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107TH CONGRESS
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HOUSE OF REPRESENTATIVES

REPORT
107–670

OLD SPANISH TRAIL RECOGNITION ACT OF 2002

SEPTEMBER 23, 2002.—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 S. 1946]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1946) to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1946 is to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.

BACKGROUND AND NEED FOR LEGISLATION

S. 1946 would designate the routes of the Old Spanish Trail, known as the Armijo Route and the North Branch, along with some additional side trails. During the time of its use (1829–1848), the 2,700 mile trail was considered to be the first viable overland trade route that ran between Santa Fe, New Mexico and Los Angeles, California, while winding its way through Colorado, Utah, Arizona and Nevada. It was used mostly by New Mexican traders transporting goods and emigrants from New Mexico and the east. The use of the route declined following the beginning of American control of what is today the southwestern United States as emigrants and others began to find alternative routes. In 1996, the National Park Service was directed to study the old Spanish Trail (section 402 of Public Law 104–333) to determine the suitability and feasibility of designating it as a national historic trail. In July 2001, the study was published with the conclusion that the trail met all national historic trail criteria. S. 1946 would designate the Old Span-

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ish Trail as part of the National Trails System, preserve the trail, and recognize its contribution to Western history.

COMMITTEE ACTION

S. 1946 was introduced on February 14, 2002, by Senator Ben Nighthorse Campbell (R–CO). On August 1, 2002, the Senate passed the bill with amendments by unanimous consent. In the House of Representatives, the bill was referred to the Committee on Resources. On September 12, 2002, the Full Committee met to consider the bill. No amendments were offered 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 of the Constitution of the United States grants 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 of 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, September 17, 2002.

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 S. 1946, the Old Spanish Trail Recognition Act of 2002.

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

Sincerely,

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

Enclosure.

S. 1946—Old Spanish Trail Recognition Act of 2002

S. 1946 would establish the Old Spanish National Historic Trail. The 3,500-mile trail would comprise four major routes and extend from New Mexico to California.

Assuming appropriation of the necessary amounts, CBO estimates that the National Park Service (NPS) would spend about $400,000 over the next two or three years to complete a comprehensive management plan for the new trail. In addition, we estimate that the NPS would spend about $500,000 annually to manage the trail beginning in 2003 or 2004. Thus, initial costs would total about $2 million over the next four to five years.

The costs of subsequent trail development, which could occur over many years, are uncertain and cannot be determined until a management plan has been completed. Such costs include capital expenditures for visitor facilities as well as other one-time expenses for trail marking, exhibits, and interpretive materials. They vary significantly from trail to trail, depending on such factors as the length of the trail, federal ownership of land, and contributions by nonfederal entities such as nonprofit organizations and state agencies. The costs of developing the historic trail could range from under $1 million (for signs and minimal facilities such as trailhead parking and wayside exhibits) to over $20 million (for multiple visitor centers and multimedia interpretive programs).

The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

On June 28, 2002, CBO submitted a cost estimate for S. 1946 as ordered reported by the Senate Committee on Energy and Natural Resources on June 5, 2002. The two versions of the legislation are identical, as are the estimated costs.

The CBO staff contact for this estimate is Deborah Reis. The 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 5 OF THE NATIONAL TRAILS SYSTEM ACT

NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

SEC. 5. (a) National scenic and national historic trails shall be authorized and designated only by Act of Congress. There are hereby established the following National Scenic and National Historic Trails:

(1) * * *

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[(21)] *(22)* ALA KAHAKAI NATIONAL HISTORIC TRAIL.—

(A) * * *

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(23) OLD SPANISH NATIONAL HISTORIC TRAIL.—

(A) IN GENERAL.—The Old Spanish National Historic Trail, an approximately 2,700 mile long trail extending from Santa Fe, New Mexico, to Los Angeles, California, that served as a major trade route between 1829 and 1848, as generally depicted on the maps numbered 1 through 9, as contained in the report entitled "Old Spanish Trail National Historic Trail Feasibility Study", dated July 2001, including the Armijo Route, Northern Route, North Branch, and Mojave Road.

(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior (referred to in this paragraph as the "Secretary").

(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

(E) CONSULTATION.—The Secretary shall consult with other Federal, State, local, and tribal agencies in the administration of the trail.

(F) ADDITIONAL ROUTES.—The Secretary may designate additional routes to the trail if—

(i) the additional routes were included in the Old Spanish Trail National Historic Trail Feasibility Study, but were not recommended for designation as a national historic trail; and

(ii) the Secretary determines that the additional routes were used for trade and commerce between 1829 and 1848.

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