

Calendar No. 58

109TH CONGRESS }
1st Session }

SENATE

{ REPORT
109-42

UINTAH RESEARCH AND CURATORIAL CENTER ACT

MARCH 17, 2005.—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 S. 182]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 182) to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

On page 2, line 4, strike “Uintah” and insert “Uinta”.

PURPOSE OF THE MEASURE

The purpose of S. 182 is to authorize the establishment of the Uintah Research and Curatorial Center in Utah near Dinosaur National Monument.

BACKGROUND AND NEED

Dinosaur National Monument was designated by President Woodrow Wilson in 1915. Since that time, the Monument has been a haven for both amateur and expert dinosaur enthusiasts. Known worldwide as one of the most productive sites for Jurassic era fossils and bones, the Monument has over 600,000 artifacts in its collection. The collection is housed in 17 separate facilities in the park and many of them are unavailable to the public. In addition, many of the artifacts are at risk because they are not stored in facilities that meet National Park Service standards for artifact storage.

S. 182 would establish the Uintah Research and Curatorial Center (Center). The 22,500 square foot facility would be constructed outside the Monument’s boundary at a site near the Utah Field

House of Natural History Museum (Museum) in Vernal, Utah. The curatorial and research facility will fill the role of fossil and archeological collection center and archive for the Monument. Additionally, it will fill operational requirements for the park and other partners, including the Bureau of Land Management and the Forest Service. By locating the Center adjacent to the Museum, interns, park staff, and visiting scholars will have access to the Museum's exhibit space, classrooms, conference rooms, and education facilities. S. 182 would also authorize the Secretary of the Interior to accept the donation of the building site. The National Park Service estimates the total cost of building the Center to be approximately \$8.7 million.

LEGISLATIVE HISTORY

Senator Bennett introduced S. 182 on January 26, 2005. During the 108th Congress, the Committee considered identical legislation (S. 1678). Senator Bennett introduced S. 1678 on September 9, 2003. The Senate Committee on Energy and Natural Resources' Subcommittee on National Parks held a hearing on S. 1678 on June 8, 2004. At the business meeting on September 15, 2004, the Committee on Energy and Natural Resources ordered S. 1678 favorably reported (S. Rept. 108–363), with an amendment in the nature of a substitute. S. 1678 passed the Senate, as amended, by unanimous consent on October 10, 2004. The House of Representatives did not consider the bill prior to the *sine die* adjournment of the 108th Congress.

At its business meeting on February 16, 2005, the Committee on Energy and Natural Resources ordered S. 182 favorably reported with a technical amendment.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in an open business session on February 16, 2005, by a voice of a quorum present, recommends that the Senate pass S. 182, if amended as described herein.

COMMITTEE AMENDMENTS

During its consideration of S. 182, the Committee adopted an amendment in the nature of a substitute and an amendment to the title. The amendments correct the title and the text of the bill to reflect the correct spelling of "Uinta."

SECTION-BY-SECTION ANALYSIS

Section 1 entitles this bill the "Uintah Research and Curatorial Act."

Section 2 defines key terms used in the Act.

Section 3(a) authorizes the Secretary of Interior (Secretary) to establish the Uintah Research and Curatorial Center (Center).

Subsection (b) authorizes the Secretary to accept the donation of not more than five acres of land located in Uintah County, near Vernal, Utah, as identified on the map referenced in section 2.

Subsection (c) requires the map referenced in section 2 to be on file for public inspection in appropriate National Park Service offices.

Subsection (d) describes the authorized function of the Center.

Subsection (e) directs the Secretary to administer the land described in subsection (b). The land is not to be a part of the Dinosaur National Monument and as such is not subject to laws or regulations applicable to the Monument; however, the Secretary is authorized to promulgate any regulations necessary for the management of the Center. This section also allows the Secretary to enter into cooperative agreements to provide for curatorial, research and operational services.

Section 4 authorizes the appropriation of \$8,800,000 to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

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

S. 182—Uintah Research and Curatorial Center Act

S. 182 would direct the Department of the Interior to establish a research and curatorial center near the Dinosaur National monument, which is located in Colorado and Utah. The bill would authorize the department to acquire by donation up to five acres of land around Vernal, Utah, as a site for the new center. The facility would be used to store and conduct research on fossils and other items owned by the National Park Service (NPS) and other collectors. Under the bill, the center could be managed, operated, or used by governmental agencies, educational institutions, or nonprofit organizations through cooperative agreements between the department and those entities. S. 182 would authorize the appropriation of \$8.8 million to carry out these activities.

Based on information provided by the NPS and assuming appropriation of the authorized amount, CBO estimates that the Federal Government would spend \$8.8 million over the next 5 years to construct the research and curatorial center. We estimate that the cost of furnishing, equipping, operating, and maintaining the center after 2010 would be about \$400,000 a year, assuming the availability of appropriated funds. Enacting S. 182 would not affect revenues or direct spending.

The legislation 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.

The CBO staff contact for this estimate is Deborah Reis. 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 S. 182.

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 S. 182.

