OTHER SOURCES.—Nothing in this Title precludes the management entity from using Federal funds obtained through law other than this Title for any purpose for which the funds are authorized to be used.

SEC. 107. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) PROVISION OF ASSISTANCE.—The Secretary may, at the request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan.

(2) PRIORITY IN ASSISTANCE.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant historical, cultural, and natural resources that support the purpose of the Heritage Area; and

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

(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of the Commonwealth of Pennsylvania, shall approve or disapprove a management plan submitted under this Title not later than 90 days after receipt of the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—The Secretary shall approve or disapprove a proposed revision within 90 days after the date on which the revision is submitted to the Secretary.

(c) APPROVAL OF AMENDMENTS.—

(1) REVIEW.—The Secretary shall review substantial amendments (as determined under section 6(c)(8)) to the management plan for the Heritage Area.

(2) REQUIREMENT OF APPROVAL.—Funds made available under this Title shall not be expended to implement the amendments described in paragraph (1) until the Secretary approves the amendments.

SEC. 108. SUNSET PROVISION.

The Secretary shall not provide any grant or other assistance under this Title after September 30, 2012.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Title $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this Title for any fiscal year.

(b) 50 PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this Title shall not exceed 50 percent.

TITLE II—SCHUYLKILL RIVER VALLEY NATIONAL HERITAGE AREA

SECTION 201. SHORT TITLE.

This title may be cited as the "Schuylkill River Valley National Heritage Area Act".

SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Schuylkill River Valley made a unique contribution to the cultural, political, and industrial development of the United States;

(2) the Schuylkill River is distinctive as the first spine of modern industrial development in Pennsylvania and 1 of the first in the United States;

(3) the Schuylkill River Valley played a significant role in the struggle for nationhood;

(4) the Schuylkill River Valley developed a prosperous and productive agricultural economy that survives today;

(5) the Schuylkill River Valley developed a charcoal iron industry that made Pennsylvania the center of the iron industry within the North American colonies;

(6) the Schuylkill River Valley developed into a significant anthracite mining region that continues to thrive today;

(7) the Schuylkill River Valley developed early transportation systems, including the Schuylkill Canal and the Reading Railroad;

(8) the Schuylkill River Valley developed a significant industrial base, including textile mills and iron works;

(9) there is a longstanding commitment to—

(A) repairing the environmental damage to the river and its surrounding caused by the largely unregulated industrial activity; and

(B) completing the Schuylkill River Trail along the 128-mile corridor of the Schuylkill Valley;

(10) there is a need to provide assistance for the preservation and promotion of the significance of the Schuylkill River as a system for transportation, agriculture, industry, commerce, and immigration; and

(11)(A) the Department of the Interior is responsible for protecting the Nation's cultural and historical resources; and

(B) there are significant examples of such resources within the Schuylkill River Valley to merit the involvement of the Federal Government in the development of programs and projects, in cooperation with the Schuylkill River Greenway Association, the State of Pennsylvania, and other local and governmental bodies, to adequately conserve, protect, and interpret this heritage for future generations, while providing opportunities for education and revitalization.

(b) PURPOSES.—The purposes of this title are—

(1) to foster a close working relationship with all levels of government, the private sector, and the local communities in the Schuylkill River Valley of southeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Schuylkill River Valley of southeastern Pennsylvania.

SEC. 203. DEFINITIONS.

In this title:

(1) COOPERATIVE AGREEMENT.—The term "cooperative agreement" means the cooperative agreement entered into under section 204(d).

(2) HERITAGE AREA.—The term "Heritage Area" means the Schuylkill River Valley National Heritage Area established by section 204.

(3) MANAGEMENT ENTITY.—The term "management entity" means the management entity of the Heritage Area appointed under section 204(c).

(4) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Heritage Area developed under section 205.

(5) SECRETARY.—Ther term "Secretary" means the Secretary of the Interior.

(6) STATE.—The term "State" means the State of Pennsylvania.

SEC. 204. ESTABLISHMENT.

(a) IN GENERAL.—for the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations certain land and structures with unique and significant historical and cultural value associated with the early development of the Schuylkill River Valley, there is established the Schuylkill River Valley National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of the Schuylkill River watershed within the counties of Schuylkill, Berks, Montgomery, Chester, and Philadelphia, Pennsylvania, as delineated by the Secretary.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Schuylkill River Greenway Association.

(d) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—To carry out this title, the Secretary shall enter into a cooperative agreement with the management entity.

