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STE. GENEVIEVE COUNTY NATIONAL HISTORICAL SITE STUDY ACT OF 2005

APRIL 20, 2006.—Ordered to be printed

Filed under authority of the order of the Senate of April 7, 2006

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

R E P O R T

[To accompany H.R. 1728]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1728) to authorize the Secretary of the Interior to study the suitability and feasibility of designating portions of Ste. Genevieve County in the State of Missouri as a unit of the National Park System, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 1728 is to authorize the Secretary of the Interior to study the suitability and feasibility of designating portions of Ste. (Sainte) Genevieve County in the State of Missouri as a unit of the National Park System, and for other purposes.

BACKGROUND AND NEED

Ste. Genevieve, Missouri, was once part of France's Upper Louisiana Territory, a vast area that encompassed the Mississippi and Missouri River drainage basins, and included much of what is now the middle third of the United States. The town, located along the Mississippi River in southeast Missouri, was settled in the 1700s by French colonists. The colonists came to mine lead, harvest salt from a local saline stream, and grow export crops along the Mississippi River bottomland.

To this day, Ste. Genevieve contains an impressive share of the colonial French buildings remaining in North America, including three of five known remaining “poteaux-en-terre” houses, structures built around posts anchored in the ground. Similar structures in other old French towns were swept away by floods of the Mississippi in the 19th century.

H.R. 1728 would authorize the Secretary to study the suitability and feasibility of designating the French Colonial structures and locations within the Ste. Genevieve County, Missouri, as a unit of the National Park Service. The structures and locations to be studied include Bequette-Ribault, St. Gemme-Amoureux and Wilhauk homes, as well as Le Grand Champ field, historic downtown Ste. Genevieve, and a prehistoric Native American Village.

LEGISLATIVE HISTORY

H.R. 1728 was introduced by Representatives Carnahan and Emerson on April 20, 2005 and passed by the House of Representatives on a voice vote, on February 28, 2005. H.R. 1728 was referred to the Committee on Energy and Natural Resources on March 1, 2006.

An identical bill, S. 323, was introduced by Senators Talent and Bond on February 8, 2005. The Subcommittee on National Parks held a hearing on S. 323 on March 15, 2005. At its business meeting on March 8, 2006, the Committee on Energy and Natural Resources ordered H.R. 1728 favorably reported.

Similar bills were introduced by Senators Bond and Talent (S. 1105) in the 108th Congress and by Senators Bond and Carnahan (S. 1638) in the 107th Congress.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on March 8, 2006, by unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 1728.

SECTION-BY-SECTION ANALYSIS

Section 1 entitles the bill the “Ste. Genevieve County National Historic Site Study Act of 2005”.

Section 2 sets forth congressional findings.

Section 3 defines key terms.

Section 4 directs the Secretary of the Interior to complete a study within three years after funds are made available and to report findings from the study to Congress.

Section 5 authorizes an appropriation of funds necessary to carry out the act.

COST AND BUDGETARY CONSIDERATIONS

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

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H.R. 1728 would direct the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing an area of historical houses in Ste. Genevieve, Missouri, as a unit

of the National Park System. Based on information provided by the National Park Service and assuming the availability of appropriated funds, CBO estimates that carrying out the proposed study would cost about \$200,000 over the next three years. Enacting H.R. 1728 would not affect direct spending or revenues.

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 November 22, 2005, CBO transmitted a cost estimate for H.R. 1728, the French Colonial Heritage National Historic Site Study Act of 2005, as ordered reported by the House Committee on Resources on November 16, 2005. The two versions of the legislation are similar and the cost estimates are identical.

The CBO staff contact for this estimate is Matthew Pickford. This 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 H.R. 1728. The Act is not a regulatory measure in the sense of imposing Government-established standards or 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.

Little, if any, additional paperwork would result from the enactment of H.R. 1728, as ordered reported.

EXECUTIVE COMMUNICATIONS

The views of the Administration on S. 323, a similar bill, were included in testimony received by the Committee at a hearing on the bill on March 15, 2005. This testimony follows:

STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department's views on S. 323, 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.

While the Department is supportive of S. 323, with the minor clarification provided in this testimony, we believe that available funding should be first directed toward completing previously authorized studies. Currently, 31 studies are in progress, and we hope to complete and transmit 19 to Congress by the end of calendar year 2005.

S. 323 would authorize the Secretary to complete a study on the suitability and feasibility of designating the French Colonial Heritage Area as a unit of the National Park System. The French Colonial Heritage Area (Area) includes the Bequette-Ribault, St. Gemme-Amoureux, and

Wilhauk homes, and the related and supporting historical assets in Ste. Genevieve County, Missouri. The Area contains some of the only existing examples of the French Colonial Period settlement, including two of the five poteaux-en-terre (post-in-the-ground) vertical log French buildings remaining in North America, dating from circa 1785, in addition to several other important historical resources. The Area is located within the expanded boundaries of Ste. Genevieve National Historic District (District), a National Historic Landmark. No current National Park System unit has comparable historic features providing the cultural backdrop required to adequately interpret the story of the early French in the New World.

In April 1980, the Midwest Regional Office of the National Park Service completed a brief Reconnaissance Report of Ste. Genevieve Historic District. The Reconnaissance Report reviewed the District's cultural, natural, scenic, and recreational resources as well as ownership patterns and possible threats to the District. The Reconnaissance Report will provide valuable background information should this legislation be enacted authorizing a more in-depth study of suitability and feasibility, which includes a review of management alternatives.

The Department would like to work with the Committee to clarify some potentially confusing language in the bill. While the bill authorizes a study on the suitability and feasibility of designating a new unit of the National Park System, it also identifies the study area as the "French Colonial Heritage Area." A national heritage area differs from a unit of the National Park Service in a number of different ways, most notably is that a national heritage area is locally driven and does not include management by the National Park Service, whereas a unit is managed wholly or in part by the National Park Service.

If the intent of the bill only is to study the area for potential designation as a national heritage area, we recommend amending the bill to authorize a feasibility study to examine such designation. If the intent is to study the area for potential inclusion as a new National Park System unit, or if it is unclear which type of designation is desired, the bill should be clarified by eliminating the references to the term "heritage area". A suitability and feasibility study to designate an Area as a unit will examine a range of alternatives, including whether a national heritage area designation is more appropriate than creating a new unit. We will be happy to work with the subcommittee to develop clarifying language prior to enactment of this legislation.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.

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 Act H.R. 1728, as ordered reported.

