

VIRGINIA KEY BEACH PARK, FLORIDA, NATIONAL PARK  
SYSTEM FEASIBILITY STUDY

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APRIL 9, 2002.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 2109]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2109) to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach, Florida, for possible inclusion in the National Park System, 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. STUDY AND REPORT.

(a) STUDY.—The Secretary of the Interior (in this Act referred to as “the Secretary”) shall conduct a study of Virginia Key Beach Park in Biscayne Bay, Florida, which was used for recreation by African Americans at a time when public beaches were racially segregated by law. The study shall evaluate the national significance of the site and the suitability and feasibility of establishing the site as a unit of the National Park System.

(b) CRITERIA.—In conducting the study required by subsection (a), the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System contained in section 8 of Public Law 91–383 (16 U.S.C. 1a–5; popularly known as the National Park System General Authorities Act).

(c) REPORT.—Upon completion of the study, the Secretary shall transmit to the Congress a report on the findings of the study and the conclusions and recommendations of the Secretary.

Amend the title so as to read:

A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System.

## PURPOSE OF THE BILL

The purpose H.R. 2109 is to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park, Florida for possible inclusion as a unit of the National Park System.

## BACKGROUND AND NEED FOR LEGISLATION

Virginia Key Beach, Florida is a 1,000 acre barrier island, located just off the coast of Miami between Key Biscayne and Fisher Island. The City of Miami currently owns most of the island, including the park. South Florida beaches were, for decades, strictly segregated by race. Virginia Key Beach has a distinct historic value, having been the only beach, during the 1940's to the 1960's, where African-Americans were permitted. The beach was the site for baptisms and religious services, courtships and honeymoons, organizational gatherings, visiting celebrities, family recreation, and other community gatherings. However, in 1982, the City of Miami, citing the high cost of maintaining and operating the park, closed the beach. Since that time, the City of Miami has continued to explore various options regarding ownership and the future of the beach.

## COMMITTEE ACTION

H.R. 2109 was introduced on June 7, 2001 by Congresswoman Carrie Meek (D-FL). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On December 13, 2001, the Subcommittee held a hearing on the bill. On March 20, 2002, the Full Committee discharged the bill from the Subcommittee on National Parks, Recreation, and Public Lands and then met to mark up the bill. Congressman George Radanovich (R-CA) offered an amendment to clarify that Virginia Key Beach Park was the subject of the study and not the entire beach. The bill was adopted, together with the amendment as filed, by unanimous consent and was then ordered favorably reported, as amended, to the House of Representatives.

## 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 in-

cluded 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 authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park, Florida for possible inclusion 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:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 26, 2002.

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. 2109, a bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System.

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

Sincerely,

DAN L. CRIPPEN.

Enclosure.

*H.R. 2109—A bill to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System*

H.R. 2109 would require the National Park Service (NPS) to evaluate the national significance of Virginia Key Beach Park and suitability and feasibility of establishing it as a unit of the National Park System. The legislation would require the agency to report to the Congress on its findings upon conclusion of the study.

Based on information provided by the NPS, CBO estimates that completing the required study and report would cost the federal government \$50,000 over the next three to four years, assuming the availability of appropriated funds. H.R. 2109 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 2109 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.

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.

