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107TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 107–327

TUMACACORI NATIONAL HISTORICAL PARK BOUNDARY REVISION ACT OF 2001

DECEMBER 6, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources, submitted the following

R E P O R T

[To accompany H.R. 2234]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2234) to revise the boundary of the Tumacacori National Historical Park in the State of Arizona, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tumacacori National Historical Park Boundary Revision Act of 2001".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Tumacacori Mission in southern Arizona was declared a National Monument in 1908 in recognition of its great historical significance as "one of the oldest mission ruins in the southwest".

(2) In establishing Tumacacori National Historical Park in 1990 to include the Tumacacori Mission and the ruins of the mission of Los Santos Angeles de Guevavi and the Kino visita and rancheria of Calabazas, Congress recognized the importance of these sites "to protect and interpret, for the education and benefit of the public, sites in the State of Arizona associated with the early Spanish missionaries and explorers of the 17th and 18th centuries".

(3) Tumacacori National Historical Park plays a major role in interpreting the Spanish colonial heritage of the United States.

(b) PURPOSES.—The purposes of this Act are—

(1) to protect and interpret the resources associated with the Tumacacori Mission by revising the boundary of Tumacacori National Historical Park to include approximately 310 acres of land adjacent to the park; and

(2) to enhance the visitor experience at Tumacacori by developing access to these associated mission resources.

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SEC. 3. BOUNDARY REVISION, TUMACACORI NATIONAL HISTORICAL PARK, ARIZONA.

Section 1(b) of Public Law 101–344 (16 U.S.C. 410ss(b)) is amended—

(1) by inserting after the first sentence the following new sentence: "The park shall also consist of approximately 310 acres of land adjacent to the original Tumacacori unit of the park and generally depicted on the map entitled 'Tumacacori National Historical Park, Arizona Proposed Boundary Revision 2001', numbered 310/80,044, and dated July 2001."; and

(2) in the last sentence—

(A) by striking "The map" and inserting "The maps"; and

(B) by striking "the offices" and inserting "the appropriate offices".

PURPOSE OF THE BILL

The purpose of H.R. 2234 is to revise the boundary of the Tumacacori National Historical Park in the State of Arizona, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Tumacacori was part of a chain of missions in the Pimeria Alta (land of the Upper Pima Indians) established by the Spanish from north-central Sonora, Mexico, to San Xavier del Bac near present-day Tucson, Arizona. The mission was established by Father Kino in 1691 and a Jesuit mission was constructed at the site in the 1730's. Franciscans later re-established a mission after 1767 and a new church was completed in 1822. In 1908, President Theodore Roosevelt set aside nine acres immediately around the church and declared Tumacacori a National Monument. Over time, the boundaries have been changed to include other significant missions and in 1990 the Monument was declared a National Historical Park.

The park's general management plan was identified the need to acquire additional lands from willing sellers so that park support facilities could be built away from the historic scene, and to obtain the rest of a mission orchard. The boundary expansion would allow the Park Service to replant the orchard and add a program with livestock and farming, develop more of the Juan bautista de Anza National Historic Trail that now exists on private land between Tumacacori and Tubac, and partner with communities all along the river to further develop the recreational and educational values of the trail.

COMMITTEE ACTION

H.R. 2234 was introduced on June 19, 2001 by Representative Ed Pastor (D–AZ) and was referred to the Committee on Resources. On June 22, 2001, the bill was referred within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On November 13, 2001, the Subcommittee held a hearing on the bill. On November 15, 2001, the Subcomittee met to mark up the bill. Representative George Radanovich (R–CA) offered a technical amendment to ensure the bill referred to the appropriate map. It was adopted by unanimous consent. The bill, as amended, was then forwarded to the Full Committee by unanimous consent. On November 28, 2001, the Full Resources Committee met to consider the bill. There were no further amendments, and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.*—Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act.*—As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *General Performance Goals and Objectives.*—This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House Representatives does not apply.

4. *Congressional Budget Office Cost Estimate.*—Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 4, 2001.

Hon. JAMES V. HANSEN,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2234, the Tumacacori National Historical Park Boundary Revision Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2234—Tumacacori National Historical Park Boundary Revision Act of 2001

H.R. 2234 would expand the boundary of the Tumacacori National Historic Park in Arizona. Adjusting the boundary would en-

able the National Park Service (NPS) to acquire about 310 acres of land adjacent to the existing parks, which currently consists of about 46 acres.

Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost the federal government about $3 million over the next five years and about $100,000 annually thereafter. We estimate that the NPS would spend between $2 million and $2.5 million of this amount over the next year or two to purchase the land that would be added to the park by this bill. An estimated $350,000 would be spent over the following two or three years to improve a trail system and rehabilitate an orchard on the property. We estimate that recurring operation and maintenance costs for the park would increase by about $100,000 a year assuming appropriation of the necessary amounts.

H.R. 2234 would not affect direct spending; therefore pay-as-you-go procedures would not apply. The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 1 OF THE ACT OF AUGUST 6, 1990

(Public Law 101–344)

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SECTION 1. TUMACACORI NATIONAL HISTORICAL PARK.

(a) * * *

(b) AREA INCLUDED.—The park shall consist of the existing Tumacacori National Monument, together with (1) the ruins of Los Santos Angeles de Guevavi, the first mission in Arizona (consisting of approximately 8 acres) and (2) the Kino visita and rancheria ruins of Calabazas (consisting of approximately 22 acres), each as generally depicted on the map entitled "Boundary Map, Tumacacori National Historical Park", numbered 311/80018, and dated February 1990. *The park shall also consist of approximately 310 acres of land adjacent to the original Tumacacori unit of the park and generally depicted on the map entitled "Tumacacori National Historical Park, Arizona Proposed Boundary Revision 2001", numbered*

310/80,044, and dated July 2001. The [map] *maps* shall be on file and available for public inspection in the *appropriate* offices of the National Park Service, Department of the Interior.

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