(2) CONTENTS.—The cooperative agreement shall include information relating to the objectives and management of the Heritage Area, including—

(A) a description of the goals and objectives of the Heritage Area, including a description of the approach to conservation and interpretation of the Heritage Area;

(B) an identification and description of the management entity that will administer the Heritage Area; and

(C) a description of the role of the State,

SEC. 205. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this title, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(b) REQUIREMENTS.—The management plan shall—

(1) take into consideration State, county, and local plans;

(2) involve residents, public agencies, and private organizations working in the Heritage Area.

(3) specify, as of the date of the plan, existing and potential sources of funding to protect, manage, and develop the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area;

(B) an inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the themes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its natural, cultural, historical, recreational, or scenic significance;

(C) a recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, recreational, and natural resources of the Heritage Area in a manner consistent with supporting appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity;

(E) an analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this title; and

(F) an interpretation plan for the Heritage Area.

(c) DISQUALIFICATION FROM FUNDING.—If a management plan is not submitted to the Secretary on or before the date that is 3 years after the date of enactment of this title, the Heritage Area shall be ineligible to receive Federal funding under this title until the date on which the Secretary receives the management plan.

(d) UPDATE OF PLAN.—In lieu of developing an original management plan, the management entity may update and submit to the Secretary the Schuylkill Heritage Corridor Management Action Plan that was approved by the State in March, 1995, to meet the requirements of this section.

SEC. 206. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES OF THE MANAGEMENT ENTITY.—For purposes of preparing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State and political subdivisions of the State, private organizations, or any person; and

(2) hire and compensate staff.

(b) DUTIES OF THE MANAGEMENT ENTITY.—The management entity shall—

(1) develop and submit the management plan under section 205;

(2) give priority to implementing actions set forth in the cooperative agreement and the management plan, including taking steps to—

(A) assist units of government, regional planning organizations, and nonprofit organizations in—

(i) preserving the Heritage Area;

(ii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iii) developing recreational resources in the Heritage Area;

(iv) increasing public awareness of and, appreciation for, the natural, historical, and architectural resources and sites in the Heritage Area;

(v) restoring historic buildings relating to the themes of the Heritage Area; and

(vi) ensuring that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are installed throughout the Heritage Area;

(B) encourage economic viability in the Heritage Area consistent with the goals of the management plan; and

(C) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(3) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(4) conduct public meetings at least quarterly regarding the implementation of the management plan;

(5) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the approval of the Secretary; and

(6) for any fiscal year in which Federal funds are received under this title—

(A) submit to the Secretary a report describing—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which the management entity made any grant during the fiscal year;

(B) make available for audit all records pertaining to the expenditure of Federal funds and any matching funds, and require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds; and

(C) require, for all agreements authorizing expenditure of Federal funds by organizations other than the management entity, that the receiving organizations make available for audit all records pertaining to the expenditure of Federal funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds from other sources for their permitted purposes.

(d) SPENDING FOR NON-FEDERALLY OWNED PROPERTY.—The management entity may spend Federal funds directly on non-federally owned property to further the purposes of this title, especially in assisting units of government in appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

SEC. 207. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area to develop and implement the management plan.

(2) PRIORITIES.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historical, and cultural resources that support the themes of the Heritage Area; and

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

(b) APPROVAL AND DISAPPROVAL OF COOPERATIVE AGREEMENTS AND MANAGEMENT PLANS.—

(1) IN GENERAL.—Not later than 90 days after receiving a cooperative agreement or management plan submitted under this title, the Secretary, in consultation with the Governor of the State, shall approve or disapprove the cooperative agreement or management plan.

(2) MANAGEMENT PLAN CONTENTS.—In reviewing the plan, the Secretary shall consider whether the composition of the management entity and the plan adequately reflect diverse interest of the region, including those of—

(A) local elected officials,

(B) the State,

(C) business and industry groups,

(D) organizations interested in the protection of natural and cultural resources, and

(E) other community organizations and individual stakeholders.

(3) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a cooperative agreement or management plan, the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval; and

(ii) make recommendations for revisions in the cooperative agreement of plan.

(B) TIME PERIOD FOR DISAPPROVAL.—Not later than 90 days after the date on which a revision described under subparagraph (A)(ii) is submitted, the Secretary shall approve or disapprove the proposed revision.

(c) APPROVAL OF AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall review and approve substantial amendments to the management plan.

(2) FUNDING EXPENDITURE LIMITATION.—Funds appropriated under this title may not be expended to implement any substantial amendment until the Secretary approves the amendment.

SEC. 208. CULTURE AND HERITAGE OF ANTHRACITE COAL REGION.

(a) IN GENERAL.—The managment entities of heritage areas (other than the Heritage Area) in the anthracite coal region in the State shall cooperate in the management of the Heritage Area.

