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National Heritage Areas: Background and Issues for Congress

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Since 1984, Congress has established 61 national heritage areas (NHAs) to conserve, enhance, and interpret nationally significant natural, historic, scenic, and cultural resources of areas that illustrate aspects of the country's heritage. NHAs are partnerships among the National Park Service (NPS), states, and local communities, in which the NPS supports state and local conservation efforts through federal recognition, seed money, and technical assistance. Unlike lands within the National Park System, which are federally owned and managed, lands within heritage areas typically remain in state, local, or private ownership or a combination thereof.

The National Heritage Area Act (P.L. 117-339), enacted on January 5, 2023, established the National Heritage Area System. This act was the first comprehensive statute outlining formal criteria for designating NHAs and providing uniform standards for their funding and management. Previously, particulars for each area were provided in each NHA's enabling legislation, with no system-wide guidelines for how newly designated NHAs were to be administered and managed.

NHAs are designated by acts of Congress. Prior to establishing a new NHA, Congress typically directs the Secretary of the Interior to study the area for potential designation. Such studies address a range of considerations, including the area's suitability and feasibility. Suitability relates to whether the area contains resources representative of distinct aspects of U.S. heritage; reflects U.S. traditions, customs, beliefs, and folklife; and provides opportunities for recreation and education. Feasibility relates to whether a designation has local support, a conceptual financial plan, an identified management entity, and conceptual boundaries.

In establishing a new NHA, Congress designates a local coordinating entity—usually nonfederal—to coordinate and oversee administration of the area. This entity typically develops and implements a plan for managing the NHA, in collaboration with other stakeholders. The plan usually becomes the blueprint for managing the area. The local coordinating entity typically receives funding from a wide variety of sources, including federal funding from NPS through annual appropriations laws. The FY2023 appropriation for NPS assistance to heritage areas was \$29.2 million—a 7.7% increase from the FY2022 enacted level. Local coordinating entities for NHAs can use federal funds for many purposes, including staffing, planning, and executing projects.

Supporters of heritage areas assert that NHAs protect the country's history, traditions, and cultural landscapes and serve as economic catalysts for communities across the country. In addition, proponents often point to NHAs as being cost-effective models for public-private partnerships, given that most NHAs must match federal dollars with nonfederal funding. Supporters also often point to NHAs as an alternative to other federally established designations, in that lands typically remain in nonfederal ownership and are administered locally. They assert that participation in NHAs is voluntary and that NHA legislation often explicitly protects property rights.

Opponents view NHAs as an inefficient or ineffective use of federal resources. For example, some stakeholders have suggested that NHAs may be burdensome or costly to the federal government and have expressed a desire to focus NPS resources on federally owned properties and on reducing the agency's deferred maintenance backlog. Some past Administrations expressed interest in having NHAs become financially self-sufficient. Some appropriators and other Members of Congress have emphasized self-sufficiency for these areas, as well. Opponents also contend that NHAs could interfere with nonfederal management of certain areas, threaten private property rights, or lead to federal control of nonfederal areas.

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Background

Since 1984, Congress has designated 61 national heritage areas (NHAs) to recognize and assist with efforts to protect, commemorate, and promote natural, cultural, historic, and recreational resources that form distinctive landscapes.¹ Congress regards these areas as distinctive because of their resources, their built environment, and their culture, history, and residents.² A principal feature of NHAs is their emphasis on the interaction of people and their environment. Heritage area designations seek to highlight the story of people over time in areas where the landscape helped shape their traditions. In a majority of cases, NHAs have as their foundation a fundamental economic activity such as agriculture, water transportation, or industrial development. Still, the attributes of these NHAs vary, as they reflect the distinctive cultural characteristics of areas across the country.

The National Heritage Area Act (NHA Act; P.L. 117-339), enacted on January 5, 2023, established the National Heritage Area System. This act was the first comprehensive statute outlining formal criteria for designating NHAs and providing uniform standards for their funding and management. Previously, particulars for each new NHA were provided in the enabling legislation, with no general guidelines in law for how newly designated NHAs were to be administered and managed.

The existing NHAs—including those designated prior to the establishment of the National Heritage Area System—are in different stages of developing and implementing plans to protect and promote their attributes. **Table 1** identifies the NHAs established by Congress that make up the National Heritage Area System.

Table 1. National Heritage Areas (NHAs) by Date of Authorization

National Heritage Area	State	Date of Authorization	Enabling Legislation ^a
Illinois and Michigan Canal National Heritage Corridor	IL	Aug. 24, 1984	P.L. 98-398
John H. Chafee Blackstone River Valley National Heritage Corridor	MA/RI	Nov. 10, 1986	P.L. 99-647
Delaware and Lehigh National Heritage Corridor	PA	Nov. 18, 1988	P.L. 100-692
Southwestern Pennsylvania Heritage Preservation Commission (Path of Progress) ^b	PA	Nov. 19, 1988	P.L. 100-698
Cane River NHA	LA	Nov. 2, 1994	P.L. 103-449
The Last Green Valley National Heritage Corridor ^c	CT/MA	Nov. 2, 1994	P.L. 103-449

¹ The National Park Service (NPS) reports 62 national heritage areas; see NPS, “National Heritage Areas,” at <https://www.nps.gov/subjects/heritageareas/index.htm>. This is because NPS historically has provided funding to the Shenandoah Valley Battlefields National Historic District through the NPS Heritage Partnership Program budget account alongside the 61 components of the newly established National Heritage Area System. However, in establishing the new system under P.L. 117-339, Congress defined the components to include National Heritage Areas, National Heritage Corridors, National Heritage Canalways, Cultural Heritage Corridors, National Heritage Routes, and National Heritage Partnerships established before or on the date of enactment of the law. This definition appears to exclude the Shenandoah Valley Battlefields National Historic District; however, NPS has indicated it intends to continue providing financial and technical support to the district through the Heritage Partnership Program, unless otherwise directed (communication between NPS, Office of Legislative Affairs, and the Congressional Research Service, January 2023).

² In addition to the federal heritage areas, other heritage areas have been designated by local governments or announced by local preservation groups. A number of states have also developed their own heritage area programs.

