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1st Session }

SENATE

{ REPORT
108–99

LEWIS AND CLARK INTERPRETIVE CENTER

JULY 11, 2003.—Ordered to be printed

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

R E P O R T

[To accompany H.R. 255]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 255) to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretive Center in Nebraska City, Nebraska, 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. 255 is to authorize the Secretary of the Interior to grant an easement to Otoe County, Nebraska, to allow for the construction of an access road to the Lewis and Clark Interpretive Center in Nebraska City, Nebraska.

BACKGROUND AND NEED

Congress has authorized the construction of several visitor centers in conjunction with the bicentennial anniversary of the Lewis and Clark Voyage of Discovery. One of the centers is located in Nebraska City. The National Park Service has already begun construction of the visitor center.

Costs of constructing and maintaining the road will be paid for by Otoe County, Nebraska. In order to begin construction, the Secretary of the Interior must grant an easement to the county. The National Park Service lacks the requisite authority to cede a road right-of-way. H.R. 255 grants this authority.

LEGISLATIVE HISTORY

H.R. 255 was introduced by Representative Bereuter on January 8, 2003 and was passed by the House of Representatives by voice

vote on May 14, 2003. The Subcommittee on National Parks held a hearing on H.R. 255 on June 10, 2003.

At the business meeting on June 25, 2003, the Committee on Energy and Natural Resources ordered H.R. 255 favorably reported.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on June 25, 2003, by unanimous vote of a quorum present, recommends that the Senate pass H.R. 255.

SECTION-BY-SECTION ANALYSIS

Section 1 authorizes the Secretary of the Interior to grant an easement to Otoe County, Nebraska, for the purpose of constructing and maintaining an access road between the Lewis and Clark Interpretive Center and two state roads.

Section 2 states that no funds from the Department of the Interior may be used to fund the design, construction, maintenance, or operation of the access road.

COST AND BUDGETARY CONSIDERATIONS

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 27, 2003.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 255, an act to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretive Center in Nebraska City, Nebraska.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 255—An act to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretive Center in Nebraska City, Nebraska

CBO estimates that H.R. 255 would have no significant impact on the federal budget. Enacting the bill would not affect direct spending or revenues.

H.R. 255 would authorize the Secretary of the Interior to grant an easement to Otoe County, Nebraska. The easement would allow the county to build and maintain a road between the Lewis and Clark Interpretive Center in Nebraska City and certain nearby roads. Based on information from the Department of the Interior, CBO estimates that granting the proposed easement across federal

lands would not affect offsetting receipts (a credit against direct spending) or the department's costs to manage those lands.

H.R. 255 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. Any costs incurred by Otoe County to construct or maintain this access road would be voluntary.

The CBO staff contact for this estimate is Megan Carroll. 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. 255. The bill 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. 255, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 29, 2003, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on H.R. 255. These reports had not been received at the time the report on H.R. 255 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT BY D. THOMAS ROSS, ASSISTANT DIRECTOR,
RECREATION AND CONSERVATION, NATIONAL PARK SERVICE,
DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 255, a bill to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretive Center.

The Department supports H.R. 255 as passed by the House. The bill would grant an easement by the National Park Service (NPS) to Otoe County, Nebraska for the construction and maintenance of an access road from state and county roads to the Lewis and Clark Interpretive Trails and Visitors Center in Nebraska City, Nebraska. The design, construction, and maintenance of the access road is to be done at no expense to the Federal government.

The Lewis and Clark Interpretive Center is currently under construction. It is scheduled to be completed in early 2004 with the grand opening set for July 30, 2004. This co-

incides with the Lewis and Clark signature event in Nebraska. The center will display the flora and fauna documented by the Lewis and Clark expedition across the country. The NPS recommended that the center be located in Nebraska City in 1991. That same year, the Park Service acquired a 65-acre track of land for the center, a site adjacent to Nebraska City, Nebraska.

H.R. 255 would facilitate the granting of an easement necessary to create an access road across public land to link the center to the main roads in the area. NPS would grant the easement to the Otoe County government so that the county can construct and maintain the road to the visitor center. When completed, this access road would provide the access from both Nebraska State Highway 2 and Otoe County Road 67 for those visitors to the Missouri River Basin Lewis & Clark Interpretive Trails and Visitors Center. The bicentennial commemoration of the Lewis and Clark Corps of Discovery is expected to draw millions of Americans to sites along the trail over the next several years. This new center, a permanent facility, will be one of the stops many will make along the trail.

Mr. Chairman, this concludes my prepared testimony. I would be happy to answer any questions you or your committee 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. 255, as ordered reported.

