

109TH CONGRESS
1ST SESSION

S. 1721

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2005

Mr. VOINOVICH (for himself, Mr. CHAFEE, Mr. GRASSLEY, Mr. KERRY, Mr. KENNEDY, Mr. HARKIN, Mr. GRAHAM, Mr. REED, Mrs. CLINTON, Mr. SCHUMER, Mr. DEWINE, and Mr. CORZINE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “National Heritage Area Extension Act of 2005”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EXTENSIONS AND TECHNICAL CORRECTIONS TO
OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996

Sec. 101. Extensions and technical corrections.

TITLE II—REAUTHORIZATION OF APPROPRIATIONS FOR NEW
JERSEY COASTAL HERITAGE TRAIL ROUTE

Sec. 201. Reauthorization.

Sec. 202. Strategic plan.

TITLE III—JOHN H. CHAFEE BLACKSTONE RIVER VALLEY
NATIONAL HERITAGE CORRIDOR

Sec. 301. Commission membership.

Sec. 302. Update of plan.

Sec. 303. Extension of Commission.

Sec. 304. Authorization of appropriations.

TITLE IV—MISSISSIPPI RIVER NATIONAL HERITAGE AREA

Sec. 401. Short title.

Sec. 402. Findings.

Sec. 403. Purposes.

Sec. 404. Definitions.

Sec. 405. Mississippi river national heritage area.

Sec. 406. Authorities and duties of the management entity.

Sec. 407. Management plan.

Sec. 408. Private property protection.

Sec. 409. Effect of title.

Sec. 410. Authorization of appropriations.

1 **TITLE I—EXTENSIONS AND**
2 **TECHNICAL CORRECTIONS**
3 **TO OMNIBUS PARKS AND**
4 **PUBLIC LANDS MANAGEMENT**
5 **ACT OF 1996**

6 **SEC. 101. EXTENSIONS AND TECHNICAL CORRECTIONS.**

7 (a) IN GENERAL.—Division II of the Omnibus Parks
8 and Public Lands Management Act of 1996 (Public Law
9 104–333; 110 Stat. 4243) is amended—

10 (1) in sections 107, 208, 310, 408, 507, 607,
11 707, 811, and 910, by striking “September 30,

1 2012” each place it appears and inserting “Sep-
2 tember 30, 2027”; and

3 (2) in sections 108(a), 209(a), 311(a), 409(a),
4 508(a), 608(a), 708(a), 812(a), and 909(c), by strik-
5 ing “\$10,000,000” each place it appears and insert-
6 ing “\$20,000,000”.

7 (b) NATIONAL COAL HERITAGE AREA.—

8 (1) IN GENERAL.—Title I of Division II of the
9 Omnibus Parks and Public Lands Management Act
10 of 1996 (Public Law 104–333; 110 Stat. 4243, 114
11 Stat. 31) is amended—

12 (A) in section 103(b)—

13 (i) by striking “comprised of” and in-
14 serting “comprised of the following:”;

15 (ii) by striking “the counties” and in-
16 serting the following:

17 “(1) The counties”; and

18 (iii) by inserting after paragraph (1)
19 (as designated by clause (ii)) the following:

20 “(2) Lincoln County, West Virginia.

21 “(3) Paint Creek and Cabin Creek, located in
22 Kanawha County, West Virginia.”;

23 (B) in section 104, by striking “Governor”
24 and all that follows through “nonprofit organi-
25 zations” and inserting “National Coal Heritage

1 Area Authority, a public corporation and gov-
2 ernment instrumentality established by the
3 State of West Virginia, pursuant to which the
4 Secretary shall assist the National Coal Herit-
5 age Area Authority”;

6 (C) in section 105—

7 (i) by striking “The resources” and
8 inserting the following:

9 “(1) IN GENERAL.—The resources”;

10 (ii) by striking “Priority consider-
11 ation” and inserting the following:

12 “(2) PRIORITY.—Priority consideration”; and

13 (iii) in paragraph (1) (as designated
14 by clause (i))—

15 (I) by striking “paragraph (2)
16 of”;