(b) FUNDING.—Management entities described in subsection (a) may use funds appropriated for management of the Heritage Area to carry out this section.

SEC. 209. SUNSET.

The Secretary may not make any grant or provide any assistance under this title after the date that is 15 years after the date of enactment of this title.

SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

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

(b) FEDERAL SHARE.—Federal funding provided under this title may not exceed 50 percent of the total cost of any project or activity funded under this title.

2. Amend the title so as to read:

To designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.

PURPOSE OF THE MEASURE

The purpose of H.R. 940 is to establish the Lackawanna Valley National Heritage Area and the Schuylkill River Valley National Heritage Area in the Commonwealth of Pennsylvania and for other purposes.

BACKGROUND AND NEED

H.R. 940 establishes the Lackawanna Valley National Heritage Area in northeastern Pennsylvania, including the counties of Lackawanna, Luzerne, Wayne, and Susquehanna. The legislation designates the Lackawanna Heritage Valley Authority as the management entity responsible for developing and implementing a management plan for the Heritage Area.

H.R. 940 also establishes the Schuylkill River Valley National Heritage Area, and designates the Schuylkill River Greenway Association as its management entity.

National Heritage Areas are relatively new designations which provide for a voluntary, coordinated management structure among the Federal Government, State and local governmental entities and affected landowners, to assist in local preservation and interpretation efforts. National Heritage Areas are not units of the National Park System and other than providing technical and limited financial assistance to the heritage area, does not require the involvement of Park Service personnel or extensive Federal funding commitments. No Federal land acquisition is associated with the designation of an area as a National Heritage Area.

The measure authorizes the Secretary of the Interior to provide technical and financial assistance to both heritage areas to develop and implement their management plans. The legislation authorizes the appropriation of $10 million for each heritage area, subject to a matching non-Federal contribution, and a $1 million limit for any one fiscal year.

LEGISLATIVE HISTORY

H.R. 940 passed the House of Representatives on September 13, 1999. The legislation contains provisions similar to S. 905 and S. 1584, which would have individually established the Lackawanna Valley National Heritage Area, and the Schuylkill River Valley National Heritage Area, respectively.

S. 905 was introduced by Senators Santorum and Specter on April 28, 1999. The Subcommittee on National Parks, Historic Preservation, and Recreation held a hearing on S. 905 on July 29, 1999. At its business meeting on September 22, 1999, the Committee on Energy and Natural Resources ordered S. 905, favorably reported, as amended. S. 905 passed the Senate on November 19, 1999.

S. 1584 was introduced by Senator Santorum on September 15, 1999. Testimony from witnesses on this bill was included in the record of the hearing held by the Subcommittee on National Parks, Historic Preservation, and Recreation on May 25, 2000.

At its business meeting on June 7, 2000, the Committee on Energy and Natural Resources ordered H.R. 940, as amended, favorably reported.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on June 7, 2000, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 940, if amended as described herein.

COMMITTEE AMENDMENTS

During the consideration of H.R. 940, the Committee adopted an amendment in the nature of a substitute. The amendment makes several technical and clarifying amendments and conforms the management authorities for the heritage areas to those approved by the Committee for other heritage areas. The amendment is explained in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

TITLE I—LACKAWANNA VALLEY NATIONAL HERITAGE AREA

Section 101 designates the title's short title as the "Lackawanna Valley National Heritage Area Act of 2000".

Section 102(a) contains congressional findings.

Subsection (b) states that the purposes of the Lackawanna Valley National Heritage Area are: (1) to foster a close working relationship among all levels of government, the private sector and local communities in the 4 counties in northeastern Pennsylvania in order to conserve local heritage and pursue economic opportunities; and (2) to conserve, interpret, and develop the historical, cultural, natural and recreational resources related to the industrial and cultural heritage of the 4-county region.

Section 103 defines key terms used in the title.

Section 104(a) establishes the Lackawanna Valley National Heritage Area.

Subsection (b) designates the boundaries as all or part of Lackawanna, Luzerne, Wayne and Susquehanna countries in Pennsylvania.

Subsection (c) designates the Lackawanna Heritage Valley authority as the management entity for the Lackawanna Valley Heritage Area.

Section 105 directs the Secretary of the Interior to enter into a compact with the management entity. The compact is to address the objectives and management of the area including the delineation of the boundaries and the proposed conservation and interpretation measures to be taken by the partners.

Section 106(a) authorizes the management entity to use funds made available under this title to hire and compensate staff.

