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REPORT
110–303

WOLF HOUSE STUDY ACT OF 2008

APRIL 10, 2008.—Ordered to be printed

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

R E P O R T

[To accompany S. 1941]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1941) to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfork, Arkansas, as a unit of the National Park System, and for other purposes, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wolf House Study Act of 2008".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) WOLF HOUSE.—The term "Wolf House" means the structure known by that name located on Highway 5 in Norfork, Arkansas.

SEC. 3. WOLF HOUSE STUDY.

(a) IN GENERAL.—In accordance with subsection (b), the Secretary shall complete a special resource study of the Wolf House to determine—

(1) the suitability and feasibility of designating the Wolf House as a unit of the National Park System; and

(2) the methods and means for the protection and interpretation of the Wolf House by—

(A) the National Park Service;

(B) other entities of the Federal Government;

(C) State and local government entities; and

(D) private and nonprofit organizations.

(b) STUDY REQUIREMENTS.—The Secretary shall conduct the study in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

(c) REPORT.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report containing—

(1) the results of the study; and

(2) any recommendations of the Secretary.

2. Amend the title so as to read: "A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfork, Arkansas, as a unit of the National Park System, and for other purposes.".

PURPOSE

The purpose of S. 1941 is to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of including the Wolf House, located in Norfork, Arkansas, as a unit of the National Park System.

BACKGROUND AND NEED

The Wolf House is a two-story log structure built in 1829 in Baxter County, Arkansas. The structure dates to Arkansas' territorial period. It is the oldest public building in Arkansas and the oldest territorial courthouse west of the Mississippi River. The structure is named for its owner and builder, Major Jacob Wolf. It was originally built as the county courthouse and from 1836 to 1863 it served as the residence for Wolf and his family.

Baxter County purchased the Wolf House and an extensive restoration of the structure was began in 1999 and completed in 2001. Research was conducted relating to the structure's history and 1829 appearance. The restoration was funded by a County Courthouse Restoration Grant awarded by the Arkansas Historic Preservation Program, an agency of the Department of Arkansas Heritage. The restored building reopened to the public in the spring of 2002 to coincide with Norfork's Pioneer Days festival.

The site is operated by the Wolf House Memorial Foundation under an agreement with the county. The Wolf House was placed on the National Register of Historic Places in 1973.

LEGISLATIVE HISTORY

S. 1941 was introduced by Senators Lincoln and Pryor on August 2, 2007. The Subcommittee on National Parks held a hearing on the bill on November 8, 2007. (S. Hrg. 110–282.)

At its business meeting on January 30, 2008, the Committee on Energy and Natural Resources ordered S. 1941 favorably reported with an amendment in the nature of a substitute.

Similar legislation, was introduced in the 109th (S. 434) and the 108th (S. 3008) Congresses, but no action was taken on either bill.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on January 30, 2008, by a voice vote of a quorum present, recommends that the Senate pass S. 1941, if amended as described herein.

COMMITTEE AMENDMENT

During the consideration of S. 1941, the Committee adopted an amendment in the nature of a substitute. The amendment deletes the finding section and makes other conforming amendment. The amendment is explained in detail in the section-by-section analysis below.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the "Wolf House Study Act of 2008".

Section 2 defines the term "Secretary" to mean the Secretary of the Interior and "Wolf House" means the structure known by that name on Highway 5 in Norfork, Arkansas.

Section 3(a) states the Secretary shall complete a special resource study to determine the suitability and feasibility of designating the Wolf House as a unit of the National Park System and the methods and means for the protection and interpretation of the Wolf House by involved entities.

Subsection (b) states the Secretary shall conduct the study in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 19–5(c)), which provides criteria for National Park Service studies.

Subsection (c) provides that the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report containing the results of the study and any recommendations of the Secretary.

COST AND BUDGETARY CONSIDERATIONS

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

S. 1941—Wolf House Study Act of 2008

S. 1941 would require the National Park Service (NPS) to conduct a study to determine the feasibility and suitability of designating the Wolf House in Arkansas as a unit of the National Park System. The bill would require the NPS to report its findings and recommendations to the appropriate Congressional committees within three years of receiving funding for the study.

Assuming the availability of appropriated funds, CBO estimates that implementing the legislation would cost $300,000 over the next three years. Enacting this legislation would not affect direct spending or revenues.

S. 1941 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, 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 S. 1941. The bill is not a regulatory measure in the sense of impos-

ing 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 S. 1941, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 1941, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in Rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the November 8, 2007 Subcommittee hearing on S. 1941 follows.

STATEMENT OF KATHERINE H. STEVENSON, ACTING ASSISTANT DIRECTOR, BUSINESS SERVICES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 1941, a bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfork, Arkansas, as a unit of the National Park System.

The Department opposes S. 1941. While the Wolf House is an impressive historical structure, it is not distinguished beyond that of many other historical log structures in cities all over the United States. It is currently operated by the Wolf House Memorial Foundation, Inc., (Foundation) with the backing of Baxter County, Arkansas. Even though the Wolf House has significance for the political history of the state of Arkansas, we believe it may be more suited for inclusion in the State Park system, either separately or as part of the Bull Shoals–White River State Park. Finally, we believe that priority should be given to the 35 previously authorized studies for potential units of the National Park System, potential new National Heritage Areas, and potential additions to the National Trails System and National Wild and Scenic River System that have not yet been transmitted to the Congress.

S. 1941 would authorize a study of the Wolf House, a two-story dogtrot log structure dating back to 1829. It is a relic of the Arkansas territorial period, the oldest territorial courthouse west of the Mississippi River, and is located on Highway 5 in Norfork, Arkansas. It also would study the Wolf House property, several outbuildings, and portions of several city lots, all located within the city of Norfork. The study would be conducted in accordance with the criteria contained in Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)). A report that includes the findings, conclusions, and recommendations for future management of the study area would be required to be transmitted by

the Secretary to Congress no later than one year after enactment of this legislation. S. 1941 states that the Wolf House is located in the city of Norfolk; the correct location is the city of Norfork.

The Wolf House became the property of the city of Norfork in the 1930s and was maintained and opened to the public by interested citizens who eventually formed the Foundation. The Wolf House was placed on the National Register of Historic Places on April 13, 1973. In the 1990s, controversies over management of the property led the Foundation to approach the Arkansas State Parks to assume responsibility for the property. They were told that the State Parks could not acquire new properties at the time. In 1999, the Foundation and the city of Norfork quit claimed their ownership of the property to Baxter County. At the same time, the Arkansas Historic Preservation Program acquired a historic preservation easement on the property.

Mr. Chairman, this concludes my prepared testimony. I would be pleased to answer any questions you or the subcommittee 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 bill S. 1941, as ordered reported.

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