

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 AS WELL AS THE SUITABILITY AND FEASIBILITY OF ITS INCLUSION IN THE NATIONAL PARK SYSTEM AS PART OF BISCAYNE NATIONAL PARK, AND FOUR OTHER PURPOSES

SEPTEMBER 11, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany S. 111]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 111) 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 as well as 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 without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 111 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 as well as 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 archaeological ceremonial site presumed to have been constructed by the Tequesta Indians approximately 2000 years ago. The site is approximately 2.2 acres and located in Miami-Dade County, Florida, and is possibly the only one 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, where studies have shown that the Tequesta maintained a sophisticated agrarian society. 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, due to its rarity and archaeological value. 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 inclusion. S. 111 would require the Secretary to submit a report to Congress detailing the findings and recommendations in the study.

COMMITTEE ACTION

S. 111 was introduced on January 9, 2003, by Senator Bob Graham (D-FL). The bill passed the Senate on March 4, 2003, by unanimous consent. The bill was then referred to the Committee on Resources. Within the Committee, the bill was referred to the Subcommittee on National Parks, Recreation and Public Lands. On July 15, 2003, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Recreation and Public Lands was discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

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 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 as well as 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 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, August 11, 2003.

Hon. RICHARD POMBO,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 111, an act 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 as well as 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,

DOUGLAS HOLTZ-EAKIN, *Director.*

Enclosure.

S. 111—An act 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 as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park

S. 111 would direct the Department of the Interior to conduct a 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 act would authorize the appropriation of whatever sums are necessary to conduct the study and would require the department to report its findings and recommendations within three years of receiving funds.

Assuming the availability of appropriated funds, CBO estimates that implementing S. 111 would cost the federal government \$150,000 over the next year to complete the required study and report. The legislation would not affect direct spending or revenues.

S. 111 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 February 7, 2003, CBO transmitted a cost estimate for S. 111 as ordered reported by the Senate Committee on Energy and Natural Resources on February 5, 2003. The two versions of the legislation are identical, as are the estimated costs.

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.