

GREY TOWERS NATIONAL HISTORIC SITE ACT OF 2004

SEPTEMBER 7, 2004.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 4494]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4494) to designate the Grey Towers National Historic Site in the Commonwealth of Pennsylvania, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Grey Towers National Historic Site Act of 2004”.

SEC. 2. FINDINGS; PURPOSES; DEFINITIONS.

(a) FINDINGS.—Congress finds the following:

(1) James and Mary Pinchot constructed a home and estate that is known as Grey Towers in Milford, Pennsylvania.

(2) James and Mary Pinchot were also the progenitors of a family of notable accomplishment in the history of the Commonwealth of Pennsylvania and the Nation, in particular, their son, Gifford Pinchot.

(3) Gifford Pinchot was the first Chief of the Forest Service, a major influence in formulating and implementing forest conservation policies in the early 20th Century, and twice Governor of Pennsylvania.

(4) During the early 20th century, James and Gifford Pinchot used Grey Towers and the environs to establish scientific forestry, to develop conservation leaders, and to formulate conservation principles, thus making this site one of the primary birthplaces of the American conservation movement.

(5) In 1963, Gifford Bryce Pinchot, the son of Gifford and Cornelia Pinchot, donated Grey Towers and 102 acres to the Nation.

(6) In 1963, President John F. Kennedy dedicated the Pinchot Institute for Conservation “for the greater knowledge of land and its uses” at Grey Towers National Historic Landmark, thereby establishing a partnership between the public and private sectors.

(7) Grey Towers today is a place of historical significance where leaders in natural resource conservation meet, study, and share ideas, analyses, values,

and philosophies, and is also a place where the public can learn and appreciate our conservation heritage.

(8) As established by President Kennedy, the Pinchot Institute for Conservation, and the Forest Service at Grey Towers operate through an established partnership in developing and delivering programs that carry on Gifford Pinchot's conservation legacy.

(9) Grey Towers and associated structures in and around Milford, Pennsylvania, can serve to enhance regional recreational and educational opportunities.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To honor and perpetuate the memory of Gifford Pinchot.

(2) To promote the recreational and educational resources of Milford, Pennsylvania, and its environs.

(3) To authorize the Secretary of Agriculture—

(A) to further the scientific, policy analysis, educational, and cultural programs in natural resource conservation at Grey Towers;

(B) to manage the property and environs more efficiently and effectively; and

(C) to further collaborative ties with the Pinchot Institute for Conservation, and other Federal, State, and local agencies with shared interests.

(c) DEFINITIONS.—For the purposes of this Act:

(1) ASSOCIATED PROPERTIES.—The term “Associated Properties” means lands and improvements outside of the Grey Towers National Historic Landmark within Pike County, Pennsylvania, and which were associated with James and Mary Pinchot, the Yale School of Forestry, or the Forest Service.

(2) GREY TOWERS.—The term “Grey Towers” means the buildings and surrounding area of approximately 303 acres, including the 102 acres donated in 1963 to the United States and so designated that year.

(3) HISTORIC SITE.—The term “Historic Site” means the Grey Towers National Historic Site, as so designated by this Act.

(4) PINCHOT INSTITUTE.—The term “Pinchot Institute” means the Pinchot Institute for Conservation, a nonprofit corporation established under the laws of the District of Columbia.

(5) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SEC. 3. DESIGNATION OF NATIONAL HISTORIC SITE.

Subject to valid existing rights, all lands and improvements formerly encompassed within the Grey Towers National Historic Landmark are designated as the “Grey Towers National Historic Site”.

SEC. 4. ADMINISTRATION.

(a) PURPOSES.—The Historic Site shall be administered for the following purposes:

(1) Education, public demonstration projects, and research related to natural resource conservation, protection, management, and use.

(2) Leadership development within the natural resource professions and the Federal civil service.

(3) Continuing Gifford Pinchot's legacy through pursuit of new ideas, strategies, and solutions to natural resource issues that include economic, ecological, and social values.

(4) Preservation, use, and maintenance of the buildings, grounds, facilities, and archives associated with Gifford Pinchot.

(5) Study and interpretation of the life and works of Gifford Pinchot.

(6) Public recreation and enjoyment.

(7) Protection and enjoyment of the scenic and natural environs.

(b) APPLICABLE LAWS.—The Secretary shall administer federally owned lands and interests in lands at the Historic Site and Associated Properties as components of the National Forest System in accordance with this Act, 16 U.S.C. 461 et seq. and other laws generally applicable to the administration of national historic sites, and the laws, rules, and regulations applicable to the National Forest System, except that the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600, et seq.) shall not apply.

(c) LAND ACQUISITION.—The Secretary is authorized to acquire, on a willing seller basis, by purchase, donation, exchange, or otherwise, privately owned lands and interests in lands, including improvements, within the Historic Site and the Associated Properties, using donated or appropriated funds.

(d) GIFTS.—

(1) ACCEPTED BY ENTITIES OTHER THAN THE SECRETARY.—Subject to such terms and conditions as the Secretary may prescribe, any public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Historic Site.

(2) ACCEPTED BY THE SECRETARY.—Gifts may be accepted by the Secretary for the benefit of, or in connection with, the activities and services at the Historic Site notwithstanding the fact that a donor conducts business with or is regulated by the Department of Agriculture in any capacity.