17 (II) by striking “include” and in-
18 sert “include—”; and

19 (III) by striking “those set” and
20 inserting the following:

21 “(A) resources in Lincoln County, West
22 Virginia, and Paint Creek and Cabin Creek in
23 Kanawha County, West Virginia, as determined
24 to be appropriate by the National Coal Heritage
25 Area Authority; and

1 “(B) the resources set”; and

2 (D) in section 106(a)—

3 (i) by striking “Governor” and all
4 that follows through “Parks” and inserting
5 “National Coal Heritage Area Authority”;
6 and

7 (ii) in paragraph (3), by striking
8 “State of West Virginia” and all that fol-
9 lows through “entities, or” and inserting
10 “National Coal Heritage Area Authority
11 or”.

12 (2) CONTINUATION OF AGREEMENT.—The con-
13 tractual agreement entered into under section 104 of
14 title I of Division II of the Omnibus Parks and Pub-
15 lic Lands Management Act of 1996 (16 U.S.C. 461
16 note; Public Law 104–333), as in effect on the day
17 before the date of enactment of this Act, shall con-
18 tinue to be in effect, except that the contractual
19 agreement shall be between the Secretary of the In-
20 terior and the National Coal Heritage Area Author-
21 ity rather than the Secretary of the Interior and the
22 Governor of West Virginia.

23 (c) SOUTH CAROLINA HERITAGE AREA.—Section
24 604(b)(2) of title VI of Division II of the Omnibus Parks
25 and Public Lands Management Act of 1996 (Public Law

1 104–333; 110 Stat. 4262) is amended by adding at the
 2 end the following:

3 “(O) Berkeley County.”.

4 (d) OHIO & ERIE NATIONAL HERITAGE
 5 CANALWAY.—Title VIII of Division II of the Omnibus
 6 Parks and Public Lands Management Act of 1996 (Public
 7 Law 104–333; 110 Stat. 4267, 114 Stat. 31) is amend-
 8 ed—

9 (1) by striking “Canal National Heritage Cor-
 10 rridor” each place it appears and inserting “National
 11 Heritage Canalway”;

12 (2) in section 803—

13 (A) by striking paragraph paragraph (2);

14 (B) by redesignating paragraphs (3), (4),
 15 (5), (6), and (7) as paragraphs (2), (3), (4),
 16 (5), and (6), respectively;

17 (C) in paragraph (2) (as redesignated by
 18 subparagraph (B)), by striking “808” and in-
 19 serting “806”; and

20 (D) in paragraph (6) (as redesignated by
 21 subparagraph (B)), by striking “807(a)” and
 22 inserting “805(a)”;

23 (3) in the second sentence of section 804(b)(1),
 24 by striking “808” and inserting “806”;

25 (4) by striking sections 805 and 806;

1 (5) by redesignating sections 807, 808, 809,
2 810, 811, and 812 as sections 805, 806, 807, 808,
3 809, and 810, respectively;

4 (6) in section 805(c)(2) (as redesignated by
5 paragraph (5)), by striking “808” and inserting
6 “806”;

7 (7) in section 806 (as redesignated by para-
8 graph (5))—

9 (A) in subsection (a)(1), by striking “Com-
10 mittee” and inserting “Secretary”;

11 (B) in subsection (a)(3)—

12 (i) in subparagraph (A), by striking
13 “from the Committee”; and

14 (ii) in the first sentence of subpara-
15 graph (B), by striking “Committee” and
16 inserting “management entity”;

17 (C) in subsection (e), by striking
18 “807(d)(1)” and inserting “805(d)(1)”; and

19 (D) in subsection (f), by striking
20 “807(d)(1)” and inserting “805(d)(1)”;

21 (8) in section 808 (as redesignated by para-
22 graph (5))—

23 (A) in subsection (b), by striking “Com-
24 mittee or”; and

1 (B) in subsection (c) in the matter before
2 paragraph (1), by striking “Committee” and in-
3 serting “management entity”.

