

STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, CONCERNING H.R. 1049, H.R. 642, H.R. 1990, AND H.R. 2288, LEGISLATION PERTAINING TO NATIONAL HERITAGE AREAS.

APRIL 30, 2019

Chair Haaland and members of the subcommittee, thank you for the opportunity to appear before you today to present the views of the Department of the Interior on H.R. 1049, to authorize a National Heritage Area Program; and on H.R. 642, H.R. 1990, and H.R. 2288, bills providing revised authorities for the Oil Region National Heritage Area, the National Aviation Heritage Area, and the Erie Canalway National Heritage Corridor, respectively.

The Department recognizes that every one of the 55 national heritage areas that has been established by Congress serves an important role in preserving, interpreting, and promoting the unique natural and cultural characteristics of the area it encompasses. The Department supports establishing a statutory framework for the National Park Service's role in administering the national heritage area program, as H.R. 1049 would do, but asks that the committee defer action on this bill to give us an opportunity to work with the sponsor and the committee on revisions that would more fully address the issues with the program.

The Department does not support extending authorities for individual national heritage areas to receive funding, as H.R. 642, H.R. 1190, and H.R. 2288 would do, as the Administration has proposed no funding for national heritage areas in FY 2020 in order to focus resources on reducing the National Park Service's \$11.9 billion deferred maintenance backlog and other critical national park needs. The National Park Service encourages national heritage area managers to continue to use the designation, which continues in perpetuity, to facilitate sustainable funding from local and private beneficiaries.

National heritage fosters stewardship of our nation's heritage without creating new park units. Rather than providing direct management, the National Park Service partners with national heritage area coordinating entities to provide technical and financial assistance. National heritage areas match and leverage federal funds appropriated by Congress to carry out heritage projects and programs in collaboration with local partners, expanding the impact of the federal dollars invested. The National Park Service does not assume ownership of lands that make up heritage areas or impose land use controls on them. Through public-private partnerships, national heritage areas support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. National heritage areas are lived-in landscapes that support American traditions such as ranching and agriculture. Through their resources, national heritage areas tell nationally important stories that celebrate our nation's diverse heritage.

The first national heritage area was designated 35 years ago. Since that time, Congress has authorized a total of 55 national heritage areas in 34 states. That number includes six new areas that were designated as part of P.L. 116-9, the John D. Dingell, Jr. Conservation, Management,

and Recreation Act, which was signed into law just last month on March 12, 2019. Based on the number of national heritage area feasibility studies in process, interest in creating new heritage areas is likely to remain high.

While the earliest national heritage area authorization bills had differing management and funding structures, the national heritage areas that Congress has created since 1996 have become more standardized in how they are designated, managed, and funded. Each heritage area is designated in perpetuity, but in most cases, Congress has included a federal funding sunset date that is 15 years after the date of enactment and a funding limit of \$10 million over that 15 year period.

Since 2008, Congress has asked the National Park Service to evaluate new and reauthorized heritage areas prior to their funding authority sunset and to outline to Congress the recommended future National Park Service role based on the evaluation. The assessment of the area's long-term sustainability is a key part of the evaluation, along with accomplishments and impact of federal funding.

H.R. 1049 would recognize national heritage areas as a system, rather than solely as individual entities and provide authority for the National Park Service to administer national heritage areas as a program. It would provide uniform national standards for conducting feasibility standards, designating new national heritage areas, approving management plans, and conducting evaluations. It would also specify the authorities and duties of the Secretary of the Interior and of the local coordinating entities. And, it would authorize specific amounts of funding for studies and management plans, and for annual funding provided to individual national heritage areas.

The National Park Service currently has a national heritage area program, called the Heritage Partnership Program, but its authority is derived from the provisions included in the 55 designated national heritage areas, not from a single statute. The program performs a significant amount of work on an ongoing basis to assist the national heritage areas and provide service to organizations that are interested in pursuing national heritage area designations. The program's responsibilities include conducting and evaluating heritage area studies; evaluating and approving national heritage area management plans; performing evaluations of heritage areas after they have been established for several years; and overseeing the use of funding that Congress provides to individual heritage areas through the National Park Service.

The other three national heritage area bills under consideration today raise issues that could be addressed through programmatic legislation.

H.R. 642 would extend the funding authorization sunset through FY 2026, and raise the funding limitation to \$20 million, for the Oil Region National Heritage Area. Under current law, the funding authorization will sunset on December 8, 2019, but the current funding limitation of \$10 million is not expected to be reached for several more years. The Oil Region National Heritage Area commemorates the region surrounding Edwin Drake's oil well of 1859 near Titusville, Pennsylvania, which gave rise to the modern oil industry.

H.R. 642 would also substitute in law a new name used by the heritage area's management entity, the Oil Region Alliance of Business, Industry, and Tourism. We note that this name change is in P.L. 116-9, which was enacted March 12 of this year, after H.R. 642 was introduced. H.R. 1990 would extend the funding authorization sunset through FY 2026 for the National Aviation Heritage Area. Under current law, the funding authorization will sunset on December 8, 2019. The National Aviation Heritage Area, in Ohio, is recognized as the Birthplace of Aviation and the home of the Wright brothers, and it commemorates the history of flight, preserves related resources, and focuses on education programs related to science, technology, engineering, and math.

H.R. 2288 would increase the funding limitation for the Erie Canalway National Heritage Corridor from \$12 million to \$14 million. This increase would be needed within two years if Congress wants to provide the same level of funding for this national heritage area that has been provided in recent years. The Erie Canalway National Heritage Corridor, which stretches 524 miles across the full expanse of upstate New York's canal system, celebrates one of our nation's great engineering success stories. It is a designated National Historic Landmark and includes great works of architecture and hundreds of miles of scenic and recreational waterways and trails.

These three bills follow a familiar pattern: as a national heritage area has approached its funding sunset or cap, Congress has provided an extension of authority. Each time Congress has done so, it has rekindled the debate over Congress's intent regarding the funding authorization sunsets – whether they were meant to limit federal support to 15 years, or to ensure that the national heritage area would be evaluated and assessed before providing more funding authority beyond the initial 15-year period. Since 2008, Congress has specifically asked the National Park Service to evaluate national heritage areas and report to Congress on the future role the Service should have with respect to the evaluated area.

There are 30 national heritage areas out of the total 55 whose funding authority will sunset in 2021. A time is quickly approaching when it may not be as easy for Congress to extend the authority of heritage areas on a case-by-case basis, as it has been when only two or three extensions were needed in any given year.

Related to the issue of ongoing funding is the problem of inequitable distribution of the funding appropriated for national heritage areas. For years, older heritage areas have been funded at higher levels than more recently designated areas. To address this issue, Congress directed the National Park Service to develop an equitable and performance-based funding formula for heritage areas. In 2013, the National Park Service, in coordination with national heritage areas, developed such a formula that focused on meeting sustainability criteria. However, this formula has not been implemented. Instead, appropriations report language has continued to provide specific amounts for each older heritage areas and two tiers of set amounts of funding for newer national heritage areas, continuing the inequity in funding between older and newer areas.

We would welcome the opportunity to work with this committee on amendments to H.R.1049 before any further action is taken on this bill.

Chair Haaland, that concludes my statement. I would be happy to respond to any questions on these four bills.