National Heritage Area	State	Date of Authorization	Enabling Legislation ^a
Silos and Smokestacks NHA ^d	IA	Nov. 12, 1996	P.L. 104-333
Augusta Canal NHA	GA	Nov. 12, 1996	P.L. 104-333
Essex NHA	MA	Nov. 12, 1996	P.L. 104-333
Maurice D. Hinchey Hudson River Valley NHA ^e	NY	Nov. 12, 1996	P.L. 104-333
National Coal Heritage Area	WV	Nov. 12, 1996	P.L. 104-333
Ohio & Erie Canal National Heritage Corridor	OH	Nov. 12, 1996	P.L. 104-333
Rivers of Steel NHA	PA	Nov. 12, 1996	P.L. 104-333
Shenandoah Valley Battlefields National Historic District ^f	VA	Nov. 12, 1996	P.L. 104-333
South Carolina National Heritage Corridor	SC	Nov. 12, 1996	P.L. 104-333
Tennessee Civil War Heritage Area	TN	Nov. 12, 1996	P.L. 104-333
MotorCities NHA ^g	MI	Nov. 6, 1998	P.L. 105-355
Lackawanna Valley NHA	PA	Oct. 6, 2000	P.L. 106-278
Schuylkill River Valley NHA	PA	Oct. 6, 2000	P.L. 106-278
Wheeling NHA	WV	Oct. 11, 2000	P.L. 106-291
Yuma Crossing NHA	AZ	Oct. 19, 2000	P.L. 106-319
Erie Canalway National Heritage Corridor	NY	Dec. 21, 2000	P.L. 106-554
Blue Ridge NHA	NC	Nov. 10, 2003	P.L. 108-108
Mississippi Gulf Coast NHA	MS	Dec. 8, 2004	P.L. 108-447
National Aviation Heritage Area	OH/IN ^h	Dec. 8, 2004	P.L. 108-447
Oil Region NHA	PA	Dec. 8, 2004	P.L. 108-447
Arabia Mountain NHA	GA	Oct. 12, 2006	P.L. 109-338
Atchafalaya NHA	LA	Oct. 12, 2006	P.L. 109-338
Champlain Valley National Heritage Partnership	NY/VT	Oct. 12, 2006	P.L. 109-338
Crossroads of the American Revolution NHA	NJ	Oct. 12, 2006	P.L. 109-338
Freedom's Frontier NHA	KS/MO	Oct. 12, 2006	P.L. 109-338
Great Basin NHA ⁱ	NV/UT	Oct. 12, 2006	P.L. 109-338
Gullah/Geechee Heritage Corridor	FL/GA/NC/SC	Oct. 12, 2006	P.L. 109-338
Mormon Pioneer NHA	UT	Oct. 12, 2006	P.L. 109-338
Northern Rio Grande NHA	NM	Oct. 12, 2006	P.L. 109-338
Upper Housatonic Valley NHA	CT/MA	Oct. 12, 2006	P.L. 109-338
Abraham Lincoln NHA	IL	May 8, 2008	P.L. 110-229
Journey Through Hallowed Ground NHA	MD/PA/VA/WV	May 8, 2008	P.L. 110-229
Niagara Falls NHA	NY	May 8, 2008	P.L. 110-229
Baltimore NHA	MD	Mar. 30, 2009	P.L. 111-11
Cache La Poudre River NHA ⁱ	CO	Mar. 30, 2009	P.L. 111-11
Freedom's Way NHA	MA/NH	Mar. 30, 2009	P.L. 111-11

National Heritage Area	State	Date of Authorization	Enabling Legislation ^a
Kenai Mountains-Turnagain Arm NHA	AK	Mar. 30, 2009	P.L. 111-11
Mississippi Delta NHA	MS	Mar. 30, 2009	P.L. 111-11
Mississippi Hills NHA	MS	Mar. 30, 2009	P.L. 111-11
Muscle Shoals NHA	AL	Mar. 30, 2009	P.L. 111-11
Northern Plains NHA	ND	Mar. 30, 2009	P.L. 111-11
Sangre de Cristo NHA	CO	Mar. 30, 2009	P.L. 111-11
South Park NHA	CO	Mar. 30, 2009	P.L. 111-11
Appalachian Forest NHA	WV/MD	Mar. 12, 2019	P.L. 116-9
Maritime Washington NHA	WA	Mar. 12, 2019	P.L. 116-9
Mountains to Sound Greenway NHA	WA	Mar. 12, 2019	P.L. 116-9
Sacramento-San Joaquin Delta NHA	CA	Mar. 12, 2019	P.L. 116-9
Santa Cruz Valley NHA	AZ	Mar. 12, 2019	P.L. 116-9
Susquehanna NHA	PA	Mar. 12, 2019	P.L. 116-9
Alabama Black Belt NHA	AL	Jan. 5, 2023	P.L. 117-339
Bronzeville-Black Metropolis NHA	IL	Jan. 5, 2023	P.L. 117-339
Downeast Maine NHA	ME	Jan. 5, 2023	P.L. 117-339
Northern Neck NHA	VA	Jan. 5, 2023	P.L. 117-339
St. Croix NHA	USVI	Jan. 5, 2023	P.L. 117-339
Southern Campaign of the Revolution National Heritage Corridor	NC/SC	Jan. 5, 2023	P.L. 117-339
Southern Maryland NHA	MD	Jan. 5, 2023	P.L. 117-339

Sources: National Park Service (NPS) and Congressional Research Service (CRS).

Notes:

- a. The term *enabling legislation* refers to the law that first designated a given heritage area.
- b. Authorization and federal funding for the commission expired in 2008.
- c. The heritage corridor originally was established as the Quinebaug and Shetucket Rivers Valley National Heritage Corridor; in 2014, it was redesignated as The Last Green Valley National Heritage Corridor (P.L. 113-291).
- d. The heritage area was originally established as the America's Agricultural Heritage Partnership; in 2023, it was redesignated as Silos and Smokestacks NHA (P.L. 117-339).
- e. The heritage area was originally established as the Hudson River Valley NHA; in 2019, it was redesignated as the Maurice D. Hinchey Hudson River Valley NHA (P.L. 116-9).
- f. NPS reports 62 NHAs, which includes the Shenandoah Valley Battlefields National Historic District. However, P.L. 117-339 defines components of the National Heritage Area System in a manner that appears to exclude the Shenandoah Valley Battlefields National Historic District. However, it is included here, as NPS typically provides financial and technical support to the district through the Heritage Partnership Program, and the district historically has been considered a heritage area for the purposes of the program.
- g. The heritage area was originally established as the Automobile National Heritage Area; in 2014, it was redesignated as the MotorCities National Heritage Area (P.L. 113-291).
- h. P.L. 108-447 established the area in the states of Ohio and Indiana. However, the boundaries in the law and the associated map (referenced in the law) contain only areas in Ohio. The NHA as constituted does not include areas in Indiana, according to the staff of the National Aviation Heritage Alliance.

- i. The heritage area was originally established as the Great Basin National Heritage Route; in 2023, it was redesignated as the Great Basin NHA (P.L. 117-339).
- j. In establishing this NHA, Section 8002 of P.L. 111-11 repealed P.L. 104-323, which had authorized the Cache La Poudre River Corridor on October 19, 1996.