Subsection (b)(1) requires the management entity to develop a management plan that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

Paragraph (2) requires the plan to: (1) take into consideration State, county, and local plans; (2) involve residents, public agencies, and private organizations working in the Heritage Area; and (3) include the actions to be undertaken by the partners for the protection of heritage area resources.

Paragraph (3) requires that the plan must specify existing and potential funding sources.

Paragraph (4) specifies that the plan must include: (1) an inventory of properties suitable for inclusion in the heritage area; (2) recommendations of resource management policies with specific mention of cooperative agreements consistent with compatible economic viability; (3) a program for implementation of the plan with specific mention of plans for restoration and construction and commitments from the partners for the first 5 years of operation; (4) an analysis of ways programs may be coordinated; and (5) an interpretation plan.

Paragraph (5) requires that within 3 years of the enactment of this title, the management plan is to be submitted to the Secretary for approval. If it is not submitted by the due date, no further grants or assistance may be provided until a plan is submitted.

Subsection (c) spells out the duties of the management entity, which include: (1) implementing actions specified in the compact and management plan; (2) assisting the partners in establishing and maintaining interpretive exhibits, developing recreational resources, increasing public awareness and restoring historic buildings; (3) encouraging economic viability; (4) encouraging local governments to adopt and use policies consistent with the management plan; (5) assisting the partners to ensure that appropriate signs are placed throughout the area; (6) considering the diverse interests of the partners; (7) conducting public meetings at least on a quarterly basis (8) submitting substantial amendments to the management plan to the Secretary for approval; and (9) submitting annual reports to the Secretary outlining accomplishments, expenses and income, and making all records available for audit (this includes the records of organizations receiving funds from the entity).

Subsection (d) prohibits funds authorized under this title from being used for the acquisition of real property or interests in real

property. However, there is no prohibition against Federal funds obtained under other laws from being used for the purposes for which they were authorized.

Section 107(a) provides that the Secretary may provide technical and financial assistance to the management entity to develop and implement the management plan.

Subsection (b) requires the Secretary, in consultation with the Governor of Pennsylvania, to approve or disapprove the management plan within 90 days after its receipt by the Secretary. If disapproved, the reasons for the disapproval and recommended revisions are to be provided in writing to the management entity. If a revised plan is subsequently submitted, the Secretary has another 90 days to approve or disapprove of the plan.

Subsection (c) requires that substantial amendments to the plan must be reviewed by the Secretary and that no funds may be spent to implement the amendments until they are approved by the Secretary.

Section 108 terminates authority for Federal grants and assistance on September 30, 2012.

Section 109 authorizes appropriations of $10 million, limited to $1 million per fiscal year. The Federal share of the cost of activities carried out using any assistance or grants under this title cannot exceed 50 percent of the total cost.

TITLE II—SCHUYLKILL RIVER VALLEY NATIONAL HERITAGE AREA

Section 101 designates the title's short title as the "Schuylkill River Valley National Heritage Area Act."

Section 102(a) contains congressional findings.

Subsection (b) states that the purposes of this title are to: (1) foster a close working relationship with all levels of government, the private sector, and the local communities in the Schuylkill River Valley and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and (2) conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the Schuylkill River Valley.

Section 103 provides definitions for six key terms used in the title.

Section 104(g) establishes the Schuylkill River Valley National Heritage Area.

Subsection (b) states that the Heritage Area shall be comprised of the Schuylkill River watershed within the counties of the Schuylkill, Berks, Montgomery, Chester, and Philadelphia, Pennsylvania, as delineated by the Secretary.

Subsection (c) designates the Schuylkill River Greenway Association as the management entity for the Heritage Area.

Subsection (d) directs the Secretary of the Interior to enter into a cooperative agreement with the management entity. The agreement is to address the objectives and management of the area including descriptions of the approach to conservation and interpretation, a description of the management entity, and the role of the State.

Section 105(a) requires the management entity to submit a management plan for the Heritage Area to the Secretary for approval.

Subsection (b)(1) requires the plan to take into consideration State, county, and local plans.

Paragraph (2) requires the plan to involve residents, public agencies, and private organizations working in the area.

Paragraph (3) requires the plan to specify existing and potential sources of funding to protect, manage, and develop the area.

Paragraph (4) requires the plan to include: (1) actions to be undertaken by units of the government and private organizations to protect the resources of the area; (2) an inventory of resources within the area, including any that are related to the themes of the area and that should be protected; (3) recommendations for resource management policies, including the development of cooperative agreements to protect resources in a manner consistent with appropriate and compatible economic viability; (4) a program for implementation of the plan by the management entity; (5) an analysis of the ways in which local, State, and Federal programs may best be coordinated; and (6) an interpretation plan for the area.

