

Union Calendar No. 42

113TH CONGRESS
1ST SESSION

H. R. 1208

[Report No. 113–66]

To establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2013

Mr. HASTINGS of Washington (for himself, Mr. FLEISCHMANN, and Mr. BEN RAY LUJÁN of New Mexico) introduced the following bill; which was referred to the Committee on Natural Resources

MAY 17, 2013

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To establish the Manhattan Project National Historical Park
in Oak Ridge, Tennessee, Los Alamos, New Mexico, and
Hanford, Washington, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Manhattan Project Na-
5 tional Historical Park Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Manhattan Project was an unprece-
9 dented top-secret program implemented during
10 World War II to produce an atomic bomb before
11 Nazi Germany;

12 (2) a panel of experts convened by the Presi-
13 dent’s Advisory Council on Historic Preservation in
14 2001—

15 (A) stated that “the development and use
16 of the atomic bomb during World War II has
17 been called ‘the single most significant event of
18 the 20th century’ ”; and

19 (B) recommended that nationally signifi-
20 cant sites associated with the Manhattan
21 Project be formally established as a collective
22 unit and be administered for preservation, com-
23 memoration, and public interpretation in co-
24 operation with the National Park Service;

1 (3) the Manhattan Project National Historical
2 Park Study Act (Public Law 108–340; 118 Stat.
3 1362) directed the Secretary of the Interior, in con-
4 sultation with the Secretary of Energy, to conduct a
5 special resource study of the historically significant
6 sites associated with the Manhattan Project to as-
7 sess the national significance, suitability, and feasi-
8 bility of designating one or more sites as a unit of
9 the National Park System;

10 (4) after significant public input, the National
11 Park Service study found that “including Manhattan
12 Project-related sites in the national park system will
13 expand and enhance the protection and preservation
14 of such resources and provide for comprehensive in-
15 terpretation and public understanding of this nation-
16 ally significant story in the 20th century American
17 history”;

18 (5) the Department of the Interior, with the
19 concurrence of the Department of Energy, rec-
20 ommended the establishment of a Manhattan Project
21 National Historical Park comprised of resources
22 at—

23 (A) Oak Ridge, Tennessee;

24 (B) Los Alamos, New Mexico; and

1 (C) Hanford, in the Tri-Cities area, Wash-
2 ington; and

3 (6) designation of a Manhattan Project Na-
4 tional Historical Park as a unit of the National Park
5 System would improve the preservation of, interpre-
6 tation of, and access to the nationally significant his-
7 toric resources associated with the Manhattan
8 Project for present and future generations to gain a
9 better understanding of the Manhattan Project, in-
10 cluding the significant, far-reaching, and complex
11 legacy of the Manhattan Project.

12 **SEC. 3. PURPOSES.**

13 The purposes of this Act are—

14 (1) to preserve and protect for the benefit of
15 present and future generations the nationally signifi-
16 cant historic resources associated with the Manhat-
17 tan Project;

18 (2) to improve public understanding of the
19 Manhattan Project and the legacy of the Manhattan
20 Project through interpretation of the historic re-
21 sources associated with the Manhattan Project;

22 (3) to enhance public access to the Historical
23 Park consistent with protection of public safety, na-
24 tional security, and other aspects of the mission of
25 the Department of Energy; and

1 (4) to assist the Department of Energy, Histor-
2 ical Park communities, historical societies, and other
3 interested organizations and individuals in efforts to
4 preserve and protect the historically significant re-
5 sources associated with the Manhattan Project.

6 **SEC. 4. DEFINITIONS.**

7 In this Act:

8 (1) HISTORICAL PARK.—The term “Historical
9 Park” means the Manhattan Project National His-
10 torical Park established under section 5.

11 (2) MANHATTAN PROJECT.—The term “Man-
12 hattan Project” means the Federal program to de-
13 velop an atomic bomb ending on December 31,
14 1946.

15 (3) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior.

17 **SEC. 5. ESTABLISHMENT OF MANHATTAN PROJECT NA-**
18 **TIONAL HISTORICAL PARK.**

19 (a) ESTABLISHMENT.—

20 (1) DATE.—Not later than 1 year after the
21 date of enactment of this Act, there shall be estab-
22 lished as a unit of the National Park System the
23 Manhattan Project National Historical Park.

24 (2) AREAS INCLUDED.—The Historical Park
25 shall consist of facilities and areas listed under sub-

1 section (b) as determined by the Secretary, in con-
2 sultation with the Secretary of Energy. The Sec-
3 retary shall include the area referred to in sub-
4 section (b)(3)(A), the B Reactor National Historic
5 Landmark, in the Historical Park.

