MANHATTAN PROJECT NATIONAL HISTORICAL PARK ACT

MAY 17, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

REPORT

[To accompany H.R. 1208]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1208) to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, 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 H.R. 1208 is to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington.

BACKGROUND AND NEED FOR LEGISLATION

The Manhattan Project was an unprecedented top-secret program implemented during World War II to construct a nuclear weapon and to counter threats of similar development by Nazi Germany. The Manhattan Project was a highly significant chapter in America’s history that expanded scientific research, developed new technologies, and changed the role of the United States in the world.

In 2004, Congress authorized a study of historic sites associated with the Manhattan Project to determine the suitability and feasibility of including such sites in the National Park System. In 2010, the National Park Service (NPS) reported back a recommendation to create a national historical park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, to be managed as a partnership between NPS and the Department of Energy.
H.R. 1208 establishes the historical park, but first allows one year for the Secretary of the Interior, in consultation with the Secretary of Energy, to determine suitable facilities and areas among those specified. Many of these facilities are currently scheduled to be destroyed by the Department of Energy, but their preservation for public visitation would instead reduce federal spending by millions of dollars. For example, the first full-scale nuclear reactor ever built, the B Reactor at the Hanford site, would alone cost tens of millions of dollars to demolish, while facilitating safe and secure public access to the structure can occur at a small fraction of that cost.

H.R. 1208 also directs the Secretary of the Interior and the Secretary of Energy to enter into an agreement, within one year, that governs their respective roles concerning facilities and land under the jurisdiction of the Department of Energy. Such facilities and land will remain under the jurisdiction of the Department of Energy, but the interpretive responsibilities will fall to NPS.

H.R. 1208 requires coordination, planning, and cooperation between NPS and the Department of Energy to ensure safe and secure visitor access and protection of national security. Additionally, the Department of Energy shall retain responsibility for any environmental remediation that may be necessary.

H.R. 1208 contains significant private property rights protections. The legislation explicitly prohibits condemnation and requires written permission from owners before non-federal property may be included in the historical park. Furthermore, buffer zones are prohibited around the boundaries of the historical park—activities that can be seen or heard from within the historical park shall not preclude the conduct of that activity outside the historical park—and, land acquisition may only occur by donation or exchange.

COMMITTEE ACTION

H.R. 1208 was introduced on March 15, 2013, by Congressman Doc Hastings (R–WA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On April 12, 2013, the Subcommittee held a hearing on the bill. On April 24, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered, and the bill was then adopted and 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 Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) 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)(2)(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. 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. 1208—Manhattan Project National Historical Park Act**

H.R. 1208 would establish the Manhattan Project National Historical Park from eligible sites in Tennessee, New Mexico, and Washington. Within one year of enactment, the legislation would require the Department of the Interior and the Department of Energy (DOE) to finalize the boundaries of the proposed park and to complete an agreement specifying how each department would administer properties included in it. H.R. 1208 also would require the National Park Service (NPS) to complete a general management plan for the park within three years after funds have been made available.

The final costs of implementing H.R. 1208 would depend on which lands are chosen for inclusion in the new park unit. Based on information from the NPS, CBO estimates that if all eligible sites were included, implementing the bill would cost $21 million over the 2014–2018 period, assuming appropriation of the necessary amounts. DOE would continue to operate and manage sites currently under its jurisdiction and the NPS would only be responsible for providing public education and technical assistance at those sites. CBO estimates that the annual operating costs to the NPS could total about $4 million. CBO estimates that completing the required general management plan would cost about $750,000 over the next three years. Enacting H.R. 1208 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 1208 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.

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

2. **Section 308(a) of 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 revenues or tax expenditures. Based on information from the NPS, CBO estimates that if all eligible sites were included, implementing the bill would cost $21 million over the 2014–2018 period, assuming appropriation of the necessary amounts. The Department of Energy would continue to operate and manage sites currently under its jurisdiction and the NPS would only be responsible for providing public education and technical assistance at those sites. CBO estimates that the annual operating costs to the NPS could total about $4 million. CBO
estimates that completing the required general management plan would cost about $750,000 over the next three years.

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 the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

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 changes in existing law.