AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Calendar No. 660

110TH CONGRESS
2d Session

SENATE

REPORT
110–308

NORTHERN PLAINS NATIONAL HERITAGE AREA ACT

APRIL 10, 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. 2098]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2098) to establish the Northern Plains National Heritage Area in the State of North Dakota, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. 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 "Northern Plains National Heritage Area Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term "Heritage Area" means the Northern Plains National Heritage Area established by section 3(a).

(2) LOCAL COORDINATING ENTITY.—The term "local coordinating entity" means the Northern Plains Heritage Foundation, the local coordinating entity for the Heritage Area designated by section 4(a).

(3) MANAGEMENT PLAN.—The term "management plan" means the management plan for the Heritage Area required under section 5.

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

(5) STATE.—The term "State" means the State of North Dakota.

SEC. 3. ESTABLISHMENT.

(a) IN GENERAL.—There is established the Northern Plains National Heritage Area in the State of North Dakota.

(b) BOUNDARIES.—The Heritage Area shall consist of—

(1) a core area of resources in Burleigh, McLean, Mercer, Morton, and Oliver Counties in the State; and

(2) any sites, buildings, and districts within the core area recommended by the management plan for inclusion in the Heritage Area.

(c) MAP.—A map of the Heritage Area shall be—

(1) included in the management plan; and

(2) on file and available for public inspection in the appropriate offices of the local coordinating entity and the National Park Service.

SEC. 4. LOCAL COORDINATING ENTITY.

(a) IN GENERAL.—The local coordinating entity for the Heritage Area shall be the Northern Plains Heritage Foundation, a nonprofit corporation established under the laws of the State.

(b) DUTIES.—To further the purposes of the Heritage Area, the Northern Plains Heritage Foundation, as the local coordinating entity, shall—

(1) prepare a management plan for the Heritage Area, and submit the management plan to the Secretary, in accordance with this Act;

(2) 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 specific performance goals and 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;

(3) 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; and

(4) encourage economic viability and sustainability that is consistent with the purposes of the Heritage Area.

(c) AUTHORITIES.—For the purposes of preparing and implementing the approved management plan for the Heritage Area, the local coordinating entity may use Federal funds made available under this Act to—

(1) make grants to political jurisdictions, nonprofit organizations, and other parties within the Heritage Area;

(2) enter into cooperative agreements with or provide technical assistance to political jurisdictions, nonprofit organizations, Federal agencies, and other interested parties;

(3) hire and compensate staff, including individuals with expertise in—

(A) natural, historical, cultural, educational, scenic, and recreational resource conservation;

(B) economic and community development; and

(C) heritage planning;

(4) obtain funds or services from any source, including other Federal programs;

(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.

(d) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—The local coordinating entity may not use Federal funds authorized to be appropriated under this Act to acquire any interest in real property.

(e) OTHER SOURCES.—Nothing in this Act precludes the local coordinating entity from using Federal funds from other sources for authorized purposes.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, 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 area covered by the Heritage Area and encouraging long-term resource protection, enhancement, interpretation, funding, management, and development of the Heritage Area;

(2) include a description of actions and commitments that Federal, State, tribal, and local governments, private organizations, and citizens will take to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area;

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

(4) include an inventory of the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area relating to the national im-

portance and themes of the Heritage Area that should be protected, enhanced, interpreted, managed, funded, and developed;

(5) recommend policies and strategies for resource management, including the development of intergovernmental and interagency agreements to protect, enhance, interpret, fund, manage, and develop the natural, historical, cultural, educational, scenic, and recreational resources of the Heritage Area;

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

(A) performance goals;

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

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

(7) include an analysis of, and recommendations for, means by 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; and

(8) 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) DEADLINE.—

(1) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to develop the management plan after designation of the Heritage Area, the local coordinating entity shall submit the management plan to the Secretary for approval.

(2) TERMINATION OF FUNDING.—If the management plan is not submitted to the Secretary in accordance with paragraph (1), the local coordinating entity shall not qualify for any additional financial assistance under this Act until such time as the management plan is submitted to and approved by the Secretary.

