

COLTSVILLE NATIONAL HISTORICAL PARK ACT

SEPTEMBER 16, 2010.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 5131]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5131) to establish Coltsville National Historical Park in the State of Connecticut, 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 “Coltsville National Historical Park Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

- (1) CITY.—The term “city” means the city of Hartford, Connecticut.
- (2) COMMISSION.—The term “Commission” means the Coltsville National Historical Park Advisory Commission established by subsection 6(a).
- (3) HISTORIC DISTRICT.—The term “Historic District” means the Coltsville Historic District.
- (4) MAP.—The term “map” means the map titled “Coltsville National Historical Park—Proposed Boundary”, numbered T25/102087, and dated May 11, 2010.
- (5) PARK.—The term “park” means the Coltsville National Historical Park in the State of Connecticut.
- (6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (7) STATE.—The term “State” means the State of Connecticut.

SEC. 3. COLTSVILLE NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—

- (1) IN GENERAL.—Subject to paragraph (2), there is established in the State a unit of the National Park System to be known as the “Coltsville National Historical Park”.

(2) **CONDITIONS FOR ESTABLISHMENT.**—The park shall not be established until the date on which the Secretary determines that—

(A) the Secretary has acquired by donation sufficient land or an interest in land within the boundary of the park to constitute a manageable unit;

(B) the State, city, or private property owner, as appropriate, has entered into a written agreement with the Secretary to donate at least 10,000 square feet of space in the East Armory which would include facilities for park administration and visitor services;

(C) the Secretary has entered into a written agreement with the State, city, or other public entity, as appropriate, providing that—

(i) land owned by the State, city, or other public entity within the Coltsville Historic District shall be managed consistent with this section; and

(ii) future uses of land within the historic district shall be compatible with the designation of the park and the city's preservation ordinance; and

(D) the Secretary has reviewed the financial resources of the owners of private and public property within the boundary of the proposed park to ensure the viability of the park based on those resources.

(b) **BOUNDARIES.**—The park shall include and provide appropriate interpretation and viewing of the following sites, as generally depicted on the map:

- (1) The East Armory.
- (2) The Church of the Good Shepherd.
- (3) The Caldwell/Colt Memorial Parish House.
- (4) Colt Park.
- (5) The Potsdam Cottages.
- (6) Armsmear.
- (7) The James Colt House.

(c) **COLLECTIONS.**—The Secretary shall enter into a written agreement with the State of Connecticut State Library, Wadsworth Atheneum, and the Colt Trust, or other public entities, as appropriate, to gain appropriate access to Colt-related artifacts for the purposes of having items routinely on display in the East Armory or within the park as determined by the Secretary as a major function of the visitor experience.

SEC. 4. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary shall administer the park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) **STATE AND LOCAL JURISDICTION.**—Nothing in this Act enlarges, diminishes, or modifies any authority of the State, or any political subdivision of the State (including the city)—

(1) to exercise civil and criminal jurisdiction; or

(2) to carry out State laws (including regulations) and rules on non-Federal land located within the boundary of the park.

(c) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—As the Secretary determines to be appropriate to carry out this Act, the Secretary may enter into cooperative agreements with the owner of any property within the Coltsville Historic District or any nationally significant properties within the boundary of the park, under which the Secretary may identify, interpret, restore, rehabilitate, and provide technical assistance for the preservation of the properties.

(2) **RIGHT OF ACCESS.**—A cooperative agreement entered into under paragraph (1) shall provide that the Secretary, acting through the Director of the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by the agreement for the purposes of—

(A) conducting visitors through the properties; and

(B) interpreting the properties for the public.

(3) **CHANGES OR ALTERATIONS.**—No changes or alterations shall be made to any properties covered by a cooperative agreement entered into under paragraph (1) unless the Secretary and the other party to the agreement agree to the changes or alterations.

(4) **CONVERSION, USE, OR DISPOSAL.**—Any payment by the Secretary under this subsection shall be subject to an agreement that the conversion, use, or disposal of a project for purposes contrary to the purposes of this section, as deter-

mined by the Secretary, shall entitle the United States to reimbursement in an amount equal to the greater of—

- (A) the amounts made available to the project by the United States; or
- (B) the portion of the increased value of the project attributable to the amounts made available under this subsection, as determined at the time of the conversion, use, or disposal.

(5) MATCHING FUNDS.—

(A) IN GENERAL.—As a condition of the receipt of funds under this subsection, the Secretary shall require that any Federal funds made available under a cooperative agreement shall be matched on a 1-to-1 basis by non-Federal funds.

(B) FORM.—With the approval of the Secretary, the non-Federal share required under subparagraph (A) may be in the form of donated property, goods, or services from a non-Federal source, fairly valued.

(d) ACQUISITION OF LAND.—Land or interests in land owned by the State or any political subdivision of the State may be acquired only by donation.