Origin and Evolution of National Heritage Areas

Congress designated the first heritage area—the Illinois and Michigan Canal National Heritage Corridor—in 1984.³ This area was located in one of the nation’s most industrialized regions and, in designating the area as a heritage area, Congress sought to combine a range of land uses, management programs, and historical themes. In his dedication speech signing the legislation into law, President Reagan referred to the heritage area as “a new kind of national park.”⁴ Unlike national parks, however, the federal government would not directly manage heritage areas, though the agency would assist with their administration (e.g., through technical and financial assistance). Specifically, the legislation was designed to facilitate grassroots preservation of natural resources and economic development in communities and regions containing industries and historic structures.⁵ The ideas of linking, and maintaining a balance between, nature and industry and of encouraging economic regeneration resonated with many states and communities, especially in the eastern United States. Interest in establishing heritage areas increased commensurate with growing public interest in cultural heritage tourism.⁶

Since the creation of the first NHA in 1984, interest in designating additional NHAs has grown considerably. For example, from 2004 to 2009 (108th-111th Congresses), the number of heritage areas more than doubled. The number of existing NHAs, along with proposals to study and designate new ones, fostered interest among some Members of Congress and presidential Administrations in establishing a standardized process and standardized criteria for designating NHAs. Proponents identified potential benefits of such an approach, including streamlining the administration of NHAs, creating more accountability, and encouraging regional conservation and sustainability.⁷ Other stakeholders opposed a standardized process on various grounds, including general concerns that heritage areas are burdensome or costly to the federal government, and encouraged Congress to oppose any efforts to designate new areas or create a system of NHAs. (For more information see “Stakeholder Perspectives and Legislative Activity”.) On January 5, 2023, the National Heritage Areas System Act was enacted, establishing a formal NHA System and creating uniform guidelines to study, designate, and evaluate heritage areas.⁸

Study and Designation

NHA designation is often a two-step process. First, an initial study of the suitability and feasibility of designating an area as an NHA may take place. Such studies may be conducted either by the Secretary of the Interior through the National Park Service (NPS) or by a nonfederal

³ P.L. 98-398.

⁴ NPS, “National Heritage Areas,” at <https://www.nps.gov/subjects/heritageareas/index.htm>.

⁵ S.Rept. 98-355.

⁶ J. Glenn Eugster, “Evolution of the Heritage Areas Movement,” *The George Wright Forum*, vol. 20, no. 2 (June 2003), pp. 50-59, at <https://www.jstor.org/stable/43599030>.

⁷ Office of Congressman Paul D. Tonko, “Tonko Champions Bills to Strengthen U.S. Heritage Areas Including Erie Canalway,” press release, April 30, 2019, at <https://tonko.house.gov/news/documentsingle.aspx?DocumentID=2848>.

⁸ P.L. 117-339.

entity.⁹ NPS typically funds, conducts, and prepares feasibility studies for potential additions to the NHA System when directed to do so by Congress.¹⁰ When one or more nonfederal entities (e.g., local nonprofit organizations, professional historians, community members, or state or local governments) undertake a study, NPS typically does not provide the funding—nonfederal sources fund the study. The agency may, however, provide technical assistance to the nonfederal entities throughout the study process. This assistance can include guidance concerning suggested methodologies, techniques for public involvement, or potential options for crafting a regional vision for preserving and developing the area’s heritage.

Regardless of who conducts the study, the feasibility study must meet certain requirements and provide specific information to inform a recommendation from the Secretary to Congress. The NHA Act requires studies to address, among other topics, whether an area has resources reflecting aspects of American heritage that are worthy of recognition, conservation, interpretation, and continued use; whether an area would benefit from public-private management; and whether a community of residents, businesses, nonprofit organizations, and state and local agencies would work to support a heritage area. Studies also must identify the possible boundaries of the proposed NHA, a potential management entity for the NHA, and the extent of financial resources available for the area. Once a study is complete, the Secretary must submit a report to Congress that describes the findings of the study, correspondence reflecting support or opposition from stakeholders, and a recommendation as to whether to establish the NHA.

After a report is submitted to Congress, Members may consider whether to introduce legislation to establish the NHA. The NHA Act provides that NHAs may be designated only by acts of Congress. Although legislation authorizing an NHA might follow a positive study recommendation, a positive recommendation is not a requirement for enacting legislation to designate an NHA. Congress could choose, for example, to designate an NHA absent a feasibility study. An NHA’s enabling legislation typically provides for any particulars in the establishment and management of a heritage area. For instance, enacting legislation might identify the local coordinating entity (see “Administration”) or specify matching requirements for federal funding.

Administration

The administration and management of NHAs usually involve partnerships among the NPS, states, and local interests. In establishing heritage areas, Congress typically designates a management entity—sometimes referred to as a *local coordinating entity* (LCE)—to coordinate the partners’ work. Designated LCEs could include state or local government agencies, nonprofit corporations, or independent commissions established in the enabling legislation. The LCE usually develops and implements a plan for managing the NHA in collaboration with partners and other interested parties, which must be approved by the Secretary. Although the plans’ components vary in accordance with the authorizing legislation and local needs, they often identify natural, historic, or cultural resources and themes for interpretation; lay out policies and implementation strategies for protection, use, and public education; describe needed restoration of physical sites; discuss recreational opportunities; outline funding goals and possibilities; and define partners’ roles and responsibilities. Once the Secretary approves a plan, the plan essentially becomes the blueprint for managing the heritage area. The designated LCE is expected

⁹ Hereinafter, the Secretary of the Interior sometimes is referred to as “the Secretary.”

¹⁰ For instance, P.L. 116-9, §6003, directed the NPS to study the Finger Lakes Area in New York for designation as a national heritage area.

to implement the management plan through voluntary actions as funding and resources become available.¹¹

The NPS may provide various types of assistance (e.g., administrative, financial, policy, technical) to LCEs. Following an NHA designation, the NPS typically enters into a cooperative agreement, or *compact*, with the designated LCE to help plan and organize management of the area. The compact outlines the goals for the heritage area and defines the roles and contributions of the NPS and other partners, typically setting out the parameters of the NPS's technical assistance. It also serves as the legal vehicle for channeling federal funds to nongovernmental management entities.

Land Ownership

NHAs reflect a departure from historical roles and responsibilities of the federal government in protecting natural and cultural resources and lands. The traditional form of protection for land administered by NPS has been through government ownership, management, and funding of lands set aside for protection and public enjoyment. By contrast, NHAs typically are not federally owned. Instead, they are managed by local entities with many partners and sources of funding to promote local economic development as well as to protect natural and cultural heritage resources and values. The NPS provides technical and financial aid to NHAs, but these areas are *not* part of the National Park System.¹²

NHAs consist mainly of private properties, although some include publicly owned lands. In most cases, NHA designation does not provide for federal acquisition of land; once designated, heritage areas generally remain in private, state, or local government ownership or a combination thereof.¹³ Laws establishing NHAs have often contained provisions intended to address concerns about potential loss of, or restrictions on use of, private property resulting from NHA designation.¹⁴ For example, P.L. 116-9 included various provisions stating that designation of six new NHAs would not abridge the rights of any property owner; require any property owner to permit public access to the property; alter any land use regulation; or diminish the authority of the state to manage fish and wildlife, including the regulation of fishing and hunting within the NHA.