Subsection (c) requires the management plan to be submitted to the Secretary within 3 years of the date of enactment of this title. If the plan is not submitted within 3 years, the Heritage Area will not be eligible to receive Federal funding under this title until such time as the Secretary receives the plan.

Subsection (d) authorizes the management entity, in lieu of developing a new plan, to update and submit to the Secretary the Schuylkill Heritage Corridor Management Plan that was approved by the State in March, 1995.

Section 106(a) authorizes the management entity to make grants, enter into cooperative agreements, and hire and compensate staff.

Subsection (b) requires the management entity: (1) develop and submit the management plan under section 5; (2) to give priority to implementing actions set forth in the cooperative agreement and the management plan, including assisting governmental agencies and other organizations in preserving and interpreting the Heritage Area, encouraging economic viability consistent with the goals of the management plan, and encouraging local governments to adopt appropriate land use policies; (3) to consider the interests of governmental, business, and nonprofit groups within the area; (4) to conduct quarterly public meetings regarding implementation of the management plan; (5) to submit any substantial changes in the management plan to the Secretary for approval; and (6) to submit to the Secretary annual reports that describe the accomplishments, expenses, and income of the management entity, and make available for audit all records pertaining to the expenditures of Federal funds (including the records of organizations that receive funds from the management entity).

Subsection (c) prohibits the management entity from using Federal funds received under this title to acquire real property or interest in real property.

Subsection (d) authorizes the management entity to spend Federal funds directly on non-Federally owned property to further the purposes of this title, especially to assist in the treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

Section 107(a) authorizes the Secretary to provide technical and financial assistance to the Heritage Area.

Subsection (b) requires the Secretary, in consultation with the Governor of Pennsylvania, to approve or disapprove the management plan within 90 days after its receipt by the Secretary. If disapproved, the reasons for disapproval, and recommended revisions are to be provided in writing to the management entity. If a revised plan is then submitted, the Secretary has another 90 days to approve or disapprove of the plan.

Subsection (c) requires substantial amendments to the plan to be reviewed by the Secretary and provides that no funds may be spent to implement the amendments until approved by the Secretary.

Section 108 requires the management entities of other heritage areas in the anthracite coal region of the State of Pennsylvania to cooperate in the management of the Schuylkill River Valley National Heritage Area, and authorizes them to use funds appropriated for the Heritage Area to carry out this section.

Section 109 terminates the authority of the Secretary of the Interior to provide grants or assistance 15 years after the date this title is enacted.

Section 210 authorizes the appropriation of $10 million, with a limit of $1 million per fiscal year. In addition, the Federal share of any project or activity cannot exceed 50 percent of the total cost.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 21, 2000.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 940, an act to designate the Lackawanna Valley National Heritage Area, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis (for federal costs), Marjorie Miller (for the state and local impact), and Jean Wooster (for private-sector impact).

Sincerely,

STEVEN LIEBERMAN
(For Dan L. Crippen, Director).

Enclosure.

H.R. 940—An act to designate the Lackawanna Valley National Heritage Area, and for other purposes

H.R. 940 would establish the Lackawanna Valley and the Schuylkill River National Heritage Areas in Pennsylvania. The act would direct the National Park Service (NPS) to execute agreements with two local associations that would serve as management entities for the new areas. The two entities would develop management plans for the heritage areas, which would include an inventory of resources and recommendations for financing, managing, and protecting each area and its resources. The NPS would provide tech-

nical and financial assistance to the management entities and approve or disapprove the management plans. Finally, the act would authorize the appropriation of $1 million annually for each heritage area, but would cap the total authorization for each area at $10 million.

Assuming appropriation of the authorized amounts, CBO estimates that the NPS would provide each of the two heritage areas with $1 million for each of fiscal years 2001 through 2010, for a total cost of $20 million. Such amounts would be used to cover a portion of the costs of establishing, operating, and interpreting the two heritage areas. Implementing H.R. 940 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 940 would impose new intergovernmental mandates on the Lackawanna Heritage Valley Authority, a public entity, and new private-sector mandates on the Schuylkill River Greenway Association, a private entity. The act would require those organizations to develop management plans for the heritage areas and to undertake certain activities to assist local governments and other organizations. Those requirements would be mandates as defined by the Unfunded Mandates Reform Act (UMRA).

CBO estimates that the costs imposed by the new mandates would be far below the thresholds established by UMRA ($55 million for intergovernmental mandates and $109 million for private-sector mandates in 2000, adjusted annually for inflation). Further, the legislation would authorize appropriations to cover up to 50 percent of total spending for these activities. H.R. 940 would impose no costs on other state, local, or tribal governments.

