

## NIAGARA FALLS NATIONAL HERITAGE AREA STUDY ACT

SEPTEMBER 23, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

### R E P O R T

[To accompany S. 1227]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 1227) to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, 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. 1227 is to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, and for other purposes.

#### BACKGROUND AND NEED FOR LEGISLATION

The Niagara Falls in western New York forms the boundary between the State and Canada and is internationally recognized as a very significant natural wonder. Between 8 and 10 million people visit the Falls each year. The Niagara River Gorge Corridor is also well known for its exceptional scenic views. The Gorge is also known to contain a world-class selection of fossils from the Upper Ordovician and Silurian periods. The Niagara River flows for 35 miles between Lake Erie and Lake Ontario and includes both the Niagara Falls and the Niagara River Gorge. The area encompasses eight parks located along the River and the Gorge that are operated by the State of New York.

The region is home to many cultural and historical resources relating to early American history. Included are sites and resources

relating to Native American habitation and early European contact, the French and Indian War, the American Revolutionary War, and the War of 1812. In addition, it includes an important route in the Underground Railroad which aided African-American slaves escaping to Canada.

In early 2001, the National Park Service (NPS) conducted a reconnaissance study of the Niagara River region in which possibilities for NPS involvement were explored. While the study did not recommend the area being studied for possible designation as a unit of the National Park System, it did conclude that one possible scenario was to have the area studied for its suitability and feasibility of being designated a National Heritage Area.

#### COMMITTEE ACTION

S. 1227 was introduced on July 24, 2001, by Senator Charles Schumer (D-NY). On August 1, 2002, the Senate passed the bill, with amendments, by unanimous consent. S. 1227 was referred to the Committee on Resources. On September 12, 2002, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was ordered 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 is to authorize the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Niagara Falls National Heritage Area in the State of New York, 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, September 17, 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 S. 1227, the Niagara Falls National Heritage Area Study Act.

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.

*S. 1227—Niagara Falls National Heritage Area Study Act*

S. 1227 would direct the Secretary of the Interior to conduct a study of the feasibility of establishing a Niagara Falls National Heritage Area in the state of New York. The study would identify cultural and other resources in the area and would determine if there is a suitable entity to manage it. The act would authorize the appropriation of \$300,000 to conduct the study, and it would require the Secretary to report on its findings and recommendations within three years of receiving funds.

Assuming appropriation of the authorized amount, CBO estimates that implementing S. 1227 would cost the federal government \$300,000 over the next three years to complete the required study and report. The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

S. 1227 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.

On June 13, 2002, CBO submitted a cost estimate for S. 1227 as ordered reported by the Senate Committee on Energy and Natural Resources on June 5, 2002. The two versions of the legislation are identical, as are the cost estimates.

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.