¹¹ Guidance on how to develop a management plan, as well as examples of existing management plans, is on the NPS website. See NPS, "Management Plans," at <https://www.nps.gov/subjects/heritageareas/management-plans.htm>.

¹² That system now has 423 diverse units: national parks, national monuments, national historic sites, national battlefields, national preserves, and other designations. For information on establishing and managing units of the National Park System, see CRS Report RS20158, *National Park System: Establishing New Units*, by Laura B. Comay; CRS Report R41816, *National Park System: What Do the Different Park Titles Signify?*, by Laura B. Comay; and CRS Report R42125, *National Park System: Units Managed Through Partnerships*, by Laura B. Comay.

¹³ However, in a few cases, Congress has authorized federal acquisition of land in heritage areas. For instance, Congress authorized the creation of the Cane River Creole National Historical Park within the Cane River NHA and the creation of the Blackstone River Valley National Historical Park within the John H. Chafee Blackstone River Valley National Heritage Corridor.

¹⁴ In 2004, the Government Accountability Office (GAO, at that time known as the General Accounting Office) examined the effect of NHA designation on the rights of property owners. The agency has not issued a report on this topic since that date. In 2004 written testimony for the Senate Committee on Energy and Natural Resources, GAO stated, "national heritage areas do not appear to have directly affected the rights of property owners." The GAO report reflected the 24 NHAs in existence at that time. See GAO, *National Park Service: A More Systematic Process for Establishing National Heritage Areas and Actions to Improve Their Accountability Are Needed*, GAO-04-593T, March 30, 2004, p. 3. Hereinafter referred to as GAO, 2004.

In 2023, P.L. 117-339 included similar language regarding private property rights, but did so across the entire newly established National Heritage Area System.¹⁵

Funding

NHAs receive funding from an array of sources, including philanthropic organizations, private donations, state and local governments, and federal appropriations. In its annual budget justification, the Administration submits to Congress its desired funding level for the heritage area program, with funding usually divided between direct grantmaking support to NHAs and general administrative costs for the program. Congress typically provides federal funding to NHAs as part of the annual Interior, Environment, and Related Agencies Appropriations laws under the NPS National Recreation and Preservation account.

NPS typically allocates federal funding for NHAs to the designated LCEs. In general, the laws establishing NHAs require a 1:1 match in funding (federal vs. nonfederal) by the LCEs.¹⁶ Nonfederal matching funds can be provided in the form of cash or in-kind contributions. Federal funds might be used to help rehabilitate an important site, develop tours, establish interpretive exhibits and programs, increase public awareness, or sponsor special events to highlight an area's natural and cultural heritage. Funding also may support staffing, planning, or administrative needs of the LCE.

In recent years, Congress has provided direction to the NPS on how to allocate appropriated monies among the various NHAs. For instance, in the explanatory statement accompanying the FY2017 appropriations law for Interior, Environment, and Related Agencies, Congress allocated funding to NHAs under a three-tier system. This system allocated \$150,000 for each authorized area that was still in the process of developing its management plan, known as *Tier I areas*, and \$300,000 for *Tier II areas*, which were those with recently approved management plans; it maintained FY2016 funding levels for “longstanding” *Tier III areas*.¹⁷ In subsequent years, Congress has directed NPS to maintain this tiered allotment formula with adjustments based on changes in annual funding amounts and the establishment of new heritage areas.¹⁸ For an overview of federal appropriations for heritage area programs, see **Figure 1**.

¹⁵ Specifically, the law specifies that designation of an NHA does not abridge any rights of a public or private property owner, require a property owner to permit public access to a property, alter any land use regulation, convey authority to any local coordinating entity, affects water rights, diminish state authority over wildlife, or create liability with respect to any person injured on private property.

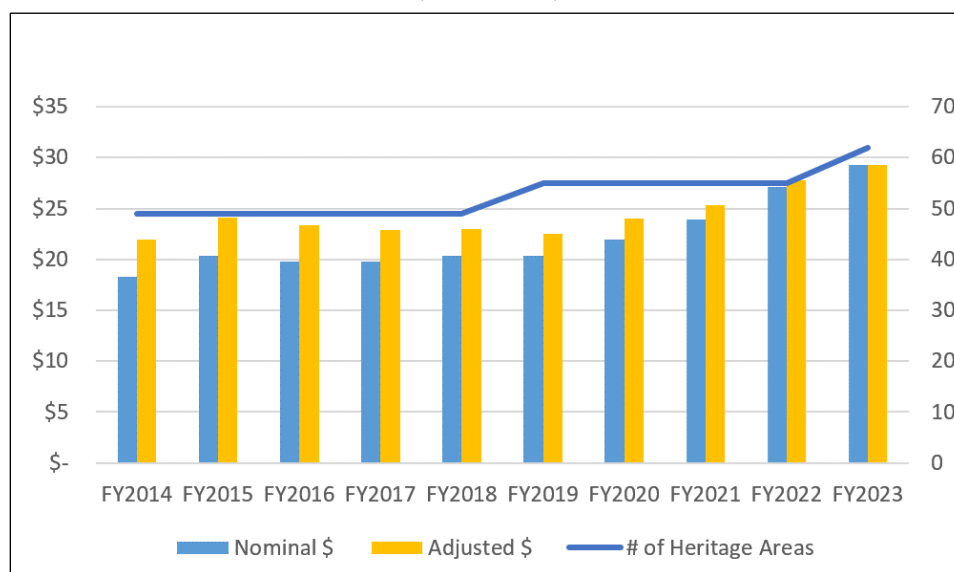
¹⁶ There are some exceptions to 1:1 matching of funds; for example, the enabling legislation designating the Wheeling NHA requires a 25% nonfederal to federal match from the local coordinating entity (P.L. 106-291, Title I, §157.)

¹⁷ P.L. 115-31, Division G, Explanatory Statement, Congressional Record, May 3, 2017, p. H3878. The NPS considers “longstanding” areas to be those established prior to 2004, with the exception of the National Coal Heritage Area, the Cache La Poudre River NHA, and the Illinois and Michigan Canal National Heritage Corridor, none of which had a management plan in place at the time. Once a management plan was established, NPS treated these NHAs as Tier II areas.

¹⁸ In explanatory statements accompanying appropriations laws since FY2017, Congress has indicated that funding be distributed in accordance with the directive established in FY2017. For example, in FY2023, Congress indicated that “the directive contained in the explanatory statement that accompanied Public Law 116-6 with regards to funding distribution is continued.” See the “Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023,” Proceedings and Debates of the 117th Congress, *Congressional Record*, vol. 168, part 198 (December 22, 2022), p. S8649.

Figure I. Appropriations for the National Park Service’s Heritage Partnership Program, FY2014-FY2023

(\$ in millions)



Source: Data for FY2014-FY2021 are from NPS budget justifications for FY2016-FY2022. Data for FY2022 and FYa2023 are taken from annual House Appropriations Committee detailed tables for NPS.