4 **TITLE II—REAUTHORIZATION OF**
5 **APPROPRIATIONS FOR NEW**
6 **JERSEY COASTAL HERITAGE**
7 **TRAIL ROUTE**

8 **SEC. 201. REAUTHORIZATION.**

9 Section 6 of Public Law 100–515 (16 U.S.C. 1244
10 note) is amended—

11 (1) in subsection (b)(1), by striking “purposes
12 of this Act” and all that follows through the period
13 at the end and inserting “such sums as are nec-
14 essary to carry out this Act.”; and

15 (2) in subsection (c), by striking “10” and in-
16 serting “12”.

17 **SEC. 202. STRATEGIC PLAN.**

18 Public Law 100–515 (16 U.S.C. 1244 note) is
19 amended by adding at the end the following:

20 **“SEC. 8. STRATEGIC PLAN.**

21 “(a) IN GENERAL.—Not later than 2 years after the
22 date of enactment of this section, the Secretary shall pre-
23 pare a strategic plan for the route.

24 “(b) CONTENTS.—The strategic plan prepared under
25 subsection (a) shall describe—

1 “(1) opportunities to increase participation by
2 national and local private and public interests in the
3 planning, development, and administration of the
4 route; and

5 “(2) organizational options for sustaining the
6 route.”

7 **TITLE III—JOHN H. CHAFEE**
8 **BLACKSTONE RIVER VALLEY**
9 **NATIONAL HERITAGE COR-**
10 **RIDOR**

11 **SEC. 301. COMMISSION MEMBERSHIP.**

12 Section 3(b) of Public Law 99–647 (16 U.S.C. 461
13 note) is amended—

14 (1) by striking “nineteen members” and insert-
15 ing “25 members”;

16 (2) in paragraph (2)—

17 (A) by striking “six individuals” and in-
18 serting “8 individuals”; and

19 (B) by inserting “the Secretary of the Ex-
20 ecutive Office of Transportation of the State of
21 Massachusetts, the Secretary of the Rhode Is-
22 land Department of Transportation,” after
23 “Preservation Officers from Massachusetts and
24 Rhode Island,”;

1 (3) by redesignating paragraphs (3) and (4) as
2 paragraphs (4) and (5), respectively;

3 (4) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) 4 representatives of nonprofit organiza-
6 tions in the States of Massachusetts and Rhode Is-
7 land, to be appointed by the Secretary;”;

8 (5) in paragraph (4) (as redesignated by para-
9 graph (3)), by striking “four representatives” and
10 inserting “4 representatives”; and

11 (6) in paragraph (5) (as redesignated by para-
12 graph (3)), by striking “two individuals” and insert-
13 ing “2 individuals”.

14 **SEC. 302. UPDATE OF PLAN.**

15 Section 6 of Public Law 99–647 (16 U.S.C. 461
16 note) is amended by adding at the end the following:

17 “(e) UPDATE OF PLAN.—

18 “(1) IN GENERAL.—Not later than 2 years
19 after the date of enactment of this subsection, the
20 Commission shall update the plan.

21 “(2) CONSIDERATIONS.—In updating the plan
22 under paragraph (1), the Commission shall take into
23 account the findings and recommendations included
24 in the Blackstone Sustainability Study conducted by
25 the National Park System Advisory Board.

1 “(3) REQUIREMENTS.—The update shall—

2 “(A) examine the sustainability of the Cor-
3 ridor and the Commission form of management
4 for the Corridor; and

5 “(B) include an analysis of—

6 “(i) options for preserving, enhancing,
7 and interpreting the resources of the Cor-
8 ridor; and

9 “(ii) the partnerships that sustain
10 those resources.

11 “(4) APPROVAL OR DISAPPROVAL.—

12 “(A) IN GENERAL.—Except as provided in
13 subparagraph (B), the Secretary shall approve
14 or disapprove any changes to the plan proposed
15 in the update in accordance with subsection (b).

16 “(B) EXCEPTION.—Minor revisions to the
17 plan shall not be subject to the approval of the
18 Secretary.”.

19 **SEC. 303. EXTENSION OF COMMISSION.**

20 Public Law 99–647 (16 U.S.C. 461 note) is amended
21 by striking section 7 and inserting the following:

22 **“SEC. 7. TERMINATION OF COMMISSION.**

23 “The Commission shall terminate on the date that
24 is 20 years after the date of enactment of the John H.

