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SENATE

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PIKE NATIONAL HISTORIC TRAIL STUDY ACT

NOVEMBER 15, 2018.—Ordered to be printed

Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 2876]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2876) to amend the National Trails System Act to provide for the study of the Pike National Historic Trail, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 2876 is to amend the National Trails System Act to authorize the study of the Pike National Historic Trail to assess its suitability and feasibility for potential addition to the National Trails System.

BACKGROUND AND NEED

The proposed Pike National Historic Trail follows the expedition of Zebulon Pike, a U.S. army officer and explorer. In 1806, Pike's expedition embarked from St. Louis, Missouri, as Pike led a 20-man exploring party 2,000 miles to Minnesota. He was then dispatched southwest to explore Spanish territory and established an outpost near present-day Pueblo, Colorado, as his party encountered the Rocky Mountains. Unable to scale a mountain peak now famously named Pike's Peak, the party proceeded south to northern New Mexico. The party was apprehended and charged with illegal entry into New Mexico by Spanish officials, escorted across Texas, and finally released in Louisiana, at the Spanish-American border. In all, the expedition traversed seven present-day states,

and three provinces of Mexico. Today, Pike and his journey are remembered for their significant discoveries of a young America and the many ways in which those discoveries informed the nation's westward expansion.

Stretching approximately 3,664 miles, Pike's route is maintained by the Pike National Trail Association (Association). The Association strives to promote historic investigation of aspects of the Zebulon Pike Expedition and the Pike National Historic Trail, to conduct and participate in educational opportunities regarding the legacy of the Pike Expedition, and to establish federal designation of the trail as the Pike National Historic Trail.

S. 2876 authorizes a study of the trail, consistent with the National Trails System Act (16 U.S.C. 1244(c)), to determine the feasibility and desirability of designating the trail as a National Scenic Trail or National Historic Trail. Proponents emphasize the economic, educational, recreational, preservation, and interpretive benefits of the trail's designation as a National Historic Trail.

LEGISLATIVE HISTORY

Senators Bennet and Gardner introduced S. 2876 on May 17, 2018. The Subcommittee on National Parks conducted a hearing on S. 2876 on August 15, 2018.

The Committee on Energy and Natural Resources met in open business session on October 2, 2018, and ordered S. 2876 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on October 2, 2018, by a majority voice vote of a quorum present, recommends that the Senate pass S. 2876.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides the short title.

Section 2. Western States trail study

Section 2 amends Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) to authorize a study of the Pike National Historic Trail.

COST AND BUDGETARY CONSIDERATIONS

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

S. 2876 would direct the National Park Service to study the feasibility of designating 3,664 miles of routes traveled by Lieutenant Zebulon Pike—extending from Missouri, through portions of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ending in Louisiana—as a national historic trail.

Based on the cost of studies of similar scope, CBO estimates that implementing S. 2876 would cost about \$1 million over the 2019–2023 period; such spending would be subject to the availability of appropriated funds.

Enacting S. 2876 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 2876 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

S. 2876 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, 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. 2876. 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. 2876, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 2876, as ordered 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 Department of the Interior at the August 15, 2018, hearing on S. 2876 follows:

STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, EXERCISING THE AUTHORITY OF THE DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman Daines, Ranking Member King, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 2876 to authorize the Secretary of the Interior to amend the National Trails System Act to provide for the study of the Pike National Historic Trail.

The Department recognizes that the Pike trail would be an appropriate subject for a historic trail study. However, we do not support enactment of S. 2876 at this time, as we are focusing resources on reducing the National Park Service's \$11.6 billion deferred maintenance backlog and addressing other critical national park needs. In addition, the National Park Service has not yet completed 20 studies on other sites that Congress previously authorized to determine if these specific areas meet the appropriate criteria for designation as new park units, national heritage areas, national trails, or wild and scenic rivers.

The study authorized by this bill would evaluate a series of routes extending approximately 3,664 miles, which would follow the route taken by Lt. Zebulon Montgomery Pike during the 1806–1807 Pike expedition that began in Fort Bellefontaine, Missouri, extended through portions of the States of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ended in Natchitoches, Louisiana. It would be conducted in accordance with the criteria for national historic trail studies under the National Trails System Act and would include a determination as to whether the trail is nationally significant and whether it is physically possible to develop a trail along a route being studied and financially feasible. The study would cost an estimated \$500,000, based on similar studies of long-distance trails.

The Pike expedition was the first American-led effort to explore the Rocky Mountains and is an important part of the history of Colorado and the American Southwest. U.S. Army General James Wilkinson launched the expedition to provide an escort for Osage Indians traveling from St. Louis back to their villages, make contact with Native American groups on the plains, explore the headwaters of the Arkansas and Red Rivers, and collect information about the Spanish along the southwestern border of the Louisiana Purchase. Lt. Pike and his men explored the headwaters of the Arkansas and Platte Rivers in Colorado before crossing the Sangre de Cristo Mountains, near both the present-day Great Sand Dunes National Park and Preserve, and the headwaters of the Rio Grande River. Pike's group built a small stockade near modern-day Alamosa, Colorado, where they were captured by the Spanish and taken back to Mexico. Pike and the majority of his men were returned to U.S. territory at Natchitoches, Louisiana, on June 30, 1807.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the S. 2876, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

THE NATIONAL TRAILS SYSTEM ACT

Public Law 90–543, as amended

AN ACT To establish a national trails system, and for other purposes

* * * * *

NATIONAL SCENIC TRAILS

SEC. 5. (a) National scenic trails shall be authorized and designated only by Act of Congress. There are hereby established as the initial National Scenic Trails:

* * * * *

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

* * * * *

(45) GREAT WESTERN TRAIL.—(A) IN GENERAL.—The Great Western Trail (also known as the “Dodge City Trail”), from the vicinity of San Antonio, Texas, north-by-northwest through the vicinities of Kerrville and Menard, Texas, north-by-northeast through the vicinities of Coleman and Albany, Texas, north through the vicinity of Vernon, Texas, to Doan’s Crossing, Texas, northward through or near the vicinities of Altus, Lone Wolf, Canute, Vici, and May, Oklahoma, north through Kansas to Dodge City, and north through Nebraska to Ogallala.

(B) REQUIREMENT.— In conducting the study required under this paragraph, the Secretary of the Interior shall identify the point at which the trail originated south of San Antonio, Texas.

(46) PIKE NATIONAL HISTORIC TRAIL.—*The Pike National Historic Trail, a series of routes extending approximately 3,664 miles, which follows the route taken by Lt. Zebulon Montgomery Pike during the 1806–1807 Pike expedition that began in Fort Bellefontaine, Missouri, extended through portions of the States of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ended in Natchitoches, Louisiana.*

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