(d) APPROVAL OF MANAGEMENT PLAN.—

(1) REVIEW.—Not later than 180 days after receiving the plan, the Secretary shall review and approve or disapprove the management plan for the Heritage Area on the basis of the criteria established under paragraph (2).

(2) CRITERIA FOR APPROVAL.—In determining whether to approve a management plan for the Heritage Area, the Secretary shall consider whether—

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

(B) the local coordinating entity—

(i) has afforded adequate opportunity for public and Federal, State, tribal, and local governmental involvement (including through workshops and hearings) in the preparation of the management plan; and

(ii) provides for at least semiannual public meetings to ensure adequate implementation of the management plan;

(C) the resource protection, enhancement, interpretation, funding, management, and development strategies described in the management plan, if implemented, would adequately protect, enhance, interpret, fund, manage, and develop the natural, historic, cultural, educational, scenic, and recreational resources of the Heritage Area;

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

(E) the local coordinating entity has demonstrated the financial capability, in partnership with others, to carry out the plan;

(F) 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 elements of the management plan; and

(G) the management plan demonstrates partnerships among the local coordinating entity, Federal, State, tribal, and local governments, regional planning organizations, nonprofit organizations, or private sector parties for implementation of the management plan.

(3) 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.

(4) 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.

(5) AUTHORITIES.—The Secretary may—

(A) provide technical assistance under this Act for the development and implementation of the management plan; and

(B) enter into cooperative agreements with interested parties to carry out this Act.

SEC. 6. 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) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On the request of the local coordinating entity, the Secretary may provide financial assistance and, on a reimbursable or nonreimbursable basis, technical assistance 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 natural, historic, cultural, and scenic resources of the Heritage Area; and

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

(c) 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.

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

(1) modifies or alters 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. 7. PRIVATE PROPERTY 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 access by Federal, State, or local agencies) to the property of the property owner; or

(B) modify public access to, or use of, the property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, tribal, or local agency;

(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; or

(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.

SEC. 8. EVALUATION; REPORT.

(a) 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—

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

(2) prepare a report in accordance with subsection (c).

(b) EVALUATION.—An evaluation conducted under subsection (a)(1) shall—

(1) assess the progress of the local coordinating entity with respect to—

(A) accomplishing the purposes of this Act for the Heritage Area; and

(B) achieving the goals and objectives of the approved management plan for the Heritage Area;

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

(3) 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.

(c) REPORT.—

(1) IN GENERAL.—Based on the evaluation conducted under subsection (a)(1), 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.

(2) REQUIRED ANALYSIS.—If the report prepared under paragraph (1) recommends that Federal funding for the Heritage Area be reauthorized, the report shall include an analysis of—

(A) ways in which Federal funding for the Heritage Area may be reduced or eliminated; and

(B) the appropriate time period necessary to achieve the recommended reduction or elimination.

(3) SUBMISSION TO CONGRESS.—On completion of the report, the Secretary shall submit the report to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

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 may be in the form of in-kind contributions of goods or services fairly valued.

SEC. 10. TERMINATION OF AUTHORITY.

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

2. Amend the title so as to read: "A bill to establish the Northern Plains National Heritage Area in the State of North Dakota.".

PURPOSE

The purpose of S. 2098 is to designate the Northern Plains National Heritage Area in the State of North Dakota.

BACKGROUND AND NEED

The Northern Plains National Heritage Area would encompass four counties along the Missouri River in central North Dakota, and includes Bismarck, the State's Capital. The Lewis and Clark expedition traveled through the region on their route to the Pacific and spent more time in North Dakota than any other site along the route. The heritage area also includes the ancestral lands of the

Mandan and Hidatsa, who pioneered agriculture on the northern plains. The heritage area would also include the Knife River Indian Villages National Historic Site.

The bill would designate the Northern Plains Heritage Foundation as the management entity for the heritage area. The Foundation has prepared a feasibility study for the proposed heritage area, which has been submitted to the National Park Service for review.