(e) TECHNICAL ASSISTANCE AND PUBLIC INTERPRETATION.—The Secretary may provide technical assistance and public interpretation of related historic and cultural resources within the boundary of the historic district.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 fiscal years after the date on which funds are made available to carry out this Act, the Secretary, in consultation with the Commission, shall complete a management plan for the park in accordance with—

- (1) section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act) (16 U.S.C. 1a–7(b)); and
- (2) other applicable laws.

(b) COST SHARE.—The management plan shall include provisions that identify costs to be shared by the Federal Government, the State, and the city, and other public or private entities or individuals for necessary capital improvements to, and maintenance and operations of, the park.

(c) SUBMISSION TO CONGRESS.—On completion of the management plan, the Secretary shall submit the management plan to—

- (1) the Committee on Natural Resources of the House of Representatives; and
- (2) the Committee on Energy and Natural Resources of the Senate.

SEC. 6. COLTSVILLE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established a Commission to be known as the Coltsville National Historical Park Advisory Commission.

(b) DUTY.—The Commission shall advise the Secretary in the development and implementation of the management plan.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 11 members, to be appointed by the Secretary, of whom—

(A) 2 members shall be appointed after consideration of recommendations submitted by the Governor of the State;

(B) 1 member shall be appointed after consideration of recommendations submitted by the State Senate President;

(C) 1 member shall be appointed after consideration of recommendations submitted by the Speaker of the State House of Representatives;

(D) 2 members shall be appointed after consideration of recommendations submitted by the Mayor of Hartford, Connecticut;

(E) 2 members shall be appointed after consideration of recommendations submitted by Connecticut's 2 United States Senators;

(F) 1 member shall be appointed after consideration of recommendations submitted by Connecticut's First Congressional District Representative;

(G) 2 members shall have experience with national parks and historic preservation;

(H) all appointments must have significant experience with and knowledge of the Coltsville Historic District; and

(I) 1 member of the Commission must live in the Sheldon/Charter Oak neighborhood within the Coltsville Historic District.

(2) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Commission not later than the earlier of—

- (A) the date that is 30 days after the date on which the Secretary has received all of the recommendations for appointments under paragraph (1); or
- (B) the date that is 30 days after the park is established.

(d) TERM; VACANCIES.—

- (1) TERM.—

- (A) IN GENERAL.—A member shall be appointed for a term of 3 years.
- (B) REAPPOINTMENT.—A member may be reappointed for not more than 1 additional term.
- (2) VACANCIES.—A vacancy on the Commission shall be filled in the same manner as the original appointment was made.
- (e) MEETINGS.—The Commission shall meet at the call of—
 - (1) the Chairperson; or
 - (2) a majority of the members of the Commission.
- (f) QUORUM.—A majority of the Commission shall constitute a quorum.
- (g) CHAIRPERSON AND VICE CHAIRPERSON.—
 - (1) IN GENERAL.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.
 - (2) VICE CHAIRPERSON.—The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.
 - (3) TERM.—A member may serve as Chairperson or Vice Chairperson for not more than 1 year in each office.
- (h) COMMISSION PERSONNEL MATTERS.—
 - (1) COMPENSATION OF MEMBERS.—
 - (A) IN GENERAL.—Members of the Commission shall serve without compensation.
 - (B) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duty of the Commission.
 - (2) STAFF.—
 - (A) IN GENERAL.—The Secretary shall provide the Commission with any staff members and technical assistance that the Secretary, after consultation with the Commission, determines to be appropriate to enable the Commission to carry out the duty of the Commission.
 - (B) DETAIL OF EMPLOYEES.—The Secretary may accept the services of personnel detailed from the State or any political subdivision of the State.
- (i) FACA NONAPPLICABILITY.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.
- (j) TERMINATION.—
 - (1) IN GENERAL.—Unless extended under paragraph (2), the Commission shall terminate on the date that is 10 years after the date of the enactment of this Act.
 - (2) EXTENSION.—Eight years after the date of the enactment of this Act, the Commission shall make a recommendation to the Secretary if a body of its nature is still necessary to advise on the development of the park. If, based on a recommendation under this paragraph, the Secretary determines that the Commission is still necessary, the Secretary may extend the life of the Commission for not more than 10 years.

SEC. 7. AUTHORIZATION OF APPROPRIATION.

There is authorized to be appropriated \$10,000,000 for the development of the park.

PURPOSE OF THE BILL

The purpose of H.R. 5131 is to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The proposed Coltsville National Historical Park site is located in Hartford, Connecticut within the previously designated Coltsville Historic District and Coltsville National Historic Landmark. Coltsville is the historic location of the industries and residences associated with Samuel Colt, one of the nation's preeminent and historic arms manufacturers.

From before the Civil War through World War II, Colt produced a variety of armaments on this site that are universally recognized as representative of the American arms industry. The Colt factory produced such famous weapons as the Gatling Gun, the Colt .45 "Peacemaker," the Colt Browning .30 and .50 caliber machine guns,

and the M16A4 Rifle. The proposed park site would help trace the history of industrialized and mechanized arms manufacturing and tell the story of the workers involved in the process.

