

110TH CONGRESS
1ST SESSION

S. 2512

To establish the Mississippi Delta National Heritage Area in the State of Mississippi, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2007

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Mississippi Delta National Heritage Area in the State of Mississippi, 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.**

4 This Act may be cited as the “Mississippi Delta Na-
5 tional Heritage Area Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the historic, cultural, and natural heritage
9 legacies of the Mississippi Delta are—

10 (A) nationally significant; and

1 (B) in need of greater recognition;

2 (2) in the alluvial floodplain that comprises the
3 Mississippi Delta there are a variety of diverse herit-
4 age resources that demonstrate—

5 (A) the labors and social activities of the
6 earliest citizens of the United States, which are
7 revealed in—

8 (i) numerous residential and ceremo-
9 nial mound sites; and

10 (ii) sites significant to the Quapaw,
11 Tunica, Choctaw, and Chickasaw people
12 and other Native Americans;

13 (B) the clearing and settlement of 1 of the
14 last wilderness frontiers in the 48 contiguous
15 States;

16 (C) the immigration of people of African,
17 Asian, and European descent to the United
18 States;

19 (D) the labors and social activities of
20 enslaved Africans who provided the bulk of the
21 early labor force for the development of—

22 (i) large-scale plantation agriculture
23 based on cotton, which is 1 of the most im-
24 portant commodities ever produced in the
25 United States; and

1 (ii) the birth and subsequent perfec-
2 tion of the art form that is known as the
3 “Mississippi Delta Blues”;

4 (E) the role of the Mississippi River as—
5 (i) the architect and sometimes un-
6 merciful tyrant of land; and

7 (ii) an important transportation ar-
8 tery throughout the history of the United
9 States;

10 (F) the story of the Great Flood of 1927,
11 which was a defining event in the history of the
12 United States;

13 (G) the struggles and triumphs of the Civil
14 Rights Movement; and

15 (H) the emergence of many local leaders
16 from the Civil Rights Movement;

17 (3) the Mississippi Delta is the ancestral home
18 of hundreds of thousands of people of the United
19 States who—

20 (A) migrated north, east, and west during
21 the Great Migration seeking employment and
22 freedom and populating the cities of the United
23 States in the process;

24 (B) struggled for equal rights and equal
25 opportunities; and

1 (C) carried their culture, including their
2 family life, faith, food, lifestyle, and music to
3 the rest of the United States, which trans-
4 formed the United States in the process;

5 (4) the scenic and natural beauty of the alluvial
6 floodplain known as the “Yazoo-Mississippi
7 Delta”—

8 (A) is distinctive and integral to the herit-
9 age stories of the region; and

10 (B) provides critical habitat for migrating
11 birds passing through the Mississippi Flyway;

12 (5) the agricultural heritage of the Delta, espe-
13 cially with regards to the cultivation of cotton, soy-
14 beans, rice, and catfish has contributed significantly
15 to the story and economy of the United States;

16 (6) many of the greatest leaders of the United
17 States in literature, music, civil rights, politics, cul-
18 inary arts, poetry, society, and religion have come
19 from the Mississippi Delta;

20 (7) the small towns, inns, shops, restaurants,
21 artist’s workshops, blues clubs, churches, landscape,
22 and vernacular architecture make the Mississippi
23 Delta unique;

24 (8) the Mississippi Delta is known internation-
25 ally as the birthplace of the musical form known as

1 the “Blues”, which provided the basis for much of
2 modern popular music; and

3 (9) there is broad support from local govern-
4 ments and other interested individuals for the estab-
5 lishment of the Mississippi Delta National Heritage
6 Area to coordinate and assist in the preservation
7 and interpretation of the resources of the region.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) BOARD.—The term “Board” means the
11 Board of Directors of the coordinating entity estab-
12 lished under section 3(b).

13 (2) HERITAGE AREA.—The term “Heritage
14 Area” means the Mississippi Delta National Herit-
15 age Area established by section 4(a).

16 (3) COORDINATING ENTITY.—The term “co-
17 ordinating entity” means the coordinating entity for
18 the Heritage Area designated by section 5(a).