EXECUTIVE COMMUNICATIONS

During the 108th Congress, the Committee considered similar legislation (S. 1678). The views of the Administration were included in testimony received by the Committee at a hearing on S. 1678 in the 108th Congress on June 8, 2004, as follows:

STATEMENT OF JANET SNYDER MATTHEWS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, 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. 1678, a bill to establish the Uintah Research and Curatorial Center in the city of Vernal, Utah. We thank Senator Bennett and the other members of the Utah delegation for their interest and support in protecting the resources of Dinosaur National Monument, the site for which the Center is intended.

The Department of the Interior supports this bill with a technical amendment, to accurately reflect the correct spelling of the name of the center—Uinta. The partners have chosen to spell the name of the center in the same way the Uinta Mountains are spelled and not the County of Uintah. We also have a current version of the map that more accurately shows the location of the center in its relationship to other partner structures on the site.

S. 1678 would authorize the National Park Service to establish the Uinta Research and Curatorial Center on land outside the boundary of Dinosaur National Monument. The land would be acquired by donation from the city of Vernal, Utah and be no more than five acres. S. 1678 would authorize the center to be used for the curation, storage, and research of the museum collection of Dinosaur National Monument and provide for curation of other collections held by other federal agencies, tribes, and universities under the guidelines of cooperative agreements with the Secretary. The State of Utah, local agencies, academic institutions, and appropriate private nonprofit entities may also enter into agreements to manage and use the site. The bill requires that the land not become part of the Monument or be subject to laws and regulations applicable to the Monument. This language is common when Congress has authorized NPS administrative sites in the past.

Dinosaur National Monument was established on October 9, 1915 to protect an extraordinary deposit of dinosaur remains of the Jurassic period. While the park contains many other significant resources, the centerpiece continues to be the paleontological specimens for which the park was originally established. They are considered by the scientific community as internationally significant and represent the single best window into the life of Jurassic dinosaurs. The

collection contains type specimens from which specific dinosaurs are named, as well as many one-of-a-kind specimens. The collection is heavily used by outside researchers as well as the NPS. The collection also contains significant archaeological, biological, archival, and historic objects that preserve the cultural and natural history of the park.

The 1986 General Management Plan identified a need for a collections building and upgraded lab facilities under the preferred alternative. In the late 1990's Utah State Parks began planning for the construction/reconstruction of the Utah Field House Museum in Vernal. The park began working with the State to develop a partnership to provide collections space for the state as well as the park. The Field House Museum received \$5.5 million from the State of Utah for the reconstruction, to be co-located with the collections building on property acquired by the City of Vernal and Uintah County. The portion of the property for the Uinta Research and Curatorial Center is being donated to the National Park Service (approximately one-fourth of the lot, estimated value of approximately \$375,000).

The 2001 Collection Management Report identified 609,000 items in the collection. The collections are currently stored in 11 different facilities throughout the park, including garages, most of which meet few NPS museum standards. Maintenance and curation has been deferred due to lack of space or proper facility to prepare for storage. Of the 957 museum standards currently applicable to the park, the park barely meets 50% of them.

This new facility would allow the park to meet nearly 98% of those standards. Of particular importance are the health and safety concerns from radon gas production in the enclosed areas where radioactive specimens are currently stored. Due to lack of space, park staff must conduct their duties in the aisles of the old paleo lab at the Quarry Visitor Center. This lab, as well as the entire Center, is in serious need of rehabilitation, having suffered extensive structural distress since its construction in the 1950's. As such, the Quarry Visitor provides neither adequate storage space nor a suitable environment for staff to work in. The NPS has a project planned to stabilize and rehabilitate the historic Quarry Visitor Center in FY 2007 as part of the five-year line-item construction program.

The Uinta Center will provide for approximately 22,500 square feet of work and storage space and cost approximately \$8.8 million, which covers only the construction of the building. Funding for the construction is currently programmed for FY 2007. In addition, one-time costs for moving the collection, equipping the laboratory, furnishing offices, and meeting IT needs are estimated to be approximately \$400,000. Additional recurring costs for the operation of the center—either through direct additional NPS funding, or partnerships with other agencies that have expressed an interest in using the facility, are estimated to be approximately \$250,000 to \$300,000 per year. This in-

cludes additional staffing to perform administrative and maintenance functions as well as basic operational costs (utilities, necessary supplies, materials and equipment).

A decision was made early in the process not to include the site as part of the monument. The site is not contiguous with the present park boundary and is nearly fourteen miles from the closest park entrance. However, it is in the City of Vernal, Utah and is the site for the newly constructed Utah Field House of Natural History Museum. The State will be the primary partner with the NPS. The Field House will provide visitors and residents access to the museum and programs on the natural history of the area, while the Uinta Center will provide the storage and research function of a world-class museum. Other partners in the project include the City of Vernal, Utah and Uintah County who have donated the land for the project. Both communities see this venture as an economic benefit and an enhancement to the surrounding region's tourism efforts. The Bureau of Land Management (BLM) and the Ashley National Forest will also work with us and store their collections here.

The Uinta Research and Curatorial Center is another example of the goal of the Department and the National Park Service to meet the needs of the agency while working with partners. The Center will provide proper storage for irreplaceable artifacts, improve working conditions for staff and visiting scientists, partner with the state to provide educational opportunities, and give visitors the chance to discover the many wonders of eastern Utah.

That concludes my remarks, Mr. Chairman. I would be happy to respond to any questions you and the 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 bill S. 182 as ordered reported.