

DIRECTING THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY TO DETERMINE THE NATIONAL SIGNIFICANCE OF THE MIAMI CIRCLE SITE IN THE STATE OF FLORIDA AND THE SUITABILITY AND FEASIBILITY OF ITS INCLUSION IN THE NATIONAL PARK SYSTEM AS PART OF BISCAYNE NATIONAL PARK, AND FOR OTHER PURPOSES

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SEPTEMBER 24, 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. 3630]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3630) to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes, 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. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Tequesta Indians were one of the earliest groups to establish permanent villages in southeast Florida;

(2) the Tequestas had one of only two North American civilizations that thrived and developed into a complex social chiefdom without an agricultural base;

(3) the Tequesta sites that remain preserved today are rare;

(4) the discovery of the Miami Circle, occupied by the Tequesta approximately 2,000 years ago, presents a valuable new opportunity to learn more about the Tequesta culture; and

(5) Biscayne National Park also contains and protects several prehistoric Tequesta sites.

(b) PURPOSE.—The purpose of this Act is to direct the Secretary to conduct a special resource study to determine the national significance of the Miami Circle site

as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **MIAMI CIRCLE.**—The term “Miami Circle” means the Miami Circle archaeological site in Miami-Dade County, Florida.

(2) **PARK.**—The term “Park” means Biscayne National Park in the State of Florida.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

**SEC. 3. SPECIAL RESOURCE STUDY.**

(a) **IN GENERAL.**—Not later than 3 years after the date funds are made available, the Secretary shall conduct a special resource study as described in subsection (b). In conducting the study, the Secretary shall consult with the appropriate American Indian tribes and other interested groups and organizations.

(b) **COMPONENTS.**—In addition to a determination of national significance, feasibility, and suitability, the special resource study shall include the analysis and recommendations of the Secretary with respect to—

(1) which, if any, particular areas of or surrounding the Miami Circle should be included in the Park;

(2) whether any additional staff, facilities, or other resources would be necessary to administer the Miami Circle as a unit of the Park; and

(3) any impact on the local area that would result from the inclusion of Miami Circle in the Park.

(c) **REPORT.**—Not later than 30 days after completion of the study, the Secretary shall submit a report describing the findings and recommendations of the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the United States House of Representatives.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this Act.

**PURPOSE OF THE BILL**

The purpose of H.R. 3630 is to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes.

**BACKGROUND AND NEED FOR LEGISLATION**

The Miami Circle, discovered in 1999, is an archeological ceremonial site presumed to have been constructed by the Tequesta Indians approximately 2,000 years ago. The site, currently owned by the State of Florida, is approximately 2.2 acres, located in Miami-Dade County, Florida, and is presumed to be the only of its kind. The site is also reasonably close to Biscayne National Park which currently protects several prehistoric Tequesta sites.

The Tequesta Indians are thought to be among the first people to establish permanent villages in southeast Florida. Study has shown that the Tequesta maintained a sophisticated agrarian society. Due to its rarity and archaeological value, it has been proposed that a study be conducted to assess the feasibility of including Miami Circle into an existing park unit, Biscayne National Park. The site is currently owned by the State of Florida who acquired the property late in 1999 for approximately \$26.7 million.

The study, to be conducted by the Secretary of the Interior through the National Park Service, would include analysis and recommendation with respect to including the Miami Circle as part of Biscayne National Park. The feasibility study would also assess additional resources needed, if any, to administer the acquisition of Miami Circle and the local impact that would result from the inclu-

sion. H.R. 3630 would require the Secretary to submit a report to Congress detailing the findings and recommendations in the study.

#### COMMITTEE ACTION

H.R. 3630 was introduced on January 24, 2002 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 September 12, 2002, the Full Committee met to consider the bill and the Subcommittee on National Parks, Recreation, and Public Lands was discharged from further consideration of the bill. Mr. Radanovich offered an amendment to simplify the definition of the Miami Circle site and to change the time to three years in which the Secretary would be required to report back to Congress on the results of the study. The amendment was adopted by unanimous consent. The Full Committee then ordered the bill, as amended, favorably reported to the House of Representatives by unanimous consent.

#### 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, as ordered reported, is to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, and for other purposes.

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 Com-

mittee 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, September 23, 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. 3630, a bill to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park.

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. 3630—A bill to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the state of Florida and the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park*

H.R. 3630 would direct the Secretary of the Interior to conduct a special resource study of the Miami Circle, a recently discovered archaeological site in Miami, Florida. The study would determine the national significance of the site as well as the feasibility and suitability of including it within Biscayne National Park. The bill would authorize the appropriation of whatever sums are necessary to conduct the study, and it would require the Secretary to report findings and recommendations within three years of receiving funds.

Assuming appropriation of the necessary amount, CBO estimates that implementing H.R. 3630 would cost the federal government \$150,000 over the next few years to complete the required study and report. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3630 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On June 21, 2002, CBO transmitted a cost estimate for S. 1894, a similar bill that was ordered reported by the Senate Committee on Energy and Natural Resources on June 5, 2002. The House and Senate versions of the legislation differ only in their timing—H.R. 3630 would require the Secretary of the Interior to complete the special resource study within three years, rather than one year as required by S. 1894. The estimated costs of the two pieces of legislation are the same, but some of the costs might occur later under the House bill.

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.