1 Chafee Blackstone River Valley National Heritage Cor-
2 ridor Reauthorization Act of 2005.”.

3 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 10 of Public Law 99–647 (16 U.S.C. 461
5 note) is amended—

6 (1) in subsection (a), by striking “\$650,000”
7 and inserting “\$1,000,000”; and

8 (2) by striking subsection (b) and inserting the
9 following:

10 “(b) DEVELOPMENT FUNDS.—There is authorized to
11 be appropriated to carry out section 8(c) not more than
12 \$10,000,000 for the period of fiscal years 2006 through
13 2016, to remain available until expended.”.

14 **TITLE IV—MISSISSIPPI RIVER**
15 **NATIONAL HERITAGE AREA**

16 **SEC. 401. SHORT TITLE.**

17 This title may be cited as the “Mississippi River Na-
18 tional Heritage Area Act”.

19 **SEC. 402. FINDINGS.**

20 Congress finds that—

21 (1) the Mississippi River is an area in which
22 natural, scenic, cultural, and historic resources form
23 a cohesive and nationally distinctive landscape
24 that—

1 (A) arises from patterns of human activity
2 shaped by geography; and

3 (B) forms a unique aspect of the heritage
4 of the United States;

5 (2) there is a national interest in conserving,
6 restoring, promoting, and interpreting the benefits
7 of the area for the residents of, and visitors to, the
8 area;

9 (3) the area reflects a complex mixture of peo-
10 ple and the origins, traditions, customs, beliefs, and
11 folkways of the people that are of interest to the
12 public;

13 (4) the Mississippi River Corridor Study Com-
14 mission Act of 1989 (Public Law 101–398; 104
15 Stat. 855) authorized a Mississippi River National
16 Heritage Corridor feasibility study, which was—

17 (A) conducted by the National Park Serv-
18 ice, Denver Service Center Office; and

19 (B) submitted to the Secretary of the Inte-
20 rior and Congress in 1996;

21 (5) the feasibility study strongly recommended
22 that Congress introduce legislation designating the
23 area as a national heritage corridor for the benefit
24 of the people of the United States;

1 (6) designation of the area as a national herit-
2 age corridor would enhance 1 of the richest, most
3 culturally distinct landmarks in the world; and

4 (7) the feasibility study recommended that the
5 primary Mississippi River Heritage Corridor consist
6 of all counties and parishes immediately adjacent to
7 the main stem of the Mississippi River, from Lake
8 Itasca, Minnesota to the Gulf of Mexico, plus any
9 additional counties or parishes through which the
10 Great River Road passes.

11 **SEC. 403. PURPOSES.**

12 The purposes of this title are—

13 (1) to conserve, restore, interpret, and promote
14 the significant resource values and functions of the
15 Mississippi River area and advance sustainable eco-
16 nomic viability of the area in accordance with the
17 goals of the management plan;

18 (2) to foster a close working relationship with
19 all levels of government, the private sector, and the
20 local communities in the area to enable the commu-
21 nities to conserve and interpret the heritage of the
22 communities while continuing to pursue economic
23 opportunities; and

24 (3) to establish, in partnership with States,
25 local communities, museums, preservation organiza-

1 tions, private corporations, and landowners in the
2 Heritage Area, the Mississippi River National Herit-
3 age Area.

4 **SEC. 404. DEFINITIONS.**

5 In this title:

6 (1) HERITAGE AREA.—The term “Heritage
7 Area” means the Mississippi River National Herit-
8 age Area established by section 405(a).

9 (2) MANAGEMENT ENTITY.—The term “man-
10 agement entity” means the National Mississippi
11 River Museum and Aquarium, which is managed by
12 the Dubuque County Historical Society, a nonprofit
13 organization incorporated in the State of Iowa,
14 working under the advice of the National Mississippi
15 River Parkway Commission’s Heritage and Culture
16 Commission, which is comprised of 1 member ap-
17 pointed by the Governor of each of the 10 states of
18 the Mississippi River.

