

## Calendar No. 571

107TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 107-254

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### FRENCH COLONIAL HERITAGE AREA STUDY ACT

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SEPTEMBER 9, 2002.—Ordered to be printed

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Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

### R E P O R T

[To accompany S. 1638]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1638) to authorize the Secretary of the Interior to study the suitability and feasibility of designing the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. STUDY.

Not later than 3 years after the date of which funds are made available to carry out this Act, the Secretary of the Interior shall, in consultation with the State of Missouri, complete a study on the suitability and feasibility of designating the French Colonial Historic District, including the Bequette-Ribault, St. Gemme-Amoureux, and Wilhawk homes and the related and supporting historical assets in Ste. Genevieve County, Missouri, as a unit of the National Park System, and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report describing the findings of the study.

#### SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

#### PURPOSE OF THE MEASURE

The purpose of S. 1638, as ordered reported, is to authorize the Secretary of the Interior to conduct a study on the suitability and feasibility of designating the French Colonial Heritage District in Sainte Genevieve County, Missouri as a unit of the National Park System.

## BACKGROUND AND NEED

Settled in the late 1700's by French-Canadians, the area in and around Sainte Genevieve County, Missouri is one of the last remaining examples of French colonial period settlements. The French homes built from the 1780's to 1792 in the *poteaux en terre* (post in the ground) style are rare and found in no other location in North America.

Sainte Genevieve National Historic District and Felix Valle House State Historic Site provide a foundation for the Heritage Area. Three of the remaining five *poteaux en terre* homes are found in St. Genevieve. The Sainte Gemme-Amoureux House built overlooking the Le Grand Champ agricultural fields in 1792 is open occasionally to the public as is the Bequette-Ribault House built in the 1780's.

Local organizations and agencies have undertaken efforts to preserve these resources and to tell the story of French Colonial settlement in this part of the United States. As ordered reported, S. 1638 authorizes the Secretary of the Interior to conduct a study of the historic district to determine its appropriateness for designation as a unit of the National Park System.

## LEGISLATIVE HISTORY

S. 1638 was introduced by Senator Bond on November 6, 2001. Senator Carnahan is a cosponsor of the measure. The Subcommittee on National Parks held a hearing on S. 1638, on April 18, 2002. At its business meeting on July 31, 2002, the Committee on Energy and Natural Resources ordered S. 1638 favorably reported with an amendment.

## COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on July 31, 2001, by voice vote of a quorum present, recommends that the Senate pass S. 1638, if amended as described herein.

## COMMITTEE AMENDMENT

During the consideration of S. 1638, the Committee adopted an amendment in the nature of a substitute. As introduced, S. 1638 authorizes a park suitability and feasibility study of the French Colonial Heritage Area. The substitute amendment clarifies that the study is of the French Colonial Historic District in Missouri, and that the study is for potential designation as a unit of the National Park System and not as a National Heritage Area.

## SECTION-BY-SECTION ANALYSIS

*Section 1* authorizes the Secretary of the Interior, in consultation with the State of Missouri, to study the French Colonial Historic District and the historic resources of Sainte Genevieve County, Missouri for potential inclusion in the National Park System. The study must be completed within three years and a report on the findings of the study must be submitted to the Energy and Natural Resources Committee of the Senate and the Committee on Resources of the House of Representatives.

*Section 2* authorizes the appropriation of such sums as are necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, August 12, 2002.*

Hon. JEFF BINGAMAN,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1638, a bill to authorize the Secretary of the interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the state of Missouri as a unit of the National Park System, and for other purposes.

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

Sincerely,

ROBERT A. SUNSHINE  
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*S. 1638—A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the state of Missouri as a unit of the National Park System, and for other purpose*

S. 1638 would direct the Department of the Interior to conduct a study to assess the feasibility and suitability of designating the French Colonial Historic District in Ste. Genevieve County, Missouri, as a unit of the National Park System. The bill would authorize the appropriation of whatever amounts are necessary for the study and would require the department to report on its findings and recommendations within three years of receiving funds.

Assuming the availability for appropriated funds, CBO estimates that it would cost about \$250,000 over the next three years to complete the required study and report. Enacting the bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1638 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.

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

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation

of the regulatory impact which would be incurred in carrying out S. 1638.

The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

#### EXECUTIVE COMMUNICATIONS

The legislative report received by the Committee from the Department of the Interior setting forth Executive agency recommendations with respect to S. 1638 follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, DC, July 16, 2002.*

Hon. JEFF BINGAMAN,  
*Chairman, Committee on Energy and Natural Resources,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: This letter sets forth the views of the Department of the Interior on S. 1638, a bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System.

The Department supports S. 1638, with a minor clarification. However, the Department did not request additional funding for this study in Fiscal Year 2003. We believe that any funding requested should be directed towards completing previously authorized studies. Presently, there are 34 studies pending, of which we hope to transmit 4 to Congress by the end of 2002. To meet the President's Initiative to eliminate the deferred maintenance backlog, we must continue to focus our resources on caring for existing areas in the National Park System. Thus, we have concerns about new funding requirements for either a new park unit or heritage area that could be required if the study recommends designation while the Department is trying to eliminate the deferred maintenance backlog. As such, the Department will identify in each study all acquisition, one-time, and operational costs of the proposed site. At this time, these costs are not known.

S. 1638 directs the Secretary to study the suitability and feasibility of including the French Colonial Heritage Area of Ste. Genevieve County, Missouri, as a unit of the National Park System. Section 3(1) defines the Heritage Area as including the Bequette-Ribault, St. Gemme-Amoureux and Wilhauk homes, and the related and supporting historical assets in Ste. Genevieve County, Missouri. Related and supporting historical assets include Le Grand Champ, historic downtown Ste. Genevieve, and a prehistoric Native American Village.

In April 1980, the Midwest Regional Office of the National Park Service completed a brief Reconnaissance Report of Ste. Genevieve. A memorandum forwarding the report to Washington, signed by the Regional Director, recommended that a study of alternatives be prepared for both the existing townsite of Ste. Genevieve, and for the archeological site on which the town was originally located. The

term "Study of Alternatives" is synonymous with study of suitability and feasibility as used in S. 1638.

The Reconnaissance Report looked at the area's cultural, natural, scenic, and recreational resources as well as ownership patterns and possible threats to the area. This earlier report will provide valuable background should this legislation be enacted authorizing a more in-depth study of suitability, feasibility, and management alternatives.

We discussed the intent of the legislation with the bill's sponsor. S. 1638 authorizes the Secretary to study the suitability and feasibility of designating the French Colonial Heritage Area as a unit of the National Park System. The National Park Service uses the term "Heritage Area" to define a regional entity having a central theme that does not include management by the National Park Service, whereas the term "Unit" is used when an area is managed wholly or in part by the Service.

We confirmed that the intent of the bill is to authorize the Secretary to study the French Colonial Historic District and accompanying resources within Ste. Genevieve County as a potential unit of the National Park System. This Special Resource Study will identify and explore a range of management possibilities, which could include a unit, such as a National Historic Site, managed by the National Park Service as well as management as a Heritage Area by a non-Federal entity. We will be happy to work with the subcommittee staff to develop any clarifying language that may be required.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CRAIG MANSON,  
*Assistant Secretary for Fish and Wildlife and Parks.*

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1638 as ordered reported.