LEGISLATIVE HISTORY

S. 2098 was introduced by Senators Dorgan and Conrad on September 26, 2007. The Subcommittee on National Parks held a hearing on the bill on November 8, 2007. (S. Hrg. 110–282.) At its business meeting on January 30, 2008, the Committee on Energy and Natural Resources ordered S. 2098 favorably reported with an amendment in the nature of a substitute.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on January 30, 2008, by a voice vote of a quorum present, recommends that the Senate pass S. 2098, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 2098, the Committee adopted an amendment in the nature of a substitute. The amendment made the authorities for the Northern Plains National Heritage Area consistent with other heritage area authorizations reported by the Committee. The amendment is explained in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title, the "Northern Plains National Heritage Area Act."

Section 2 defines key terms used in the Act.

Section 3(a) establishes the Northern Plains National Heritage Area ("heritage area") in the State of North Dakota.

Subsection (b) describes the boundaries of the heritage area and lists the counties and significant historic sites that the heritage area encompasses.

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

Section 4(a) designates the Northern Plains Heritage Foundation, as the management entity for the heritage area.

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

Subsection (c) lists the authorities of the management entity. The subsection authorizes the management entity to use Federal funds to prepare activities recommended in the management plan for the heritage area, pay for operational expenses, make grants and enter into cooperative agreements, hire staff, obtain funds or services from any source, and contract for goods or services.

Subsection (d) prohibits the management entity from using Federal funds made available under this Act to acquire real property or an interest in real property, although it may use Federal funds

from other sources for authorized purposes, which may include property acquisition.

Section 5(a) requires the management entity to prepare and submit for review a management plan to the Secretary no 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 six months after receiving the plan and lists the criteria the Secretary is to consider in determining whether to approve or disapprove the plan.

Section 6 describes the relationship of other Federal agencies to the heritage area.

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) authorizes the Secretary to provide technical and financial assistance to the local coordinating entity to develop and implement the management plan.

Subsection (c) 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 7 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, diminish the authority of the State to manage fish and wildlife, or create any liability for property owners within the heritage area.

Section 8(a) requires the Secretary to conduct an evaluation of the accomplishments of the national heritage area not later than three years before the date Federal funding authority terminates.

Subsection (b) provides that the evaluation shall assess the progress of the management entity with respect to accomplishing the purposes of this Act for the heritage area and whether the management entity achieved the goals and objectives of the approved management plan for the heritage area. The evaluation is also required to analyze governmental investments in the heritage area to determine the leverage and impact of the investments.

Subsection (c) requires the Secretary to prepare a report, based on the evaluation, that includes recommendations for the future role of the National Park Service, if any, for the heritage area. If the report recommends that Federal funding for the area be reauthorized, it is required to include an analysis of ways Federal funding may be reduced or eliminated. The report is to be submitted to the House and Senate authorizing committees.

Section 9(a) authorizes total 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 this 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. 2098—Northern Plains National Heritage Area Act

S. 2098 would establish the Northern Plains National Heritage Area (NHA) in South Dakota and designate the Northern Plains Heritage Foundation, 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 foundation and other eligible entities over the next 15 years.

CBO estimates that implementing S. 2098 would cost $5 million over the 2009–2013 period and an additional $5 million after 2013. Enacting S. 2098 would have no effect on direct spending or revenues.

The bill 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. 2098. 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. 2098, 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: 9; Provision: Authorization of appropriations; Member: Sen. Dorgan.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the November 8, 2007 hearing on S. 2098 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 Department of the Interior's views on S. 2098, a bill to establish the Northern Plains National Heritage Area in the State of North Dakota.