19 (3) MANAGEMENT PLAN.—The term “manage-
20 ment plan” means the management plan for the
21 Heritage Area developed under section 407.

22 (4) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

1 **SEC. 405. MISSISSIPPI RIVER NATIONAL HERITAGE AREA.**

2 (a) ESTABLISHMENT.—There is established the Mis-
3 sissippi River National Heritage Area.

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

6 (1) all counties and parishes that border the
7 Mississippi River; and

8 (2) all counties and parishes through which the
9 Great River Road passes.

10 **SEC. 406. AUTHORITIES AND DUTIES OF THE MANAGEMENT**
11 **ENTITY.**

12 (a) AUTHORITIES.—For the purposes of developing
13 and implementing the management plan approved by the
14 Secretary, the management entity may—

15 (1) make grants to, and enter into cooperative
16 agreements with, States, units of local government,
17 and private organizations;

18 (2) hire and compensate staff; and

19 (3) enter into contracts for goods and services.

20 (b) DUTIES.—The management entity shall—

21 (1) submit to the Secretary for approval a man-
22 agement plan;

23 (2) implement the management plan, including
24 providing assistance to units of government and oth-
25 ers in—

1 (A) establishing and maintaining interpre-
2 tive activities and exhibits within the Heritage
3 Area;

4 (B) carrying out programs that recognize
5 important resource values within the Heritage
6 Area;

7 (C) developing heritage-based recreational
8 and educational opportunities for residents of,
9 and visitors to, the Heritage Area;

10 (D) increasing public awareness and appre-
11 ciation for the natural, historic, and cultural re-
12 sources of the Heritage Area;

13 (3) adopt bylaws governing the conduct of the
14 management entity; and

15 (4) for any year for which Federal funds are re-
16 ceived under this title, submit to the Secretary a re-
17 port that describes, for the year—

18 (A) the accomplishments of the manage-
19 ment entity; and

20 (B) the expenses and income of the man-
21 agement entity.

22 (c) ACQUISITION OF REAL PROPERTY.—No Federal
23 funds authorized under this title may be used to acquire
24 real property or any interest in real property.

1 (d) PUBLIC MEETINGS.—The management entity
2 shall conduct public meetings at least quarterly.

3 **SEC. 407. MANAGEMENT PLAN.**

4 (a) IN GENERAL.—The management entity shall de-
5 velop a management plan for the Heritage Area that in-
6 corporates an integrated and cooperative approach to con-
7 serving, interpreting, and enhancing the natural, scenic,
8 cultural, historic, and recreational resources of the Herit-
9 age Area consistent with Federal, State, and local land
10 use laws.

11 (b) CONSIDERATION OF OTHER PLANS AND AC-
12 TIONS.—In developing the management plan, the manage-
13 ment entity shall—

14 (1) take into consideration Federal, State, and
15 local plans land use, laws, and plans; and

16 (2) invite the participation of residents, public
17 agencies, and private organizations in the Heritage
18 Area.

19 (c) CONTENTS.—The management plan shall in-
20 clude—

21 (1) an inventory of the resources in the Herit-
22 age Area, including—

23 (A) a list of property in the Heritage Area
24 that—

1 (i) relates to the purposes of the Her-
2 itage Area; and

3 (ii) should be preserved, restored,
4 managed, or maintained because of the sig-
5 nificance of the property; and

6 (B) an assessment of cultural landscapes
7 within the Heritage Area;

8 (2) provisions for the conservation, interpreta-
9 tion, and enjoyment of the resources of the Heritage
10 Area identified in the management plan that the
11 Secretary determines to be consistent with—

12 (A) this title; and

13 (B) the economic viability of the Heritage
14 Area;

15 (3) an interpretation plan for the Heritage
16 Area; and

17 (4) a program for implementation of the man-
18 agement plan that includes—

19 (A) actions that may be carried out by the
20 management entity, units of government, pri-
21 vate organizations, and public-private partner-
22 ships to protect the resources of the Heritage
23 Area; and

1 (B) the identification of existing and po-
2 tential sources of funding for implementing the
3 management plan.

