

## CAMP HALE STUDY ACT

---

JULY 29, 2008.—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. 3336]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3336) to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing a historic district to the Camp Hale on parcels of land in the State of Colorado, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Camp Hale Study Act”.

### SEC. 2. SPECIAL RESOURCE STUDY OF THE SUITABILITY AND FEASIBILITY OF ESTABLISHING CAMP HALE AS A UNIT OF THE NATIONAL PARK SYSTEM.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the National Park Service, (hereinafter referred to as the “Secretary”) shall complete a special resource study of Camp Hale to determine—

(1) the suitability and feasibility of designating Camp Hale as a separate unit of the National Park System; and

(2) the methods and means for the protection and interpretation of Camp Hale by the National Park Service, other Federal, State, or local government entities or private or nonprofit organizations.

(b) STUDY REQUIREMENTS.—The Secretary shall conduct the study in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5).

(c) REPORT.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

(1) the results of the study; and

(2) any recommendations of the Secretary.

**SEC. 3. EFFECT OF STUDY.**

Nothing in this Act shall affect valid existing rights, including—

- (1) all interstate water compacts in existence on the date of the enactment of this Act (including full development of any apportionment made in accordance with the compacts);
- (2) water rights decreed at the Camp Hale site or flowing within, below, or through the Camp Hale site;
- (3) water rights in the State of Colorado;
- (4) water rights held by the United States; and
- (5) the management and operation of any reservoir, including the storage, management, release, or transportation of water.

Amend the title so as to read:

A bill to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System.

**PURPOSE OF THE BILL**

The purpose of H.R. 3336, as ordered reported, is to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System.

**BACKGROUND AND NEED FOR LEGISLATION**

Camp Hale was established during World War II as a training venue for the Army's 10th Mountain Division and other elements of the U.S. Armed Forces. The geography of the area is ideal for winter and high-altitude training, with steep mountains surrounding a level valley suitable for housing and other facilities.

In addition to the 10th Mountain Division, the 38th Regimental Combat Team, 99th Infantry Battalion, and soldiers from Fort Carson were trained at Camp Hale from 1942 to 1965. Throughout this time, the Army tested a variety of weapons and equipment at Camp Hale.

Between 1956 and 1965, the camp was also used by the Central Intelligence Agency as a secret center for training Tibetan refugees in guerilla warfare to resist the Chinese occupation of their mountainous country.

In July 1965, Camp Hale was deactivated and control of the lands was returned to the Forest Service in 1966. Today the camp is part of the White River and San Isabel National Forests. The U.S. Army Corps of Engineers is working to clean up potentially hazardous munitions left over from weapons testing at the camp, particularly in the East Fork.

Camp Hale was placed on the National Register of Historic Places in 1992. As introduced, H.R. 3336 would direct the Secretary of the Interior to study the feasibility and suitability of establishing Camp Hale, near Leadville, Colorado, as a national historic district.

**COMMITTEE ACTION**

H.R. 3336 was introduced August 2, 2007, by Rep. Doug Lamborn (R-CO). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a hearing on July 10, 2008, before the Subcommittee on National Parks, Forests, and

Public Lands, a representative of the National Park Service testified that the administration had no objection to the bill.

On July 16, 2008, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of the measure. Representative Lamborn offered an amendment in the nature of a substitute to direct the National Park Service to study the suitability and feasibility of designating Camp Hale as a unit of the National Park System. The amendment in the nature of a substitute also conforms the study instructions to standard special resource study language.

The amendment was adopted by unanimous consent. The bill, as amended, was then ordered reported to the House of Representatives by unanimous consent.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

Section 1 provides that the Act may be cited as the “Camp Hale Study Act.”

##### *Section 2. Special resource study of the suitability and feasibility of establishing Camp Hale as a unit of the National Park System*

Section 2 directs the Secretary of the Interior, acting through the Director of the National Park Service, to complete a special resource study of Camp Hale to determine the suitability and feasibility of designating Camp Hale as a separate unit of the National Park System, and also to consider other federal, state, local, private or nonprofit means of protecting and interpreting the site.

The committee expects that the study shall include an analysis of the following:

(1) The significance of Camp Hale in relation to the defense of our Nation during World War II and the Cold War, including—

(A) use of Camp Hale for training of the 10th Mountain Division and other elements of the United States Armed Forces; and

(B) use of Camp Hale for training by the Central Intelligence Agency of Tibetan refugees seeking to resist the Chinese occupation of Tibet.

(2) Opportunities for public enjoyment of the site.

(3) Any operational, management, and private property issues that need to be considered if Camp Hale were to be added to the National Park System.

(4) The feasibility of administering Camp Hale as a unit of the National Park System considering its size, configuration, ownership, costs, and other factors.

(5) The feasibility of designating a significantly smaller portion of the generally accepted boundaries of the full Camp Hale site as a unit of the National Park System, including—

(A) a recommendation on the size and features of a smaller designation more easily managed by the Secretary; and

(B) recommendations as to the relevant buildings, training sites, and/or other locations representative of the history of the full site.

(6) The adequacy of other alternatives for management and resource protection of Camp Hale and for appropriately commemorating the role of Camp Hale in connection with training of United States troops and assistance to Tibetans opposed to the occupation of Tibet.

*Section 3. Effect of study*

Section 3 states that nothing in this Act affects valid existing rights, including water rights.

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, as ordered reported, is to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System.

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. 3336—Camp Hale Study Act*

H.R. 3336 would require the National Park Service (NPS) to conduct a study of Camp Hale, a former military training area in Colorado, to determine the feasibility and suitability of designating the site as a unit of the National Park System. Based on information provided by the NPS and assuming the availability of appropriations, CBO estimates that conducting the required study would cost

less than \$500,000 over the next three years. Enacting H.R. 3336 would not affect revenues or direct spending.

H.R. 3336 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 Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### EARMARK STATEMENT

H.R. 3336 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.

