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107TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 107–315

BEAR RIVER MIGRATORY BIRD REFUGE VISITOR CENTER ACT

DECEMBER 4, 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. 3322]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3322) to authorize the Secretary of the Interior to construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3322 is to authorize the Secretary of the Interior to construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah.

BACKGROUND AND NEED FOR LEGISLATION

The Bear River marshes of the northern portion of the Great Salt Lake in Utah have been a waterfowl oasis and an important inland waterfowl flyway for centuries. After decades of human encroachment and repeated outbreaks of waterfowl botulism, Congress moved to protect these marshes by creating the Bear River Migratory Bird Refuge in 1928. Devastating floods in 1983–85 virtually destroyed the Refuge, as dikes were breached and salt water from the Great Salt Lake flooded the freshwater marshes. The Refuge's newly constructed visitor facilities, roads and administrative buildings were also destroyed. Since that time, there have been no visitor facilities at the Refuge.

Once the waters of the Great Salt Lake receded in 1989, employees and volunteers worked to restore habitat destroyed by the

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floods and improve water management through an extensive reconstruction of dikes and waterways. Additional lands adjacent to the Refuge have also been acquired. However, the Refuge still lacks a functional education and administrative center.

Since 1995, Congress had appropriated almost $7.5 million for the construction of a visitor center and administrative facility at the Bear River Migratory Bird Refuge. In addition, non-profit groups such as the Friends of the Bear River Refuge and the local communities have raised $1.5 million towards the construction of an education center. H.R. 3322 provides an authorization of $11 million for the construction of an education center and administrative facility and limits the matching contribution requirement from private sources to no more than $1.5 million.

COMMITTEE ACTION

H.R. 3322 was introduced on November 16, 2001, by Congressman James V. Hansen (R–UT). The bill was referred to the Committee on Resources. On November 28, 2001, the Resources 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.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the "Bear River Migratory Bird Refuge Visitor Center Act".

Section 2. Findings

The section includes findings that describe the factual situation surrounding the Refuge, the destruction that resulted from the 1985 flood, and the support Congress has shown for the Refuge.

Section 3. Definitions

This section defines "Secretary", "Refuge", and "Education and Administrative Center".

Section 4. Authorization of construction of the education center

This section directs the Secretary of Interior to build an Education and Administrative Center at the Bear River Migratory Bird Refuge, and authorizes $11 million to be used for construction.

Section 5. Matching contributions requirements

This section authorizes the Secretary to accept donations of funds and services from non-federal sources, but limits the amount of any matching contributions that the Secretary may require at $1,500,000.

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. 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 construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah.

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, November 30, 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. 3322, the Bear River Migratory Bird Refuge Visitor Center Act.

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.

H.R. 3322—Bear River Migratory Bird Refuge Visitor Center Act

H.R. 3322 would direct the U.S. Fish and Wildlife Service (USFWS) to build an education and administrative center at the Bear River Migratory Bird Refuge in Utah. The bill would authorize the appropriation of $11 million for this purpose. Section 5 of the bill would prohibit the USFWS from requiring nonfederal contributors to provide more than $1.5 million for the project.

The construction project authorized by H.R. 3322 is already being carried out by the USFWS under existing statutory authority. To date, about $7.5 million has been appropriated for this purpose, including $1 million for fiscal year 2002. CBO estimates that the USFWS would spend an additional $3.5 million for the center as a result of this legislation, assuming appropriation of that amount. Based on information provided by the USFWS, CBO expects local participants will spend about $1.5 million to help complete the project.

H.R. 3322 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill 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 Robert A. Sunshine, 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

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

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