On August 2, 1999, CBO prepared a cost estimate for H.R. 940, the Lackawanna Valley National Heritage Area Act of 1999, as ordered reported by the House Committee on Resources on July 21, 1999. The two versions of the legislation are very similar, and the costs are identical.

The CBO staff contacts are Deborah Reis (for federal costs), Marjorie Miller (for the state and local impact), and Jean Wooster (for the private-section impact). This estimate was approved by Peter H. Fontaine, 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 H.R. 940. 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 request from the enactment H.R. 940, as ordered reported.

EXECUTIVE COMMUNICATIONS

On July 29, 1999, and May 23, 2000, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and of the Office of Management and Budget setting forth executive views on S. 905 and S. 1584, respec-

tively. H.R. 940, as amended, includes the text of both measures as title I and title II. These reports had not been received at the time the report on H.R 940 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DENIS P. GALVIN, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before our committee today to present the views of the Department of the Interior on S. 905, a bill to establish the Lackawanna Valley American Heritage Area in northeastern Pennsylvania. The heritage area would be located along the Lackawanna River in the Pennsylvania counties of Lackawanna, Luzerne, Wayne, and Susquehanna.

The Department supports enactment of this legislation, if amended in conformance with this testimony. The Administration, however, objects to the proposed loan authority because the bill fails to provide criteria or administrative guidelines or address the issue of possible liability.

The bill would establish the Lackawanna Valley American Heritage Area (Heritage Area) and designate the Lackawanna Heritage Valley Authority (the Authority), an already existing state-enabled regional authority, as the management entity for the Heritage Area. It would require the Authority to enter into a compact with the Secretary of the Interior to establish the Heritage Area's boundaries and to outline the goals and objectives for the Heritage Area. Within three years of enactment of the bill the Authority would submit a management plan to the Secretary of the Interior for approval. The management plan would inventory the Heritage Area's resources, recommend policies for resource management and interpretation, and provide a program for plan implementation. If the management plan is not submitted to the Secretary within the specified time, funding would no longer be authorized. Federal funds provided under the Act would enable the Authority to make loans and grants and to enter into cooperative agreements with the Commonwealth of Pennsylvania and its political subdivisions, private organizations and persons for carrying out various activities outlined in the bill.

The bill would also authorize not more than $1,000,000 for any fiscal year, a total of $10,000,000 to be appropriated to carry out its purpose, and would require a 50% match for each federal dollar. This bill also contains a sunset provision that would terminate authority for assistance after September 2012. Mr. Chairman, the funding levels and matching requirement proposed in this legislation are consistent with the levels established for the heritage areas in the Omnibus Parks and Public Lands Management Act of 1996.

The Administration has some concerns regarding this legislation. We object to the authority in section 6(a)(1) of the bill for the management entity to make loans to various entities. No criteria or administrative guidelines are provided, and possible liability is not addressed. Further, such loans would be subject to the Federal Credit Reform Act of 1990, which has management requirements that would be a tremendous burden for the management entity. As currently drafted, it is very unclear how the management entity would handle repayment of loans to the federal government if there are defaults. In effect, this bill would give a non-Federal entity authority to act as a Federal credit agency—a precedent with unforeseen implications. The Administration strongly recommends that the authority to make loans be dropped from the bill.

In section 6(c)(9)(A)(iii) there is a requirement for the management entity to report on any loans and grants that have been made with federal funds. To conform with our previous concern regarding loan authority, loans should be dropped from this section of the bill as well.

Section 7(a)(2)(A) authorizes the Secretary of the Interior to expend federal funds on non-federally owned property to further the purposes of the Act. Section 7(a)(2)(B) directs that the Historic American Building Survey (HABS) and the Historic American Engineering Record (HAER) shall conduct studies necessary to document the industrial, engineering, building, and architectural history of the region. We oppose these sections. We feel that the federal funds authorized under section 9 of this bill to go to the heritage area's management entity are for implementation of their plan so as to address these very issues. Any additional funds from the Secretary would most likely come from our construction fund or the Historic Preservation Fund, neither of which were intended to fund heritage areas nor are appropriations sufficient to cover the activities of heritage areas. Money for any studies to be performed by HABS/HAER should come from a specific heritage area's funding as part of its planning process.

Finally, we recommend changing the name of the heritage area. Over the past several years Congress has established a number of new heritage areas around the country. To be consistent with previous designations we recommend that it be named the Lackawanna Valley National Heritage Area and that sections 1, 2, 3 and 4 of the bill be amended to reflect this recommendation.