4 (d) SUBMISSION TO SECRETARY FOR APPROVAL.—

5 (1) IN GENERAL.—Not later than 3 years after
6 the date of enactment of this Act, the management
7 entity shall submit the management plan to the Sec-
8 retary for approval.

9 (2) EFFECT OF FAILURE TO SUBMIT.—If a
10 management plan is not submitted to the Secretary
11 by the date specified in paragraph (1), the Secretary
12 shall not provide any additional funding under this
13 title until a management plan for the Heritage Area
14 is submitted to the Secretary.

15 (e) APPROVAL.—

16 (1) IN GENERAL.—Not later than 90 days after
17 receiving the management plan submitted under
18 subsection (d)(1), the Secretary, in consultation with
19 the State, shall approve or disapprove the manage-
20 ment plan.

21 (2) ACTION FOLLOWING DISAPPROVAL.—

22 (A) IN GENERAL.—If the Secretary dis-
23 approves a management plan under paragraph
24 (1), the Secretary shall—

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

3 (ii) make recommendations for revi-
4 sions to the management plan; and

5 (iii) allow the management entity to
6 submit to the Secretary revisions to the
7 management plan.

8 (B) DEADLINE FOR APPROVAL OF REVI-
9 SION.—Not later than 90 days after the date on
10 which a revision is submitted under subpara-
11 graph (A)(iii), the Secretary shall approve or
12 disapprove the revision.

13 (f) REVISION.—After approval by the Secretary of a
14 management plan, the management entity shall periodi-
15 cally—

16 (1) review the management plan; and

17 (2) submit to the Secretary, for review and ap-
18 proval by the Secretary, the recommendations of the
19 management entity for any revisions to the manage-
20 ment plan that the management entity considers to
21 be appropriate.

22 (g) EXPENDITURE OF FUNDS.—Funds made avail-
23 able under this title shall be used only to implement the
24 approved management plan.

1 **SEC. 408. PRIVATE PROPERTY PROTECTION.**

2 (a) IN GENERAL.—Nothing in this title—

3 (1) requires any private property owner to allow
4 public access (including access to the Federal Gov-
5 ernment or State or local governments) to private
6 property; or

7 (2) modifies any provision of Federal, State, or
8 local law with regard to public access to or use of
9 private property.

10 (b) LIABILITY.—Designation of the Heritage Area
11 shall not create any liability, or have any effect on any
12 liability under any other law, of any private property
13 owner with respect to any persons injured on the private
14 property.

15 (c) PARTICIPATION OF PRIVATE PROPERTY OWNERS
16 IN HERITAGE AREA.—Nothing in this title requires the
17 owner of any private property located within the bound-
18 aries of the Heritage Area to participate in, or be associ-
19 ated with, the Heritage Area.

20 **SEC. 409. EFFECT OF TITLE.**

21 Nothing in this title—

22 (1) grants any Federal agency regulatory au-
23 thority over any interest in the Heritage Area, un-
24 less cooperatively agreed to by all involved parties;

25 (2) modifies, enlarges, or diminishes any au-
26 thority of the Federal Government or State or local

1 government to regulate any use of land as provided
2 for by law (including regulations) in existence on the
3 date of enactment of this Act;

4 (3) grants any power of zoning or land use to
5 the management entity;

6 (4) imposes any environmental, occupational,
7 safety, or other rule, standard, or permitting process
8 that is different from the rules, standards, and proc-
9 esses in effect on the date of enactment of this Act
10 that would be applicable if the Heritage Area had
11 not been established;

12 (5) imposes any change in Federal environ-
13 mental quality standards;

14 (6) abridges, restricts, or alters any applicable
15 rule, standard, or review procedure for permitting of
16 facilities within or adjacent to the Heritage Area; or

17 (7) affects the continuing use and operation,
18 where located on the date of enactment of this Act,
19 of any public or private facility, including any public
20 utility or common carrier.

21 **SEC. 410. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated to carry out
23 this title \$20,000,000, of which not more than \$2,000,000
24 shall be made available for any fiscal year.

○