Notes: The left-hand vertical axis is measured in millions of dollars and reflects appropriations figures from FY2014-FY2023. The right-hand vertical axis measures the number of national heritage areas over that same period. Adjustments for inflation (shown in 2023 dollars) use the GDP Chained Price Index from White House Office of Management and Budget, Historical Tables, Table 10.1, Gross Domestic Product and Deflators Used in the Historical Tables—1940-2023, at <https://www.whitehouse.gov/omb/budget/historical-tables/>. The number of designated heritage areas reflected in the line graph include the Shenandoah Valley Battlefields National Historic District. Although this area does not appear to be included within the definition of the newly established National Heritage Area System, NPS typically provides funding to the Historic District through the Heritage Partnership Program annual appropriation.

Authorizations and Funding Limits

The laws establishing NHAs typically contain provisions explicitly authorizing the Secretary of the Interior to provide financial assistance to LCEs to support the establishment, development, and continuity of NHAs for a specified period. Were the authorization to provide assistance expire, the NHA and the LCE would not necessarily cease to exist (e.g., the LCE could continue to operate and manage the NHA with funding from nonfederal sources). However, an extension of the provision authorizing the Secretary to provide financial assistance would be needed for an LCE to continue receiving federal funding beyond the period specified in the enabling law.

Congress often considers legislation extending authorization limits for the Secretary to provide federal funding to NHAs and their LCEs. For example, from September 30, 2021, to October 12, 2021, various provisions of law authorizing the Secretary to provide financial assistance (to 30 of the 55 existing NHAs) were set to expire. Members introduced a variety of bills in the 116th and

117th Congress to extend the authorization dates beyond 2021.¹⁹ As part of the NHA Act, the authorization for the majority of NHAs was extended through 2037.²⁰

Congress also has established funding caps for some NHAs, either on an annual basis or over the lifetime of the authorized funding period.²¹ Most NHAs have an annual funding limit of \$1 million; in practice, annual funding levels for individual NHAs have historically tended to be lower than that amount. By contrast, total lifetime funding caps vary across individual NHAs. This is in part due to Congress periodically increasing funding limits for specific NHAs in instances where funding has reached or is approaching the limit.²² In 2023, the NHA Act increased the total lifetime authorization for appropriations for 11 NHAs.²³

Evaluations

In recent years, the NPS has increasingly undertaken evaluations of NHAs to inform recommendations on the future NPS role (if any) in the management of such areas moving forward. Such evaluations have been undertaken at the behest of the Secretary of the Interior and at the direction of Congress. For example, P.L. 110-229 required the NPS to evaluate nine heritage areas designated in 1996.²⁴ The law required an evaluation of the “accomplishments” of each area; the management entity’s success in achieving the enabling law’s purposes and the management plan’s goals and objectives; the impact of investments in the area; and the management structure, partnership arrangements, and funding for the area so as to identify components required for sustainability. The law also required the NPS to report its results and recommendations to Congress.

Between 2013 and 2015, NPS completed and submitted to Congress its evaluations for the nine NHAs listed in P.L. 110-229.²⁵ After completing these statutorily mandated evaluations, NPS

¹⁹ For example, in the 116th Congress, H.R. 7239 would have extended the authorization of appropriations for the Rivers of Steel NHA, the Lackawanna Valley NHA, the Delaware and Lehigh National Heritage Corridor, the Schuylkill River Valley NHA, and the Oil Region NHA through 2036. Multiple bills were introduced in the 117th Congress that would have extended the funding authorization for the 30 areas in question. Prior to the enactment of P.L. 117-339, Congress passed and the President signed a continuing resolution that authorized the Secretary to continue to provide financial assistance to heritage areas, notwithstanding any sunset authorization date or funding limitation (P.L. 117-43).

²⁰ Certain exceptions apply. P.L. 117-339 does not extend the funding authorization for the 6 NHAs established as part of P.L. 116-9. The funding authority for these NHAs is set to expire in 2034. In addition, the funding authority for the 7 NHAs established as part of P.L. 117-339 terminates in January 2038. In addition, certain longstanding NHAs that do not have a statutorily set funding authorization (e.g., Cane River NHA and Mississippi Gulf Coast NHA) were not impacted by the legislation.

²¹ Not every NHA has an annual funding limit. For example, the Cane River NHA does not have an annual funding cap.

²² Congress has not established total funding limits for every NHA. For example, the John H. Chafee Blackstone River Valley National Heritage Corridor, the Delaware and Lehigh National Heritage Corridor, and the Cane River NHA do not have statutorily established total funding limits.

²³ These areas are the America’s Agricultural Heritage Partnership (now Silos and Smokestacks NHA), Blue Ridge NHA, Essex NHA, Lackawanna Valley NHA, Last Green Valley National Heritage Corridor, Maurice D. Hinchey Hudson River Valley NHA, MotorCities NHA, Ohio & Erie National Heritage Canalway, Rivers of Steel NHA, South Carolina National Heritage Corridor, and Wheeling NHA.

²⁴ P.L. 110-229, §462.

²⁵ See NPS, “Evaluations,” at <https://www.nps.gov/subjects/heritageareas/evaluations.htm>. These areas are the America’s Agricultural Heritage Partnership (now designated as the Silos & Smokestacks NHA); Augusta Canal NHA; Essex NHA; Maurice D. Hinchey Hudson River Valley NHA; National Coal Heritage Area, also known as West Virginia National Coal Heritage Area; Ohio & Erie Canal National Heritage Corridor; Rivers of Steel NHA; South

developed a policy to evaluate all NHAs before federal funding terminated. Since 2015, NPS has completed 11 additional evaluations of NHAs.²⁶

In 2023, the NHA Act authorized the Secretary to conduct evaluations for all NHAs at “reasonable and appropriate intervals” and to submit a report to Congress following completion of each evaluation that provides a recommendation as to the continued role of NPS.²⁷ The law also standardized the required components of such evaluations, which are similar to those that were in place under NPS policy.²⁸ The NHA Act establishes certain additional requirements for reports submitted to Congress that include a recommendation regarding continued federal funding. If the report recommends that funding for an NHA should be continued, it must contain information on how that funding could be reduced over time. If the report recommends that funding should be eliminated, the report must contain a description of potential impacts to the NHA in question.

Stakeholder Perspectives and Legislative Activity

Since the creation of the first NHA, stakeholders have had divergent views on the benefits and appropriateness of NHAs and the federal role in creating, managing, and funding such designated areas. Some stakeholders believe that the benefits of NHAs are considerable and thus Congress should expand its assistance for creating and sustaining heritage areas. Supporters view NHAs as important for protecting history, traditions, and cultural landscapes, especially where communities are losing their traditional economic base (e.g., industry or farming), facing a loss of population, or experiencing rapid growth from people unfamiliar with the region.²⁹ Advocates see NHAs as unifying forces that increase people’s pride in their traditions, foster a spirit of cooperation and unity, and promote a stewardship ethic among the public.³⁰

Advocates of NHAs assert that heritage areas foster cultural tourism, community revitalization, and regional economic development.³¹ Local governments and management entities often advertise heritage areas as entertaining and educational places for tourists and may offer activities such as stories, music, food areas, walking tours, boat rides, and celebrations. Through increased

Carolina National Heritage Corridor; and Tennessee Civil War Heritage Area.