Like other heritage areas established by Congress, this legislation would provide national designation to a place where natural, cultural, historic, and scenic resources combine to form a cohesive, nationally distinctive landscape arising from patterns of human activity shaped by geography. At the center of the world's most productive anthracite field, the Lackawanna Valley fueled the spectacular growth of American cities and industry for almost one hundred and fifty years. In the process, the landscape and culture of the valley was transformed.

In the Lackawanna Valley the extraction, processing and delivery of coal were combined with the development of a very diverse, integrated industrial complex in an urban setting. Today, a mix of nationally, regionally and locally significant sites, reflecting both industry and the community remain to illustrate an important chapter in United States history. This legislation would further assist in identifying and conserving these diverse resources without adversely impacting the economic growth and stability of the region.

Congressional appropriations have directed the National Park Service to provide funding and technical assistance to the Lackawanna Heritage Valley for almost ten years. The National Park Service played a crucial role in the development of an original action plan for the Lackawanna Heritage Valley that included a statement of national significance for the area. It was that document, approved by the Governor of Pennsylvania, which enabled the area to receive designation as a State Heritage Park in 1991. The Lackawanna Heritage Valley was one of the first areas authorized in the Pennsylvania system that now includes ten state heritage areas.

In 1997 the Commonwealth of Pennsylvania's Bureau of Historic Preservation undertook a study of significance entitled "Anthracite Coal in Pennsylvania: An Industry and a Region." The study found that "from the perspective of economic, industrial, business, social, ethnic, and labor history the anthracite region and the anthracite industry are clearly of national significance."

Establishment of the Lackawanna Valley as a national heritage area would provide important resources for the ongoing conservation and interpretation of the natural, cultural, historic and recreational resources of this nationally significant region. Continued use of heritage areas by people whose traditions helped to shape the landscape enhances their significance. Federal recognition would encourage the continuation of local interest and pride in their culture and resources.

The Authority has already demonstrated that it uses its money well. It is particularly encouraging that as a heritage area it is getting better and stronger. The Authority is accomplishing its purpose as a management entity by focusing public and private energy and resources on the protection and interpretation of the region's distinctive characteristics and resources. The National Park Service has been a visible and effective partner, but has played a modest overall role. The Authority is the convener that has been effective in unifying a variety of diverse interests around a common agenda. The Authority has had many projects that have successfully leveraged and focused non-federal as well as federal funds from agencies other than the National Park Service.

To be successful a heritage area must have broad-based community support to take on the projects outlined in its management plan. There must also be a desire and ability

to fund such projects. The Lackawanna Heritage Valley Authority appears to have broad community support, and the ability to fund projects. It has been working to successfully implement its original action plan and continues yearly to outline an aggressive agenda to work towards achieving goals focused on cultural, historic and environmental conservation, economic development, intergovernmental cooperation, and stewardship of the Lackawanna Valley's resources.

Mr. Chairman, we support this legislation with the key modifications previously discussed. It provides financial and technical assistance to an area of overriding significance in our nation's history. The work that has been accomplished to date and the relationships already established, have given the local community the ability to demonstrate that it values its resources and is willing to work effectively in partnership with federal, state and local governments to preserve them.

Thank you for the opportunity to testify before you today. This concludes my prepared remarks.

STATEMENT OF KATHERINE STEVENSON, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES STEWARDSHIP AND PARTNERSHIPS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on S. 1584, to establish the Schuylkill River Valley National Heritage Area in the State of Pennsylvania. The heritage area would be located along the Schuylkill River in the southeastern counties of Schuylkill, Berks, Montgomery, Chester, and Philadelphia, with boundaries delineated by the Secretary of the Interior.

The Department supports this legislation, if amended as recommended by this testimony, especially with respect to the bill's loan authority.

S. 1584 would establish the Schuylkill River Valley National Heritage Area, providing the formal legislative charter for a national heritage area that has been a state heritage corridor since 1995. The bill names the Schuylkill River Greenway Association as the management entity for the heritage area, and provides for the Secretary of the Interior and the management entity to carry out the provisions of the bill through use of a cooperative agreement.

S. 1584 requires the management entity to develop and submit a management plan to the Secretary within three years after the date of enactment, allowing the use of an updated version of the 1995 Schuylkill River Heritage Corridor Management Action Plan in lieu of an original plan. If the plan is not submitted within three years, the heritage area would lose eligibility for Federal funding until the plan is received.

The bill also provides authority for the management entity to make loans and grants and to pay staff. And, it au-

thorizes total appropriations of $10,000,000, of which not more than $1,000,000 may be appropriated for any fiscal year, and requires a 50 percent non-Federal match. The bill also provides that the Secretary's authority to provide assistance to the heritage area terminate 15 years after the date of enactment. These limits are consistent with other legislation to establish national heritage areas that Congress has passed in recent years.

