

TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONVEY TO THE MISSOURI RIVER BASIN LEWIS AND CLARK INTERPRETIVE TRAIL AND VISITOR CENTER FOUNDATION, INC. CERTAIN FEDERAL LAND ASSOCIATED WITH THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL IN NEBRASKA, TO BE USED AS AN HISTORICAL INTERPRETIVE SITE ALONG THE TRAIL

JULY 23, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 761]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 761) to authorize the Secretary of the Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail, 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. LAND CONVEYANCE, LEWIS AND CLARK NATIONAL HISTORIC TRAIL, NEBRASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. (a 501(c)(3) not-for-profit organization with operational headquarters at 100 Valmont Drive, Nebraska City, Nebraska 68410), all right, title, and interest of the United States in and to the federally owned land under jurisdiction of the Secretary consisting of 2 parcels as generally depicted on the map titled “Lewis and Clark National Historic Trail”, numbered 648/80,002, and dated March 2006.

(b) SURVEY; CONVEYANCE COST.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey and all other costs incurred by the Secretary to convey the land shall be borne by the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc.

(c) CONDITION OF CONVEYANCE, USE OF CONVEYED LAND.—The conveyance authorized under subsection (a) shall be subject to the condition that the Missouri

River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. use the conveyed land as an historic site and interpretive center for the Lewis and Clark National Historic Trail.

(d) DISCONTINUANCE OF USE.—If Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. determines to discontinue use of the land conveyed under subsection (a) as an historic site and interpretive center for the Lewis and Clark National Historic Trail, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. shall convey lands back to the Secretary without consideration.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) or the conveyance, if any, under subsection (d) as the Secretary considers appropriate to protect the interests of the United States. Through a written agreement with the Foundation, the National Park Service shall ensure that the operation of the land conveyed under subsection (a) is in accordance with National Park Service standards for preservation, maintenance, and interpretation.

(f) AUTHORIZATION OF APPROPRIATIONS.—To assist with the operation of the historic site and interpretive center, there is authorized to be appropriated \$150,000 per year for a period not to exceed 10 years.

PURPOSE OF THE BILL

The purpose of H.R. 761 is to authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Incorporated, certain federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail.

BACKGROUND AND NEED FOR LEGISLATION

The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center (Center) is a joint project of the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation (Foundation) and the National Park Service (NPS). The Center sits along the Lewis and Clark National Historic Trail in southeastern Nebraska near the Iowa border. The NPS provided approximately \$1.1 million for the purchase of the 78-acre site, as well as design and construction supervision services. The NPS also subsidizes the Center with approximately \$200,000 in operational funding annually. The Foundation raised approximately \$2.2 million for construction, development and operation of the Center.

H.R. 761 would authorize the Secretary of the Interior to convey all right, title and interest of the United States in and to the land on which the Center is located to the Foundation, free of charge. The land would revert to the United States should the Center stop using the land as a “historic site and interpretive center” for the trail. Once the transfer is completed, the Foundation could institute visitor fees and special use permit fees. The legislation authorizes the appropriation of \$150,000 annually to the Center for a period not to exceed 10 years. After the ten-year period of continued federal funding, the Center is expected become self-sufficient and the NPS would no longer be involved in funding the Center.

COMMITTEE ACTION

H.R. 761 was introduced on January 31, 2007 by Representative Jeff Fortenberry (R-NE). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. The Sub-

committee held a hearing on the measure on June 14, 2007, at which the Administration testified in support of H.R. 761.

On June 28, 2007, the full Natural Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration. Subcommittee Chairman Grijalva (D–AZ) offered an amendment in the nature of a substitute making technical changes to the bill which was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

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 Natural 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. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Incorporated, certain federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail.

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:

H.R.761—A bill to authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc., certain federal lands associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretative site along the trail

H.R. 1337 would authorize the Department of the Interior (DOI) to convey two parcels of federally owned land, and a visitor center located on the property, associated with the Lewis and Clark National Historic Trail in Nebraska to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. The foundation would continue to operate the land as an historic site and interpretive center.

Assuming appropriation of the authorized amount and based on information provided by the agency, CBO estimates that DOI would spend \$150,000 per year to assist with operation of the facility. Enacting the legislation would not affect direct spending or revenues.

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

The CBO staff contacts for this estimate are Tyler Kruzich and David Reynolds. 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.

EARMARK STATEMENT

H.R. 761 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