²⁶ These heritage areas are the Blue Ridge NHA, Erie Canalway National Heritage Corridor, National Aviation Heritage Area, Niagara Falls NHA, Oil Region NHA, Schuylkill River Valley NHA, MotorCities NHA, Lackawanna Valley NHA, Last Green Valley National Heritage Corridor, Wheeling NHA, and Yuma Crossing NHA.

²⁷ Although the evaluation authority provided in P.L. 117-339 is discretionary, NPS may have requirements under other laws to conduct evaluations for certain NHAs. For example, P.L. 116-9 requires NPS to conduct an evaluation for each newly established heritage area “not later than 3 years before the date on which authority for Federal funding terminates.”

²⁸ Specifically, the law requires NPS assess the progress of the local coordinating entity in accomplishing the purposes of the NHA and achieving the goals and objectives of the management plan for the area. It also requires an analysis of the impact of investments in the area, and a review of the management structure, partnership arrangements, and funding for the area so as to identify components required for sustainability.

²⁹ Testimony of Sara Capen, Chair of the Alliance of National Heritage Areas, in U.S. Congress, Subcommittee on National Parks, Forests, and Public Lands of the House Committee on Natural Resources, hearings, 117th Cong., 1st sess., October 6, 2021. Hereinafter “Capen (2021).”

³⁰ National Parks Conservation Association (NPCA), “National Heritage Areas Preserve America’s Landscapes and History,” at <https://www.npca.org/advocacy/59-national-heritage-areas-preserve-america-s-landscapes-and-history>. Hereinafter referred to as NPCA, “National Heritage Areas.”

³¹ Alliance of National Heritage Areas (ANHA), “Economic Impact,” at <https://www.nationalheritageareas.us/issues/#econ>. Hereinafter referred to as ANHA, “Economic Impact.”

tourism, communities benefit locally when tourists visit and purchase services and products.³² In some cases, increased heritage tourism, together with an emphasis on adaptive reuse of historic resources, has attracted broader business growth and development.³³

Some supporters see NHAs as generally more desirable than other types of land conservation. They often prefer the designation of NHAs to other federally established designations because the lands typically remain in nonfederal ownership and are administered locally.³⁴ Proponents often point to NHAs as an alternative to other federally established designations, in that lands typically remain in nonfederal ownership and are administered locally. They assert that participation in NHAs is voluntary and that NHA legislation often explicitly prohibits infringement on private property and federal land acquisition.³⁵ Other NHA backers view establishing and managing federal areas, such as units of the National Park System, as too costly and observe that small federal investments in heritage areas have been successful in attracting funds from other sources.³⁶ NHAs are often pointed to as being cost-effective models for public-private partnerships, given that most NHAs must match federal dollars with nonfederal funding.

Property rights advocates often oppose establishment of heritage areas. They contend that some NHAs lack significant local support.³⁷ These opponents promote routine notifications to private property owners when their lands fall within proposed heritage areas, on the grounds that the NPS could exert a degree of federal control over nonfederal lands by influencing zoning and land-use planning.³⁸ Some raise concerns that the federal government would not routinely adhere to any private property protections in legislation. They contend that localities have to obtain the approval of the Secretary of the Interior for heritage area management plans and assert that some plans are overly prescriptive in regulating details of private property use.³⁹

Some observers recommend caution in creating more NHAs because, in practice, NHAs may face various challenges to success.⁴⁰ For instance, LCEs managing heritage areas may have difficulty

³² For examples of community benefits from NHAs, see NPS, “National Heritage Areas – Economic Impact Studies,” at https://www.nps.gov/subjects/heritageareas/economic_impact_studies.htm.

³³ ANHA, “Economic Impact.”

³⁴ Alan W. Barton, “From Parks to Partnerships: National Heritage Areas and the Path to Collaborative Participation in the National Park Service’s First 100 Years,” *Natural Resources Journal* 56 (Winter 2016), at <https://digitalrepository.unm.edu/nrj/vol56/iss1/5>.

³⁵ Capen (2021). “NHAs have absolutely no impact on private property, mineral, or water rights, do not allow for federal land acquisition; and have no impact to local, state, or federal regulatory authority or jurisdiction.” In addition, a 2004 Government Accountability Office (GAO, at that time known as the General Accounting Office) report found that “national heritage areas do not appear to have directly affected the rights of property owners.” (GAO, *National Park Service: A More Systematic Process for Establishing National Heritage Areas and Actions to Improve Their Accountability Are Needed*, GAO-04-593T, March 30, 2004, p. 3. The GAO report reflected the 24 national heritage areas (NHAs) in existence at that time.)

³⁶ NPCA, “National Heritage Areas.” See also, NPS, “National Heritage Areas By the Numbers 2020,” at https://www.nps.gov/subjects/heritageareas/upload/By-the-Numbers-2020_508-Compliant.pdf. NPS reports that in FY2020, heritage areas matched the \$20.9 million in federal funding with \$88.5 million in cash and in-kind support.

³⁷ Tom DeWeese, “Why are National Heritage Areas a Threat?” *American Policy Center*, June 30, 2021, at <https://americanpolicy.org/2021/06/30/why-are-national-heritage-areas-a-threat/>.

³⁸ Cheryl Chumley and Ronald D. Utt, “National Heritage Areas: Costly Economic Development Schemes That Threaten Property Rights,” *Heritage Foundation Backgrounder* No. 2080, October 23, 2007.

³⁹ Testimony of Robert J. Smith, Director of the Center for Private Conservation, (108th Congress), June 24, 2004, before the Subcommittee on National Parks of the House Committee on Natural Resources, at <https://www.govinfo.gov/content/pkg/CHRG-108shrg96736/pdf/CHRG-108shrg96736.pdf>.