The Schuylkill River Valley is rich in natural and cultural resources that reflect our nation's history and the region's industrial and agricultural heritage. The area played a role in the American Revolution, and was the center of early charcoal iron industries that helped foster Pennsylvania's strong iron industry. It was also the location of early transportation systems, including the Schuylkill Canal and the Reading Railroad. The region has exhibited a longstanding commitment to reversing environmental degradation to the river and completing recreational programs and projects that encourage appreciation of the natural resources of the Schuylkill River Valley.

Heritage areas are places where natural, cultural, historic, and recreational resources combine to form a nationally distinctive landscape arising from patterns of human activity shaped by geography. Heritage conservation efforts are grounded in a community's pride in its history and traditions, and its interest in seeing them retained. The areas are designed to protect large, regional landscapes and resources that tell the story of its residents. They are best managed by entities with broad community representation and the ability to foster partnerships throughout the region. The Schuylkill River Valley has the characteristics necessary to be established as a national heritage area and the potential to meet the expectations of the National Park Service's national heritage area program.

The National Park Service testified before the House Subcommittee on National Parks and Public Lands last year on H.R. 2532, a bill that would provide a process for establishing national heritage areas. In our testimony, we outlined four critical steps that we believe need to be completed before Congress establishes a national heritage area.

Those steps are:

(1) completion of a suitability/feasibility study;

(2) public involvement in the suitability/feasibility study;

(3) demonstration of widespread public support among heritage area residents for the proposed designation; and

(4) commitment to the proposal from the appropriate players which may include governments, industry, and private, non-profit organizations, in addition to the local citizenry.

In the case of the proposed Schuylkill River Valley National Heritage Area, we believe the general intent and the

spirit of those steps have been fulfilled through the work that was done by the State of Pennsylvania and other entities, including the National Park Service, to lay the groundwork for state designation of the Schuylkill River Heritage Corridor in 1995. That work included a feasibility study for the heritage corridor that was issued in 1992. The work that has been done by the Schuylkill River Greenway Association and others in recent years has served to confirm our view that this area is well-suited to be established as a national heritage area.

While we support enacting legislation to establish the Schuylkill River Valley National Heritage Area, we recommend several changes to S. 1584 as introduced. These proposed amendments are attached to this testimony.

First, we object to the authority in section 6(a)(1) for the management entity to use Federal funds to make loans to various entities. No criteria or administrative guidelines have been developed for heritage areas to ensure that the taxpayers' funds are being used properly. For management entities with limited administrative resources, it would be an administrative burden to set up payment schedules, underwriting, and loan servicing sufficient to provide confidence that a loan program is using Federal funds in an accountable manner. We believe there are more effective ways for management entities to use limited Federal funds than creating loan programs.

Section 6(b)(6) contains a reporting requirement for loans and grants made by the management entity. In conjunction with removing authority for making loans, we recommend that the reporting requirement for loans be dropped as well.

Second, we recommend amending section 7(b), which establishes the process for approval of the management plans, to require the Secretary to consider whether the composition of the management entity—the Schuylkill River Greenway Association—and the management plan adequately reflect diverse interests of the region. While we recognize that the Association has been responsible for much of the progress made to date in the conservation of resources in the Schuylkill River Valley, we think that in order to make this heritage area a truly successful undertaking, it should be grounded in the broadest community support possible. Including local elected officials, the State, business and industry groups, organizations interested in the protection of natural and cultural resources, and other community organizations and individual stakeholders in the management entity will help ensure that all of the diverse interests in the region are fully considered during the planning process.

In addition, in section 7(c)(1), we recommend that the Secretary be required to approve substantial amendments to the management plan, not just review them, as the bill currently provides.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

AMENDMENTS TO S. 1584, SCHUYLKILL NATIONAL HERITAGE AREA PROPOSED BY THE NATIONAL PARK SERVICE

Page 8, line 22, strike "loans and".
Page 11, line 6, strike "loan or".
Page 13, after line 13, insert the following:
"(2) MANAGEMENT PLAN CONTENTS.—In reviewing the plan, the Secretary shall consider whether the composition of the management entity and the plan adequately reflect diverse interests of the region, including those of—
"(i) local elected officials,
"(ii) the State,
"(iii) business and industry groups,
"(iv) organizations interested in the protection of natural and cultural resources, and
"(v) other community organizations and individual stakeholders."
Page 13, line 14, renumber "(2)" as "(3)".
Page 14, line 4, insert "and approve" following "review".

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 H.R. 940, as ordered reported.

○