

TO DIRECT THE SECRETARY OF THE INTERIOR TO ESTABLISH A DEMONSTRATION PROGRAM TO FACILITATE LANDSCAPE RESTORATION PROGRAMS WITHIN CERTAIN UNITS OF THE NATIONAL PARK SYSTEM ESTABLISHED BY LAW TO PRESERVE AND INTERPRET RESOURCES ASSOCIATED WITH AMERICAN HISTORY, AND FOR OTHER PURPOSES

JULY 20, 2006.—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 H.R. 5411]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 5411) to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history, 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 H.R. 5411 is to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Over 130 units of the National Park System are represented by National Battlefields, National Battlefields Parks and Sites, National Military Parks and National Historical Parks and Sites, such as Pea Ridge National Military Park and Wilson's Creek National Battlefield. As directed by Congress, the National Parks Service (NPS) is to preserve many of these sites as they appeared at the time of a battle or historic moment in our Nation's history. Part of the landscape restoration program for these park units requires

NPS personnel from time to time to remove trees as well as other flora from a unit to maintain its historic landscape or to reduce the hazardous fuel load. Currently, the National Park Service Organic Act (16 U.S.C. 3) authorizes the Secretary of the Interior, "upon terms and conditions to be fixed by him, to sell or dispose of timber in those cases where in his judgment the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery or the natural or historic objects in any such park, monument, or reservation." Prior to restoring any landscape, park superintendents are required to comply with all National Environmental Protection Act requirements and may have to be issued a Special Use Permit from NPS headquarters.

Should any park unit remove timber and sell it, all proceeds from the sale must be forwarded to the General Treasury. According to the NPS, the following are the receipts for the last six years for the sale of timber: Fiscal Year (FY) 2000, \$24,932; FY 2001, \$8,252; FY 2002, \$4,410; FY 2003, \$12,207; FY 2004, \$3,403; FY 2005, \$5,957 (\$59,161 total).

H.R. 4612 would establish a four-year demonstration program involving 24 National Battlefields, Battlefield Parks, Military Parks and Battlefield Sites to provide that receipts from any timber sales will be retained for expenditure within the unit from which the timber is removed as part of any approved plan for the restoration or protection of park resources or values. The bill specifies that any retained funds must be used in direct connection with landscape restoration and directs the Secretary of the Interior to submit a report to the Committee on Resources establishing a time line for landscape restoration work in all 24 units.

COMMITTEE ACTION

H.R. 5411 was introduced on May 17, 2006, by Congressman Stevan Pearce (R-NM) following a December 19, 2005, field hearing of the Subcommittee on National Parks at Pea Ridge National Military Park on landscape restoration programs within the National Park System. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks. On June 21, 2006, the Full Resources Committee met to consider the bill, at which time the Subcommittee on National Parks 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 unanimous consent.

CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3, clause 2 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 pre-

pared 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, credit authority, or an increase or decrease in revenues or tax expenditures. According to the Congressional Budget Office, enactment of this bill would increase direct spending “by negligible amounts” over the 2007–2011 time period.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) rule XIII, the general performance goal or objective of this bill is to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established to preserve and interpret resources associated with American history.

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. 5411—A bill to direct the Secretary of the Interior to establish a demonstration program to facilitate landscape restoration programs within certain units of the National Park System established by law to preserve and interpret resources associated with American history

H.R. 5411 would direct the National Park Service (NPS) to implement a demonstration program for landscape restoration and other projects at national battlefields. CBO estimates that enacting H.R. 5411 would increase direct spending by negligible amounts over the 2007–2011 period.

Under H.R. 5411, the NPS would carry out projects such as landscape restoration at 24 national battlefields or similar sites using receipts earned from sales of timber at those park units. Sales receipts used for such projects would be available without further appropriation. Authority to retain and spend timber receipts at battlefield units would expire after four years.

Based on recent timber receipts at the affected park units, CBO estimates that the NPS would spend, without further appropriation, less than \$20,000 annually over the 2007–2011 period for the projects authorized by the bill. Such amounts—generally between \$3,000 and \$25,000 a year—are currently deposited in the U.S. Treasury and cannot be used without further appropriation.

H.R. 5411 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, and tribal governments.

The CBO staff contacts for this estimate are Leigh Angres and Deborah Reis. This 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 not make changes to existing law.