⁴⁰ Information on challenges to NHA success is found in Jane Daly, “Heritage Areas: Connecting People to their Place and History,” *Forum Journal (Journal of the National Trust for Historic Preservation)*, vol. 17, no. 4 (summer 2003),

providing the infrastructure that increased tourism requires, such as additional parking, lodging, and restaurants. Some areas may need additional protective measures to ensure that increased tourism and development do not degrade the resources and landscapes.⁴¹ Still other NHAs may require assistance and improvements in their leadership and organizational structure to ensure they effectively communicate their messages and accomplishments. Some NHAs may have trouble attracting funds because the concept of a heritage area is not universally accepted as a sustainable approach to resource preservation or economic development.⁴² In addition, achieving and maintaining appropriate levels of public commitment to implementation may be challenging.⁴³

Other concerns relate to ongoing federal funding for NHAs and the potential impact this support might have on NPS's other administrative and financial obligations. Some officials during the Trump and Obama Administrations asserted that federal funds would be more appropriately spent on NPS park units and other existing protected areas rather than on the creation of new heritage areas.⁴⁴ Some Members of Congress and past Administrations have also raised concerns regarding continued reauthorization of federal funding for certain heritage areas. They discourage perpetual federal support for the program and see the statutorily set funding limitations often set in enabling legislation as intended to promote self-sufficiency.⁴⁵ Although Congress has regularly provided appropriations to NHAs through the annual appropriations process, some Members have expressed interest in reducing or eliminating the federal funding role for individual heritage areas over time.⁴⁶ Others cite a need for a mechanism to hold the management entities accountable for the federal funds they receive and the decisions they make.⁴⁷

pp. 5-12.

⁴¹ For example, in certain instances, NHA designation has been opposed due to concerns around how potential increases in visitation and tourism might impact local residents. Proposals to establish an NHA at Kaena Point in Hawaii have been met with concerns around how increased traffic to the area might impact areas that some claim are already overused. See Ku'u Kauano'e, "It's the People That Mess It Up': Why Kaena Point Could Be Hawaii's First National Heritage Area," *USA Today*, September 29, 2022.

⁴² Brenda Barrett, "Why Is Funding Large Landscape Work So Darn Hard?," *Living Landscape Observer*, July 1, 2015, at <https://livinglandscapeobserver.net/why-is-funding-large-landscape-work-so-darn-hard/>.

⁴³ For additional information on challenges to NHA success, see Brenda Barrett, "NHA@30, New National Parks for the 1990s: Thinning the Blood or a Much Needed Transfusion?," *Living Landscape Observer*, January 30, 2014, at <https://livinglandscapeobserver.net/nha30-new-national-parks-in-the-1990s-thinning-of-the-blood-or-a-much-needed-transfusion/>. See also Alan W. Barton, "From Parks to Partnerships: National Heritage Areas and the Path to Collaborative Participation in the National Park Service's First 100 Years," *Natural Resources Journal*, vol. 56 (Winter 2016), pp. 23-54, at <https://digitalrepository.unm.edu/nrj/vol56/iss1/5>.

⁴⁴ For Trump Administration statements, see Testimony of P. Daniel Smith of the National Park Service, in U.S. Congress, Subcommittee on National Parks, Forests, and Public Lands of the House Committee on Natural Resources, hearings, 116th Cong., 1st sess., April 30, 2019, at <https://www.doi.gov/oclpending-legislation>. Hereinafter referred to as "P. Daniel Smith (2019)." ("[t]he 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."). For Obama Administration statements, see NPS, *Budget Justifications and Performance Information Fiscal Year 2013*, p. Overview-26. ("This proposed reduction [in heritage area funding] would allow the Park Service to focus its available resources on sustaining park operations and other critical community partnership programs.").

⁴⁵ Testimony of P. Daniel Smith of the National Park Service, in U.S. Congress, Subcommittee on National Parks of the Senate Committee on Energy and Natural Resources, hearings, 115th Cong., 2nd sess., Aug. 15, 2018.

⁴⁶ For example, in S.Rept. 116-123, the Senate Committee on Appropriations directed the NPS to continue to encourage individual heritage areas to develop plans for long-term sufficiency (p. 40).

⁴⁷ GAO, 2004, p. 11.

National Heritage Area System: Consideration and Enactment

For many years before the NHA Act was established, the lack of a general statute providing a framework for heritage area establishment, management, and funding prompted criticism that these processes were inconsistent and fragmented.⁴⁸ Some saw a need to establish and define the criteria for creating NHAs, specify what NHAs are and do, and clarify the federal role in supporting these areas. Others raised concerns regarding the ongoing cycle of reauthorizing federal funding limitations for each of the individual heritage areas.⁴⁹ The development of systemic heritage area legislation was advocated for in the past by an independent commission,⁵⁰ the Obama Administration,⁵¹ and the George W. Bush Administration, among others.⁵² The Trump and Biden Administrations also expressed support for developing systemic NHA program legislation that would establish a statutory framework for the NPS role in administering the NHAs.⁵³ Still others generally opposed the creation of a heritage area system. Some of this opposition came from stakeholders who were generally opposed to the heritage area concept as a whole, whereas others raised concerns around whether the government should seek a continued role in heritage area management.⁵⁴

Before the NHA Act was enacted, multiple bills were introduced and considered that would have established such a system and set out the relationship between the NHAs and the National Park System.⁵⁵ Although the provisions of these bills varied, in general, these bills would have standardized the process governing the designation, management, evaluation, and funding of NHAs. In addition, they also stated explicitly that NHAs were not to be considered units of the National Park System or subject to the authorities applicable to that system.

Debate around these bills and the establishment of a national system centered largely around the continued role of the federal government in administering and funding heritage areas, and the degree to which certain bills provided for such ongoing or limited support. Some lawmakers and others have objected to extensions of federal funding authorizations included in such bills and have sought to reduce such authorizations and transition funding for the heritage area program to

⁴⁸ ANHA, “Program Legislation.”

⁴⁹ Capen (2021). (“For too long now, the lack of a long-term legislative solution has led to a challenging two-year cycle of reauthorizations that expends the time and energy of this Committee, Members of Congress, National Park Service, National Heritage Area boards and staff.”)

⁵⁰ National Parks Second Century Commission, *Advancing the National Park Idea*, 2009, p. 23.

⁵¹ Testimony of Stephanie Toothman of the National Park Service, in U.S. Congress, Subcommittee on Public Lands and Environmental Regulation of the House Committee on Natural Resources, *Legislative Hearing*, 113th Cong., 2nd sess., July 29, 2014, H.Hrg. 113-84 (Washington: GPO, 2015), p. 47.

⁵² According to testimony from NPS, in July 2006, the George W. Bush Administration presented to Congress a draft of systemic NHA legislation based on the findings and recommendations of the National Park System Advisory Board. See testimony of Daniel Wenk of the National Park Service, in U.S. Congress, Subcommittee on National Parks of the Senate Committee on Energy and Natural Resources, *Miscellaneous National Parks Bills*, hearings, 110th Cong., 1st sess., March 20, 2007, S.Hrg. 110-73 (Washington, DC: GPO, 2007).

⁵³ P. Daniel Smith (2019). Although the Trump Administration testified in favor of establishing a national heritage area system, officials asked to defer action on a bill “to work with the sponsor and the committee on revisions that would more fully address the issues with the program.” Specifically, the Administration expressed a desire to focus resources on reducing the NPS’s deferred maintenance backlog. For the Biden Administration’s position on similar legislation, see testimony of Joy Beasley, Associate Director for Cultural Resources, in U.S. Congress, Subcommittee on National Parks, Forests and Public Lands, House Committee on Natural Resources, *Legislation Pertaining to National Heritage Areas*, 117th Cong., 1st sess., June 15, 2021.