SEC. 5. COOPERATIVE AUTHORITIES.

(a) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into agreements for grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute, public and other private agencies, organizations, institutions, and individuals to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs at Grey Towers or to otherwise further the purposes of this Act.

(b) INTERDEPARTMENTAL.—The Secretary and the Secretary of the Interior are authorized and encouraged to cooperate in promoting public use and enjoyment of Grey Towers and the Delaware Water Gap National Recreation Area and in otherwise furthering the administration and purposes for which both areas were designated. Such cooperation may include colocation and use of facilities within Associated Properties and elsewhere.

(c) OTHER.—The Secretary may authorize use of the grounds and facilities of Grey Towers by the Pinchot Institute and other participating partners including Federal, State, and local agencies, on such terms and conditions as the Secretary may prescribe, including the waiver of special use authorizations and the waiver of rental and use fees.

SEC. 6. FUNDS.

(a) FEES AND CHARGES.—The Secretary may impose reasonable fees and charges for admission to and use of facilities on Grey Towers.

(b) SPECIAL FUND.—Any monies received by the Forest Service in administering Grey Towers shall be deposited into the Treasury of the United States and covered in a special fund called the Grey Towers National Historic Site Fund. Monies in the Grey Towers National Historic Site Fund shall be available until expended, without further appropriation, for support of programs of Grey Towers, and any other expenses incurred in the administration of Grey Towers.

SEC. 7. MAP.

The Secretary shall produce and keep for public inspection a map of the Historic Site and associated properties within Pike County, Pennsylvania, which were associated with James and Mary Pinchot, the Yale School of Forestry, or the Forest Service.

SEC. 8. SAVINGS PROVISION.

Nothing in this Act shall be deemed to diminish the authorities of the Secretary under the Cooperative Forestry Assistance Act or any other law pertaining to the National Forest System.

PURPOSE OF THE BILL

The purpose of H.R. 4494 is to designate the Grey Towers National Historic Site in the Commonwealth of Pennsylvania, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4494 would designate the ancestral home of Gifford Pinchot, Grey Towers National Historic Landmark in the Commonwealth of Pennsylvania, as the Grey Towers National Historic Site. Gifford Pinchot was one of America's first foresters and is considered to be the father of conservation and sustainable forestry. He was appointed by President Teddy Roosevelt to serve as the first Chief of the U.S. Forest Service and was twice Governor of Pennsylvania.

Grey Towers was completed in 1886 as the Pinchot family summer home, utilizing local materials and reflecting the French heritage of the family. In 1963, Gifford Bryce Pinchot, son of Gifford, donated Grey Towers and 102 acres to the U.S. Forest Service, which now administers the site.

H.R. 4494 would direct the management of the newly designated Grey Towers National Historic Site for the purpose of education,

research and leadership development for natural resources, thus continuing Gifford Pinchot's legacy of innovative ideas, and strategic solutions to natural resource issues. The bill also provides for the Secretaries of Agriculture and Interior to enter into cooperative agreements with the Pinchot Institute and other public and private agencies for the purposes of this Act. The Pinchot Institute currently aids in operating Grey Towers.

COMMITTEE ACTION

H.R. 4494 was introduced on June 2, 2004, by Congressman Don Sherwood (R-PA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health. On June 17, 2004, the Subcommittee held a hearing on the bill. On June 17, 2004, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. Congressman Greg Walden (R-OR) offered an amendment in the nature of a substitute making technical and substantive corrections. The amendment was adopted by unanimous consent and the bill as amended was then 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, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill would increase revenues and direct spending by about \$75,000 in fiscal year 2005; this would increase to \$200,000 a year starting in 2008.

3. **General Performance Goals and Objectives.** This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

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:

H.R. 4494—Grey Towers National Historic Site Act of 2004

CBO estimates that implementing H.R. 4494 would not significantly affect the federal budget. Starting in 2008, the bill would increase both revenues and direct spending by about \$200,000 in any year. H.R. 4494 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no significant costs on State, local, or tribal governments.

H.R. 4494 would designate the Grey Towers National Historic Site on federal land in Pennsylvania. Under current law, the Forest Service manages that land as a national historic landmark in cooperation with a private nonprofit organization. According to the agency, redesignating the area as a historic site would not significantly alter its activities on the property or the federal costs to manage it. CBO estimates that additional administrative costs for the Forest Service would be minimal. Spending for such costs would be subject to appropriation.

H.R. 4494 would provide new authority for the Secretary of Agriculture to charge fees to individuals who visit the proposed historic site. Based on information from the Forest Service, CBO estimates that increased offsetting receipts from such fees would not exceed \$74,000 in any year. H.R. 4494 would authorize the Secretary to spend those receipts, without further appropriation, to support programs of the proposed historic site. Hence, CBO estimates that any increase in offsetting receipts would be largely offset by a corresponding increase in direct spending in the year they were collected.

Finally, H.R. 4494 would provide permanent authority for the Secretary to accept and use cash donations for the benefit of the proposed historic site. Any amounts received would be recorded in the budget as governmental receipts. Under current law, the Secretary already has authority to accept and use such donations through fiscal year 2007. Based on information from the Forest Service about the current level of such donations, CBO estimates that H.R. 4494 would increase both revenues and direct spending by about \$200,000 a year starting in 2008.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Robert A. Sunshine, 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.

6

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

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