While the Department appreciates the historic, cultural and natural features of the area, the Department does not support S. 2098. The feasibility study produced by the Northern Plains Heritage Foundation did not meet all of the criteria for designation as a national heritage area. It did not include the existence of significant levels of public involvement and support and the local commitments necessary for successful planning and implementation of a heritage area. Without further dialog with residents in the region and the support of current living descendents, we are concerned that the Heritage Area would not be poised for success and a sustainable future. Success of this grassroots movement depends upon whether or not there is strong region-wide support, so we respectfully request the Heritage Area proponents engage more residents and Mandan-Hidatsa descendents in a dialog.

We remind the committee that our past support of an amendment to S. 1544 in the 109th Congress authorizing a study did not necessarily mean that the Department would support designation of this National Heritage Area.

We generally have asked that the subcommittee defer action on new designations of National Heritage Areas until program legislation is enacted. Last year, the Administration sent to Congress a legislative proposal to establish such guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced and reported by the Senate Energy and Natural Resources Committee.

Requiring evidence of broad public support prior to designation is consistent with the steps and criteria for the National Heritage Area program that have been informally implemented for many years. The steps and criteria have been developed with input from Congress, existing National Heritage Areas, and other experts and are designed to ensure that an area has the resources, local interest, and other qualities that are critical in establishing a successful National Heritage Area. The four critical steps that

need to be completed before Congress establishes a National Heritage Area are:

1. Completion of a feasibility study;
2. Public involvement in the 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.

S. 2098 would establish the Northern Plains National Heritage Area. The core area is approximately 80 miles long, anchored at each end by nationally designated landmarks. Huff Indian Village National Historic Landmark, an ancient Mandan Indian Village is the southern anchor and Big Hidatsa Village National Historic Landmark, an ancient Hidatsa village located within the Knife River Indian Villages National Historic site at Stanton, North Dakota, is the northern anchor. Huff and Menoken National Historic Landmarks are also state historic sites preserved and managed by the State Historical Society of North Dakota. This area encompasses the ancient homeland of the Mandan and Hidatsa American Indian nations as well as the Menoken Indian Village, an early Indian village site just east of Bismarck, North Dakota, which also bears national historic landmark status.

The bill designates the Northern Plains Heritage Foundation, a non-profit corporation established under the laws of the State of North Dakota, as the management entity for the Heritage Area and outlines its duties. It also authorizes the development of a management plan and technical assistance to carry out the plan. The bill also requires the Secretary to conduct an evaluation three years prior to the cessation of Federal funding under this act.

Long before the Europeans came to the area, Mandan and Hidatsa cultures flourished along the river in North Dakota. These early people thrived for centuries in heavily populated agricultural communities along the fertile floodplains. They also depended on the abundance of fish, game, and other wildlife throughout the prairies. They were later followed by pioneers and homesteaders-generations of farmers and ranchers who continue to cultivate the land and reap the harvest provided by the abundance of the Northern Plains environment.

The villages of these early settlers served as a central hub in a trade network that spanned the continent. The Heart River segment of the Missouri River was the center of the universe for the first people, the Mandans, who constructed their permanent earthlodge villages along the Missouri River and its tributaries. The Lewis and Clark Expedition even benefited from the hospitality and friendship of the Mandan and Hidatsa when they spent the winter along the Garrison Reach near present-day Washburn.

Today, the Mandan language is in danger of extinction with only two conversational speakers able to participate

in a preservation project. Therefore, as part of their preservation initiatives within the Northern Plains area, the Northern Plains Heritage Foundation's language initiative is focusing on preserving and archiving language vocabularies, beginning with the recording of Mandan language materials. It also is supporting the development of instructional materials for Mandan, Hidatsa, Arikara, Lakota, French and German language teachers. Language has always been a key element that characterizes and underpins the cultural integrity and unique identity of a people or an ethnic group.

The Department believes that further evaluation and public engagement would ensure widespread public involvement, and determine local interest and commitment, thus strengthening the current feasibility study. We also believe that further examination of the boundaries to include the current Mandan-Hidatsa homeland and the unique geographical, cultural, and historical resources of the Northern Plains area would provide other valuable information as to whether the area qualifies for designation as a National Heritage Area.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other 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. 2098, as ordered reported.

○