⁵⁴ For example, see H.Rept. 116-601 and *Congressional Record*, vol. 166, part 204 (December 3, 2020), p. H6095.

⁵⁵ For example, see H.R. 1002 (115th), H.R. 1049 and S. 3217 (116th), and H.R. 1316 and S. 1942 (117th).

the state, local, or private entities that manage heritage areas.⁵⁶ Others advocated for the removal of lifetime funding caps altogether, thereby facilitating ongoing federal funding and avoiding any need to increase funding limits on an individual basis.⁵⁷ In the 116th Congress, two bills—H.R. 1049 and S. 3217—provided two different approaches to funding authorization limits for the proposed NHA System. Under H.R. 1049, authorization for federal funding for most NHAs would have expired after 15 years, whereas under S. 3217 federal funding would have been permanently authorized.⁵⁸

The National Heritage Area Act, P.L. 117-339

On January 5, 2023, the National Heritage Area Act was signed into law (P.L. 117-339), enacting a number of provisions included in earlier legislative proposals. The law established a formal NHA System and created uniform guidelines for the Secretary to study, designate, and evaluate heritage areas. It also designated seven new NHAs, authorized the study of three proposed NHAs, and extended the funding authorization for most NHAs until at least 2037. An overview of the law is included below in **Table 2**.

Table 2. Overview of P.L. 117-339, the National Heritage Area Act

National Heritage Area System

Establishes the National Heritage Area System to be composed of existing NHAs and future NHAs designated by Congress. NHAs are defined in this provision (see **Table 1**).

Establishes the relationship of the NHA System to the NPS, including participation in NHA initiatives from NPS units near or encompassed within NHA boundaries. Clarifies that NHAs are not to be considered units of the National Park System.

Authorizes the Secretary of the Interior to provide technical and financial assistance to NHAs in the system. Sets out other responsibilities of the Secretary of the Interior with regard to NHAs, such as preparing feasibility studies at the direction of Congress, reviewing and approving or disapproving management plans, entering into cooperative agreements, and evaluating and reporting on the accomplishments of NHAs.

Studies

Authorizes the Secretary to conduct studies of the suitability and feasibility of establishing an NHA or to review studies prepared by others. Sets out criteria by which areas are to be evaluated, such as inclusion of worthy resources; availability of a local managing entity; and demonstration of support by local governments, residents, businesses, and nonprofit organizations.

Requires the Secretary to review studies prepared by others, and certify whether they meet the requirements set out in the law, within one year of receipt.

Requires the Secretary to submit to Congress a report describing the findings of each study and the conclusions and recommendations of the Secretary.

Report must be submitted within three years of funds being provided for an NPS-conducted study or within 180 days of the Secretary's certification of a study prepared by others.

Designation

States that an area shall be designated as a NHA only by an act of Congress.

⁵⁶ See H.Rept. 116-601. See also U.S. Congress, House Committee on Natural Resources, Subcommittee on Oversight and Investigations, *Examining the Department of the Interior's Spending Priorities and the President's Fiscal Year 2018 Budget Proposal*, 115th Cong., 1st sess., June 22, 2017, H.Hrg. 115-11 (Washington: GPO, 2017), pp. 26-27; and, NPS, *Budget Justifications and Performance Information Fiscal Year 2021*, p. NR&P-2, at <https://www.doi.gov/sites/doi.gov/files/uploads/fy2021-budget-justification-nps.pdf>.

⁵⁷ For example, S. 3217 in the 116th Congress would have authorized financial assistance in perpetuity for NHAs.

⁵⁸ In addition, H.R. 1049 would have authorized up to \$750,000 in appropriations per year for each NHA whereas S. 3217 would have authorized up to \$1,000,000 per year per NHA.

Evaluations

Provides Secretary with authority to conduct evaluations of NHAs at reasonable and appropriate intervals, as determined by the Secretary.

Requires NHA evaluations to assess the progress and accomplishments of a local coordinating entity, analyze the impact of investments in a NHA, and review the management structure for a NHA, among other components.

Directs the Secretary to submit evaluations to Congress with recommendations on the NPS role regarding the area, including whether federal funding should be continued, eliminated, or reduced.

Private Property Rights

Specifies that nothing in the act abridges any rights of a public or private property owner, requires a property owner to permit public access to a property, alters any land use regulation, conveys authority to any local coordinating entity, affects water rights, diminishes state authority over wildlife, or creates liability with respect to any person injured on private property.

Authorization of New Studies

Directs the Secretary to conduct a study to assess the suitability and feasibility of designating areas in:

- Hawaii as the “Kaena Point National Heritage Area”;
- Virginia and North Carolina as the “Great Dismal Swamp National Heritage Area”; and
- Guam as the “Guam National Heritage Area.”

National Heritage Area Designations

Designates seven new heritage areas:

- Alabama Black Belt NHA
- Bronzeville-Black Metropolis NHA
- Downeast Maine NHA
- Northern Neck NHA
- St. Croix NHA
- Southern Campaign of the Revolution National Heritage Corridor
- Southern Maryland NHA

Requires local coordinating entities of the newly designated NHAs to submit management plans to the Secretary for approval within three years.

Authorizes \$10 million in appropriations for each new NHA with not more than \$1 million to be made available in any fiscal year.

Terminates authority for the Secretary to provide funding for the seven new NHAs and the six NHAs established under P.L. 116-9 to 15 years after the date of enactment (January 5, 2038).

Extension of NHA Authorizations

Extends the legislative authorization (including funding authorization) for 45 NHAs through FY2037.

Authorizes appropriations of not more than \$1 million annually for FY2023 through FY2037 for the 45 heritage areas extended, subject to 50–50 matching requirement with non-federal funds.^a

Increase of Appropriations Authorizations

Increases the total authorization of appropriations by \$2 million for each of 11 NHAs.

Redesignations

Redesignates the America’s Agricultural Heritage Partnership as the “Silos & Smokestacks National Heritage Area” and the Great Basin National Heritage Route as the “Great Basin National Heritage Area.”

Extension of Management Plan Deadline

Extends the timeframe for the local coordinating entities of six NHAs designated under P.L. 116-9 to submit their management plans to the Secretary.^b

Source: CRS with information from P.L. 117-339.

Notes:

- a. P.L. 117-339 amends P.L. 116-9, which established a \$1 million annual funding limit for six NHAs established by that law. As a result, the 6 NHAs initially established by P.L. 116-9, the 7 new NHAs established under P.L. 117-339, and the 45 NHAs listed in this section all now have \$1 million annual funding limits. The provision of the law referred to in the table explicitly sets a \$1 million annual funding limit for 45 other NHAs included in the system.
- b. Completion and approval of management plans for the six NHAs designated pursuant to P.L. 116-9 were delayed, in part, to the coronavirus pandemic.

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