The infrastructure the Colt family developed to help establish its plant in Hartford—the worker cottages, the local church, and the actual armory complex—are still intact and paint a vivid picture of life in an industrial town during the 19th and 20th centuries. The area included in the park designation would include the East Armory, the Church of the Good Shepherd, the Caldwell/Colt Memorial Parish House, Colt Park, the Potsdam Cottages, Armsmear (the Samuel Colt Home, an existing National Historic Landmark), and the James Colt House.

COMMITTEE ACTION

H.R. 5131 was introduced on April 22, 2010 by Representative John B. Larson (D-CT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands.

On June 10, 2010, the Subcommittee held a hearing on the bill. The bill's sponsor and a representative from the town of Hartford, Connecticut spoke in favor of the legislation. A representative of the Department of the Interior acknowledged that the proposed Coltsville National Historical Park is nationally significant and merits inclusion into the National Park System but that the bill would need to be amended to make the park feasible.

On July 22, 2010, the Subcommittee was discharged from further consideration of H.R. 5131 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva, (D-AZ) offered an amendment in the nature of a substitute to include a map reference, make minor technical changes in wording, include a contingency directing the Secretary of the Interior to confirm the financial viability of the park's partners; and to authorize appropriation of not more than \$10 million for the park's development. The amendment in the nature of a substitute was adopted by voice vote. H.R. 5131, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides that this Act may be cited as the “Coltsville National Historical Park Act”.

Section 2. Definitions

Section 2 provides definitions for key terms used within this Act.

Section 3. Coltsville National Historical Park

Subsection 3(a) provides for the establishment of the Coltsville National Historical Park, contingent upon: (1) the donation of property or property interests to the government which would constitute a manageable unit of the National Park System; (2) donation of at least 10,000 square feet in the East Armory to be used for park administration and visitor services; (3) written agreements between local or state governments or public entities that own the

public property within the Coltsville Historic District and the Secretary of the Interior (Secretary) providing that these properties will be managed consistent with park designation and that future management will be consistent with both the park's and the city's preservation ordinance; and (4) the Secretary's review of the financial resources of the owners of the public and private property within the boundary of the proposed park, to ensure the viability of the park based on those resources.

Subsection 3(b) provides for the boundaries of the park.

Subsection 3(c) provides that to make available historically relevant artifacts to the site, the Secretary may enter into cooperative agreements with local, public and private entities and trusts to gain access to Colt-related artifacts.

Section 4. Administration

Section 4 provides for the Secretary to administer the park in accordance with applicable law, and provides further that the Secretary shall enter into cooperative agreements with any property owner within the Historic District to allow for normal park operations. This section further requires the Secretary to enter into cooperative agreements to ensure that both the agency and the public have appropriate and regular access to the park, and provides protection against future changes or alterations to properties and conversion, use or disposal of projects paid for by the Secretary without reimbursement. This section also clarifies that any land acquired under this Act may only be acquired by donation.

Section 5. Management plan

Section 5 provides that the Secretary shall complete a management plan for the park no later than three fiscal years from the date on which funds are made available for that purpose.

Section 6. Coltsville National Historical Park Advisory Commission

Section 6 provides for establishment of an Advisory Commission to advise the Secretary in the development and implementation of the park's management plan.

Section 7. Authorization of appropriation

Section 7 authorizes \$10,000,000 to be appropriated for the development of the park.

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 Natural 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 compari-

son 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, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes.

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:

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H.R. 5131 would create the Coltsville National Historical Park in Connecticut, to be established once the National Park Service (NPS) obtains enough property at the proposed site to constitute a manageable park unit. Assuming that the conditions for establishment can be met and that the necessary amounts are appropriated, CBO estimates that implementing H.R. 5131 would cost about \$1 million over the 2011–2015 period and about \$10 million over the 2011–2020 period. Enacting the bill would have no effect on revenues or direct spending; therefore, pay-as-you-go procedures do not apply.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Under H.R. 5131, the proposed historical park would be established when the NPS accepts the donation of enough land or interest in land to manage a park unit and has executed an agreement to accept another donation of space in the East Armory building. The proposed boundary would include the armory as well as Colt Park, the Church of the Good Shepherd, and several other buildings in Hartford. Most of those properties would remain in private, state, or local ownership, but the NPS would be authorized to help restore and develop them. The bill would authorize the appropriation of \$10 million for that purpose.

Based on information provided by the NPS, CBO estimates that the agency would spend about \$1 million over the next five years, primarily to prepare a management plan for the proposed park (as required by the bill) and provide technical assistance to local property owners. Assuming appropriation of the authorized amounts, we estimate that the agency would spend \$9 million over the following five years to restore local properties, construct visitor facilities, and develop interpretive exhibits. We estimate that federal costs to operate the park would be less than \$500,000 annually.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 5131 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

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