6 (b) ELIGIBLE AREAS.—The Historical Park may only
7 be comprised of one or more of the following areas, or
8 portions of the areas, as generally depicted in the map
9 titled “Manhattan Project National Historical Park
10 Sites”, numbered 540/108,834–C, and dated September
11 2012:

12 (1) OAK RIDGE, TENNESSEE.—Facilities, land,
13 or interests in land that are—

14 (A) at Buildings 9204–3 and 9731 at the
15 Y–12 National Security Complex;

16 (B) at the X–10 Graphite Reactor at the
17 Oak Ridge National Laboratory;

18 (C) at the K–25 Building site at the East
19 Tennessee Technology Park; and

20 (D) at the former Guest House located at
21 210 East Madison Road.

22 (2) LOS ALAMOS, NEW MEXICO.—Facilities,
23 land, or interests in land that are—

24 (A) in the Los Alamos Scientific Labora-
25 tory National Historic Landmark District, or

any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA-UR 12-00387 (January 26, 2012);

(B) at the former East Cafeteria located at 1670 Nectar Street; and

(C) at the former dormitory located at 1725 17th Street.

(3) HANFORD, WASHINGTON.—Facilities, land, or interests in land that are—

(A) the B Reactor National Historic Landmark;

(B) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(C) the White Bluffs Bank building in the White Bluffs Historic District;

(D) the warehouse at the Bruggemann’s Agricultural Complex;

(E) the Hanford Irrigation District Pump House; and

(F) the T Plant (221-T Process Building).

1 (c) WRITTEN CONSENT OF OWNER.—No non-Fed-
2 eral property may be included in the Historical Park with-
3 out the written consent of the owner.

4 **SEC. 6. AGREEMENT.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of this Act, the Secretary and the Sec-
7 retary of Energy (acting through the Oak Ridge, Los Ala-
8 mos, and Richland site offices) shall enter into an agree-
9 ment governing the respective roles of the Secretary and
10 the Secretary of Energy in administering the facilities,
11 land, or interests in land under the administrative jurisdic-
12 tion of the Department of Energy that is to be included
13 in the Historical Park under section 5(b), including provi-
14 sions for enhanced public access, management, interpreta-
15 tion, and historic preservation.

16 (b) RESPONSIBILITIES OF THE SECRETARY.—Any
17 agreement under subsection (a) shall provide that the Sec-
18 retary shall—

19 (1) have decisionmaking authority for the con-
20 tent of historic interpretation of the Manhattan
21 Project for purposes of administering the Historical
22 Park; and

23 (2) ensure that the agreement provides an ap-
24 propriate advisory role for the National Park Service

1 in preserving the historic resources covered by the
2 agreement.

3 (c) RESPONSIBILITIES OF THE SECRETARY OF EN-
4 ERGY.—Any agreement under subsection (a) shall provide
5 that the Secretary of Energy—

6 (1) shall ensure that the agreement appro-
7 priately protects public safety, national security, and
8 other aspects of the ongoing mission of the Depart-
9 ment of Energy at the Oak Ridge Reservation, Los
10 Alamos National Laboratory, and Hanford Site;

11 (2) may consult with and provide historical in-
12 formation to the Secretary concerning the Manhat-
13 tan Project;

14 (3) shall retain responsibility, in accordance
15 with applicable law, for any environmental remedi-
16 ation that may be necessary in or around the facili-
17 ties, land, or interests in land governed by the agree-
18 ment; and

19 (4) shall retain authority and legal obligations
20 for historic preservation and general maintenance,
21 including to ensure safe access, in connection with
22 the Department's Manhattan Project resources.

23 (d) AMENDMENTS.—The agreement under subsection
24 (a) may be amended, including to add to the Historical
25 Park facilities, land, or interests in land within the eligible

1 areas described in section 5(b) that are under the jurisdic-
2 tion of the Secretary of Energy.

3 **SEC. 7. PUBLIC PARTICIPATION.**

4 (a) IN GENERAL.—The Secretary shall consult with
5 interested State, county, and local officials, organizations,
6 and interested members of the public—

7 (1) before executing any agreement under sec-
8 tion 6; and

9 (2) in the development of the general manage-
10 ment plan under section 8(b).

11 (b) NOTICE OF DETERMINATION.—Not later than 30
12 days after the date on which an agreement under section
13 6 is entered into, the Secretary shall publish in the Fed-
14 eral Register notice of the establishment of the Historical
15 Park, including an official boundary map.

