

NATIONAL CAVE AND KARST RESEARCH INSTITUTE ACT OF
1997

APRIL 28, 1998.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany S. 231]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 231) to establish the National Cave and Karst Research Institute in the State of New Mexico, 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. 231 is to establish the National Cave and Karst Research Institute in the State of New Mexico.

BACKGROUND AND NEED FOR LEGISLATION

S. 231 was introduced to establish the National Cave and Karst Research Institute in the State of New Mexico. Creation of the Institute is a result of Public Law 101-578 which directed the National Park Service to establish and administer a cave research program. The Institute would be located near Carlsbad Caverns National Park in New Mexico. Funding for the establishment and management of the Institute would come from appropriated monies, but only to the extent that these monies match an equal amount of funding from non-federal sources. An identical companion bill, H.R. 2098, was introduced in the House by Congressman Joe Skeen (R-MN).

Because of concerns with cave and karst protection, the Congress passed the Federal Cave Resources Protection Act (Public Law 100-691) in 1988 which directed the Secretaries of Interior and Ag-

riculture to inventory and list significant caves on federal land, to provide for their management, and to distribute information about caves. As public awareness increased, the Congress passed Public Law 101-578 in 1990, which directed the Secretary of the Interior to establish and administer a cave research program. Section 203 of Public Law 101-578 also provided that the Secretary prepare and transmit to the Congress a study on the feasibility of establishing a Cave Research Institute. The study analyzed the need for the facility, its costs, its purposes, and a possible location. The results of the study, issued in 1994, indicated that there was a need for the facility and that a site near Carlsbad Caverns in New Mexico was the preferred and logical location of its construction. The Carlsbad site was preferred because of the documented strong local community and political support along with the numerous and diverse cave and karst resources found throughout the area.

The study further recommended that the Research Institute be jointly administered by the National Park Service and another entity. However, the Park Service would serve as the project lead and have the ultimate responsibility for the Institute by retaining indirect control over its activities and programs. The cooperating entity would plan, coordinate, and administer the Institute and implement its programs. S. 231 would authorize appropriated funds as may be necessary for the Research Institute. As stated above, the Secretary may spend only such amount of the appropriated funds as is matched by an equal amount of funds raised from non-federal sources.

COMMITTEE ACTION

S. 231 was introduced by Senator Jeff Bingaman (D-NM) on January 29, 1997. The bill passed the Senate by unanimous consent on July 11, 1997, and was referred to the Committee on Resources. Within the Committee, the bill was referred to the Subcommittee on National Parks and Public Lands. On February 5, 1998, the Subcommittee held a hearing on H.R. 2098, the House companion bill to S. 231 where the Administration, represented by Michael Soukap, Associate Director for Natural Resource Stewardship and Science for the National Park Service endorsed the legislation, but had concerns that funding had not been requested by the Administration. On February 12, 1998, the Subcommittee met to mark up H.R. 2098. No amendments to H.R. 2098 were offered and the bill was then ordered favorably reported to the Full Committee by voice vote. On March 25, 1998 the Full Resources Committee met to consider S. 231. The Subcommittee on National Parks and Public Lands was discharged from further consideration of the measure. No amendments were offered. The bill was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X 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 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact S. 231.

COST OF THE LEGISLATION

Clause 7(a) 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 S. 231. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, S. 231 does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, S. 231 would allow the Secretary of the Interior to accept gifts and donations (which are recorded as government receipts), and spend them without further appropriation. Because any receipts and spending would likely offset each other, there would be no net budgetary impact.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of S. 231.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 S. 231 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 27, 1998.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 231, the National Cave and Karst Research Institute Act of 1997.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria V. Heid (for federal costs) and Marge Miller (for the state and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

S. 231—National Cave and Karst Research Institute Act of 1997

Summary: S. 231 would direct the National Park Service (NPS) to establish the National Cave and Karst Research Institute in New Mexico. The NPS would be authorized to lease or construct a suitable facility for the institute, and to administer the institute jointly with another public or private organization. The bill would authorize the NPS to expend appropriated funds only to the extent that such spending is matched by nonfederal funds to help establish and operate the institute. Assuming appropriation of the necessary funds, CBO estimates that the federal government would spend about \$5 million over the 1999–2003 period to construct a building for the institute and to begin its research operations.

Enacting the legislation could affect both receipts and direct spending; therefore, pay-as-you-go procedures would apply. S. 231 would allow the Department of the Interior to accept gifts and donations (which are recorded as governmental receipts), and the department could spend any amounts received without the need for appropriation action. Because any such receipts and direct spending would likely offset each other, however, we estimate no net budgetary impact for pay-as-you-go purposes.

S. 231 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 231 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

[By fiscal year, in millions of dollars]

	1998	1999	2000	2001	2002	2003
SPENDING SUBJECT TO APPROPRIATION						
Estimated authorization level	0	3	(1)	(1)	1	1
Estimated outlays	0	(1)	1	2	1	1

¹ Less than \$500,000.

Basis of Estimate: Based on information from the NPS, CBO estimates it would cost about \$6 million over several years to construct a building to house the institute. In addition, we estimate that once it is fully operational the institute would cost about \$2 million annually to operate. This estimate assumes that a non-federal source would provide matching funds to construct and operate the institute and that half of the estimated costs, or about \$5 million over the 1999–2003 period, would be paid for with federal appropriation.

Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. Pay-as-you-go procedures would apply to S. 231 because it would authorize the Department of the interior to accept gifts and donations to carry out the bill, and the department could spend such donations without further appropriation. We expect, however, that receipts from any gifts or donations would be offset by the spending of those funds and thus there would be no net budgetary impact for pay-as-you-go purposes.

Estimated impact on state, local, and tribal governments: S. 231 no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The legislation would direct that the proposed institute be jointly managed by the NPS and a public or private agency, organization, or institution. It also would require that federal expenditures be matched by equal funds from nonfederal sources. It is possible that a public agency or institution would choose to participate in this project and provide some matching funds. Any such contribution would be voluntary.

Estimated impact on the private sector: S. 231 would impose no new private-sector mandates as defined in UMRA.

Previous CBO estimate: On June 23, 1997, CBO prepared a cost estimate for S. 231 as ordered reported by the Senate Committee on Energy and Natural Resources on June 11, 1997. The two versions of S. 231 are identical, as are the estimated costs, but this estimate assumes that funds would be appropriated in fiscal year 1999, rather than fiscal year 1998.

Estimate prepared by: Federal Costs: Victoria V. Heid; Impact on State, local, and tribal governments: Marjorie Miller.

Estimated approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

S. 231 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, S. 231 would make no changes in existing law.

