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SENATE

{ REPORT
118-143

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORIC PARK COMMISSION EXTENSION ACT

DECEMBER 20, 2023.—Ordered to be printed

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

R E P O R T

[To accompany S. 924]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 924), to amend the Chesapeake and Ohio Canal Development Act to extend the Chesapeake and Ohio Canal National Historic Park Commission, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 924 is to extend the authorization for the Chesapeake and Ohio Canal National Historical Park Commission.

BACKGROUND AND NEED

The Chesapeake and Ohio Canal Development Act (Public Law 91-664; 16 U.S.C. 410y) established the Chesapeake and Ohio Canal National Historical Park in Maryland, West Virginia, and the District of Columbia. The Act also established a 19-member Chesapeake and Ohio Canal National Historical Park Commission to advise the National Park Service on the administration and development of the park.

The advisory commission's current authority expires in 2024. S. 924 extends the commission through September 30, 2034.

LEGISLATIVE HISTORY

Senators Cardin, Capito, Van Hollen, Manchin, Warner, and Kaine introduced S. 924 on March 22, 2023. The Subcommittee on National Parks held a hearing on S. 924 on June 21, 2023. Representative Trone introduced H.R. 1727, companion legislation in the House of Representatives on March 22, 2023.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on September 21, 2023, by a voice vote of a quorum present, recommends that the Senate pass S. 924.

SUMMARY

S. 924 amends section 6 of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4(g)) to extend the authorization for the Chesapeake and Ohio Canal National Historical Park Commission through September 30, 2034.

COST AND BUDGETARY CONSIDERATIONS

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

S. 924, Chesapeake and Ohio Canal National Historical Park Commission Extension Act			
As ordered reported by the Senate Committee on Energy and Natural Resources on September 21, 2023			
By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 924 would extend the authorization of the Chesapeake and Ohio Canal National Historical Park Commission through September 30, 2034. Under current law, that authority expires on September 26, 2024. Commission members would serve without compensation; however, the Department of the Interior may cover the costs for certain incidental expenses. Based on the costs of similar activities, CBO estimates that implementing the bill would cost less than \$500,000 over the 2024–2028 period. Any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Kelly Durand. The estimate was reviewed by H.Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

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. 924. 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. 924, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 924, 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 of the National Park Service from the Subcommittee on National Parks June 21, 2023, hearing on S. 924, follows:

STATEMENT OF MICHAEL A. CALDWELL, ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES, AND LANDS, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to provide the Department of the Interior's views on S. 924, a bill to amend the Chesapeake and Ohio Canal Development Act to extend the Chesapeake and Ohio Canal National Historical Park Commission.

The Department supports S. 924.

S. 924 would reauthorize the Chesapeake and Ohio Canal National Historical Park Commission (Commission) through September 30, 2034, ten years beyond the Commission's currently authorized termination date of September 26, 2024. The Chesapeake and Ohio Canal National Historical Park (park) is a 184.5-mile-long linear park that covers roughly 20,000 acres along the Potomac River from the middle of Washington, DC to Cumberland, Maryland. The Canal provides a place for visitors to enjoy nature and recreate but is also a place where important stories of American history are preserved through the telling of the Canal's role in western expansion, transportation, engineering, the Civil War, immigration, industry, and commerce.

Since its establishment in 1971, the Commission has provided a vital link between the surrounding communities and the National Park Service (NPS), which manages the operations, maintenance,

and restoration of the park. The park crosses 19 political jurisdictions, and the Commission has played a key role in helping the NPS communicate and engage with partners, local governments, and the public along the length of the park. For example, the Commission has offered recommendations to improve visitor enjoyment and safety along the Potomac River, increase recreational opportunities and amenities, and manage scenic easements. The Commission's 19 members are appointed by the Secretary of the Interior to five-year terms. Three are at-large members. The Governors of Maryland, Virginia, and West Virginia, and the Mayor of the District of Columbia each recommend two members for appointment. The governing bodies of the four Maryland counties bordering the Canal also each recommend two members for appointment.

The Commission advises the Secretary on policy and other matters relating to the development and administration of the park. The Commission supports the mission of the park through its deliberation on many resource and visitor enjoyment issues facing the park. The Department supports extending the Commission to continue affording the Secretary the ability to consider these matters as they relate to the multiple States, counties, and towns that the Chesapeake and Ohio Canal runs through from Washington DC to Cumberland, Maryland.

Chairman King, 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 bill S. 924, as ordered 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):

CHESAPEAKE AND OHIO CANAL DEVELOPMENT ACT

Public Law 91-664

AN ACT To establish and develop the Chesapeake and Ohio Canal National Historical Park, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Chesapeake and Ohio Canal Development Act".

* * * * *

ADVISORY COMMISSION

Sec. 6. (a) There is hereby established a Chesapeake and Ohio Canal National Historical Park Commission (hereafter in this section referred to as the "Commission").

(b) The Commission shall be composed of nineteen members appointed by the Secretary for terms of five years each, as follows:

(1) Eight members to be appointed from recommendations submitted by the boards of commissioners or the county councils, as the case may be, of Montgomery, Frederick, Washington, and Allegany Counties, Maryland, of which two members shall be appointed from recommendations submitted by each such board or council, as the case may be;

(2) Eight members to be appointed from recommendations submitted by the Governor of the State of Maryland, the Governor of the State of West Virginia, the Governor of the Commonwealth of Virginia, and the Commissioner of the District of Columbia, of which two members shall be appointed from recommendations submitted by each such Governor or Commissioner, as the case may be; and

(3) Three members to be appointed by the Secretary, one of whom shall be designated Chairman of the Commission and two of whom shall be members of regularly constituted conservation organizations.

(c) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made. A member may serve after the expiration of his term until his successor has taken office.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall from time to time but at least annually, meet and consult with the Commission on general policies and specific matters related to the administration and development of the park.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist **40** years from the effective date of this Act *on September 30, 2034*.

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