19 (4) MANAGEMENT PLAN.—The term “manage-
20 ment plan” means the management plan for the
21 Heritage Area developed under section 7.

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

24 (6) STATE.—The term “State” means the State
25 of Mississippi.

1 **SEC. 4. MISSISSIPPI DELTA NATIONAL HERITAGE AREA.**

2 (a) ESTABLISHMENT.—There is established in the
3 State the Mississippi Delta National Heritage Area.

4 (b) BOUNDARIES.—The Heritage Area shall include
5 all counties in the State that contain land located in the
6 alluvial floodplain of the Mississippi Delta, including Boli-
7 var, Carroll, Coahoma, Desoto, Holmes, Humphreys,
8 Issaquena, Leflore, Panola, Quitman, Sharkey, Sunflower,
9 Tallahatchie, Tate, Tunica, Warren, Washington, and
10 Yazoo Counties in the State.

11 (c) MAP.—

12 (1) IN GENERAL.—As soon as practicable after
13 the date of enactment of this Act, the Secretary
14 shall prepare a map of the Heritage Area.

15 (2) AVAILABILITY.—The map prepared under
16 paragraph (1) shall be on file and available for pub-
17 lic inspection in the office of the Director of the Na-
18 tional Park Service.

19 **SEC. 5. DESIGNATION OF PARTNERSHIP AS COORDINATING**
20 **ENTITY.**

21 (a) IN GENERAL.—The Mississippi Delta National
22 Heritage Area Partnership shall be the coordinating entity
23 for the Heritage Area.

24 (b) BOARD OF DIRECTORS.—

25 (1) COMPOSITION.—

1 (A) IN GENERAL.—The coordinating entity
2 shall be governed by a Board of Directors com-
3 posed of 15 members, of whom—

4 (i) 1 member shall be appointed by
5 Delta State University;

6 (ii) 1 member shall be appointed by
7 Mississippi Valley State University;

8 (iii) 1 member shall be appointed by
9 Alcorn State University;

10 (iv) 1 member shall be appointed by
11 the Delta Foundation;

12 (v) 1 member shall be appointed by
13 the Smith Robertson Museum;

14 (vi) 1 member shall be appointed from
15 the Office of the Governor of the State;

16 (vii) 1 member shall be appointed by
17 Delta Council;

18 (viii) 1 member shall be appointed
19 from the Mississippi Arts Commission;

20 (ix) 1 member shall be appointed from
21 the Mississippi Department of Archives
22 and History.

23 (x) 1 member shall be appointed from
24 the Mississippi Humanities Council; and

1 (xi) up to 5 additional members shall
2 be appointed for staggered 1- and 2-year
3 terms by County boards in the Heritage
4 Area.

5 (B) RESIDENCY REQUIREMENTS.—At least
6 7 members of the Board shall reside in the
7 Heritage Area.

8 (2) OFFICERS.—

9 (A) IN GENERAL.—At the initial meeting
10 of the Board, the members of the Board shall
11 appoint a Chairperson, Vice Chairperson, and
12 Secretary/Treasurer.

13 (B) DUTIES.—

14 (i) CHAIRPERSON.—The duties of the
15 Chairperson shall include—

16 (I) presiding over meetings of the
17 Board;

18 (II) executing documents of the
19 Board; and

20 (III) coordinating activities of the
21 Heritage Area with Federal, State,
22 local, and nongovernmental officials.

23 (ii) VICE CHAIRPERSON.—The Vice
24 Chairperson shall act as Chairperson in

1 the absence or disability of the Chair-
2 person.

3 (3) MANAGEMENT AUTHORITY.—

4 (A) IN GENERAL.—The Board shall—

5 (i) exercise all corporate powers of the
6 coordinating entity;

7 (ii) manage the activities and affairs
8 of the coordinating entity; and

9 (iii) subject to any limitations in the
10 articles and bylaws of the coordinating en-
11 tity, this Act, and any other applicable
12 Federal or State law, establish the policies
13 of the coordinating entity.

14 (B) STAFF.—The Board shall have the au-
15 thority to employ any services and staff that
16 are determined to be necessary by a majority
17 vote of the Board.