16 (c) AVAILABILITY OF MAP.—The official boundary
17 map published under subsection (b) shall be on file and
18 available for public inspection in the appropriate offices
19 of the National Park Service. The map shall be updated
20 to reflect any additions to the Historical Park from eligible
21 areas described in section 5(b).

22 (d) ADDITIONS.—Any land, interest in land, or facil-
23 ity within the eligible areas described in section 5(b) that
24 is acquired by the Secretary or included in an amendment

1 to the agreement under section 6(d) shall be added to the
2 Historical Park.

3 **SEC. 8. ADMINISTRATION.**

4 (a) IN GENERAL.—The Secretary shall administer
5 the Historical Park in accordance with—

6 (1) this Act; and

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

9 (A) the National Park System Organic Act
10 (16 U.S.C. 1 et seq.); and

11 (B) the Act of August 21, 1935 (16 U.S.C.
12 461 et seq.).

13 (b) GENERAL MANAGEMENT PLAN.—Not later than
14 3 years after the date on which funds are made available
15 to carry out this section, the Secretary, with the concur-
16 rence of the Secretary of Energy, and in consultation and
17 collaboration with the Oak Ridge, Los Alamos and Rich-
18 land Department of Energy site offices, shall complete a
19 general management plan for the Historical Park in ac-
20 cordance with section 12(b) of Public Law 91–383 (com-
21 monly known as the “National Park Service General Au-
22 thorities Act”) (16 U.S.C. 1a–7(b)).

23 (c) INTERPRETIVE TOURS.—The Secretary may, sub-
24 ject to applicable law, provide interpretive tours of histori-
25 cally significant Manhattan Project sites and resources in

1 the States of Tennessee, New Mexico, and Washington
2 that are located outside the boundary of the Historical
3 Park.

4 (d) LAND ACQUISITION.—

5 (1) IN GENERAL.—The Secretary may acquire
6 land and interests in land within the eligible areas
7 described in section 5(b) by—

8 (A) transfer of administrative jurisdiction
9 from the Department of Energy by agreement
10 between the Secretary and the Secretary of En-
11 ergy;

12 (B) donation; or

13 (C) exchange.

14 (2) NO USE OF CONDEMNATION.—The Sec-
15 retary may not acquire by condemnation any land or
16 interest in land under this Act or for the purposes
17 of this Act.

18 (e) DONATIONS; COOPERATIVE AGREEMENTS.—

19 (1) FEDERAL FACILITIES.—

20 (A) IN GENERAL.—The Secretary may
21 enter into one or more agreements with the
22 head of a Federal agency to provide public ac-
23 cess to, and management, interpretation, and
24 historic preservation of, historically significant

1 Manhattan Project resources under the jurisdic-
2 tion or control of the Federal agency.

3 (B) DONATIONS; COOPERATIVE AGREE-
4 MENTS.—The Secretary may accept donations
5 from, and enter into cooperative agreements
6 with, State governments, units of local govern-
7 ment, tribal governments, organizations, or in-
8 dividuals to further the purpose of an inter-
9 agency agreement entered into under subpara-
10 graph (A) or to provide visitor services and ad-
11 ministrative facilities within reasonable prox-
12 imity to the Historical Park.

13 (2) TECHNICAL ASSISTANCE.—The Secretary
14 may provide technical assistance to State, local, or
15 tribal governments, organizations, or individuals for
16 the management, interpretation, and historic preser-
17 vation of historically significant Manhattan Project
18 resources not included within the Historical Park.

19 (3) DONATIONS TO DEPARTMENT OF EN-
20 ERGY.—For the purposes of this Act, or for the pur-
21 pose of preserving and providing access to histori-
22 cally significant Manhattan Project resources, the
23 Secretary of Energy may accept, hold, administer,
24 and use gifts, bequests, and devises (including labor
25 and services).

1 **SEC. 9. CLARIFICATION.**

2 (a) NO BUFFER ZONE CREATED.—Nothing in this
3 Act, the establishment of the Historical Park, or the man-
4 agement plan for the Historical Park shall be construed
5 to create buffer zones outside of the Historical Park. That
6 an activity can be seen and heard from within the Histor-
7 ical Park shall not preclude the conduct of that activity
8 or use outside the Historical Park.

9 (b) NO CAUSE OF ACTION.—Nothing in this Act shall
10 constitute a cause of action with respect to activities out-
11 side or adjacent to the established boundary of the Histor-
12 ical Park.

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