18 (4) BYLAWS.—

19 (A) IN GENERAL.—The Board may amend
20 or repeal the bylaws of the coordinating entity
21 at any meeting of the Board by a majority vote
22 of the Board.

23 (B) NOTICE.—The Board shall provide no-
24 tice of any meeting of the Board at which an
25 amendment to the bylaws is to be considered

1 (D) restoring historic structures that relate
2 to the Heritage Area; and

3 (E) carrying out any other activity that
4 the coordinating entity determines to be appro-
5 priate to carry out this Act, consistent with the
6 management plan;

7 (3) conduct public meetings at least annually
8 regarding the implementation of the management
9 plan; and

10 (4) for any fiscal year for which Federal funds
11 are made available for the Heritage Area—

12 (A) submit to the Secretary a report that
13 describes, for the fiscal year, the actions of the
14 coordinating entity in carrying out this Act;

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

18 (C) require, for all agreements authorizing
19 the expenditure of Federal funds by any entity,
20 that the receiving entity make available to the
21 Secretary for audit all records relating to the
22 expenditure of the funds.

23 (c) PROHIBITION OF ACQUISITION OF REAL PROP-
24 erty.—The coordinating entity shall not use any Federal

1 funds made available under this Act to acquire real prop-
2 erty or any interest in real property.

3 **SEC. 7. MANAGEMENT PLAN.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act, the coordinating entity shall
6 develop and submit to the Secretary a management plan
7 for the Heritage Area.

8 (b) REQUIREMENTS.—The management plan shall—

9 (1) provide recommendations for the conserva-
10 tion, funding, management, interpretation, and de-
11 velopment of the cultural, historical, archaeological,
12 natural, and recreational resources of the Heritage
13 Area;

14 (2) identify sources of funding for the Heritage
15 Area;

16 (3) include—

17 (A) an inventory of the cultural, historical,
18 archeological, natural, and recreational re-
19 sources of the Heritage Area; and

20 (B) an analysis of ways in which Federal,
21 State, tribal, and local programs may best be
22 coordinated to promote the purposes of this
23 Act;

1 (4) provide recommendations for educational
2 and interpretive programs to inform the public about
3 the resources of the Heritage Area; and

4 (5) involve residents of affected communities
5 and tribal and local governments.

6 (c) FAILURE TO SUBMIT.—If a management plan is
7 not submitted to the Secretary by the date specified in
8 subsection (a), the Secretary shall not provide any addi-
9 tional funding under this Act until a management plan
10 for the Heritage Area is submitted to the Secretary.

11 **SEC. 8. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

12 (a) IN GENERAL.—On the request of the coordi-
13 nating entity, the Secretary may provide technical and fi-
14 nancial assistance to the coordinating entity for use in the
15 development and implementation of the management plan.

16 (b) PROHIBITION OF CERTAIN REQUIREMENTS.—
17 The Secretary may not, as a condition of the provision
18 of technical or financial assistance under this section, re-
19 quire any recipient of the assistance to impose or modify
20 any land use restriction or zoning ordinance.

21 **SEC. 9. EFFECT.**

22 Nothing in this Act—

23 (1) affects or authorizes the coordinating entity
24 to interfere with—

1 (A) the right of any person with respect to
2 private property; or

3 (B) any local zoning ordinance or land use
4 plan;

5 (2) restricts an Indian tribe from protecting
6 cultural or religious sites on tribal land;

7 (3) modifies, enlarges, or diminishes the author-
8 ity of any State, tribal, or local government to regu-
9 late any use of land under any other law (including
10 regulations);

11 (4)(A) modifies, enlarges, or diminishes the au-
12 thority of the State to manage fish and wildlife in
13 the Heritage Area, including the regulation of fish-
14 ing and hunting; or

15 (B) authorizes the coordinating entity to as-
16 sume any authority to manage fish and wildlife in
17 the Heritage Area; or

18 (5) diminishes the trust responsibilities or gov-
19 ernment-to-government obligations of the United
20 States of any federally recognized Indian tribe.

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