

Calendar No. 119

113TH CONGRESS
1ST SESSION

S. 507

[Report No. 113–65]

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 SENATE OF THE UNITED STATES

MARCH 7, 2013

Ms. CANTWELL (for herself, Mr. ALEXANDER, Mr. HEINRICH, Mrs. MURRAY, and Mr. UDALL of New Mexico) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 27, 2013

Reported by Mr. WYDEN, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

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

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

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

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

23 (3) the Manhattan Project National Historical
24 Park Study Act (Public Law 108–340; 118 Stat.
25 1362) directed the Secretary of the Interior, in con-
26 sultation with the Secretary of Energy, to conduct a

1 special resource study of the historically significant
2 sites associated with the Manhattan Project to as-
3 sess the national significance, suitability, and feasi-
4 bility of designating 1 or more sites as a unit of the
5 National Park System;

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

14 (5) the Department of the Interior, with the
15 concurrence of the Department of Energy, rec-
16 ommended the establishment of a Manhattan Project
17 National Historical Park comprised of resources
18 at—

19 (A) Oak Ridge, Tennessee;

20 (B) Los Alamos, New Mexico; and

21 (C) Hanford, in the Tri-Cities area, Wash-
22 ington;

23 (6) designation of a Manhattan Project Na-
24 tional Historical Park as a unit of the National Park
25 System would improve the preservation of, interpre-

tation of, and access to the nationally significant historic resources associated with the Manhattan Project for present and future generations to gain a better understanding of the Manhattan Project, including the significant, far-reaching, and complex legacy of the Manhattan Project; and

(7) the permanent historical preservation of the B Reactor at Hanford as part of the Manhattan National Historical Park would provide significant savings to the Federal Government relative to placing the reactor into interim safe storage and subsequently dismantling the reactor—

(A) as determined as part of the Record of Decision entitled “Decommissioning of Eight Surplus Production 3 Reactors at the Hanford Site, Richland, WA”; and

(B) as included within milestone M-093-00 of the Hanford Federal Facility Agreement and Consent Order.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to preserve and protect for the benefit and education of present and future generations the nationally significant historic resources associated with the Manhattan Project;

1 (2) to improve public understanding of the
2 Manhattan Project and the legacy of the Manhattan
3 Project through interpretation of the historic re-
4 sources associated with the Manhattan Project;

5 (3) to enhance public access to the Historical
6 Park, consistent with protection of public safety, na-
7 tional security, and other aspects of the mission of
8 the Department of Energy; and

9 (4) to assist the Department of Energy, Histor-
10 ical Park communities, historical societies, and other
11 interested organizations and individuals in efforts to
12 preserve and protect the historically significant re-
13 sources associated with the Manhattan Project.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

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

19 (2) MANHATTAN PROJECT.—The term “Man-
20 hattan Project” means the Federal program to de-
21 velop an atomic bomb ending on December 31,
22 1946.

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 **SEC. 5. ESTABLISHMENT OF MANHATTAN PROJECT NA-**
 2 **TIONAL HISTORICAL PARK.**

3 ~~(a) ESTABLISHMENT.—Not later than 1 year after~~
 4 ~~the date of enactment of this Act, there shall be estab-~~
 5 ~~lished as a unit of the National Park System the Manhat-~~
 6 ~~tan Project National Historical Park.~~

7 *(a) ESTABLISHMENT.—*

8 *(1) IN GENERAL.—Subject to paragraph (2),*
 9 *there is established in the States of Washington, New*
 10 *Mexico, and Tennessee a unit of the National Park*
 11 *System to be known as the “Manhattan Project Na-*
 12 *tional Historical Park”.*

13 *(2) DETERMINATION BY SECRETARY RE-*
 14 *QUIRED.—The Historical Park shall not be estab-*
 15 *lished until the date on which the Secretary deter-*
 16 *mines that—*

17 *(A) sufficient land or interests in land have*
 18 *been acquired from among the sites described in*
 19 *subsection (b) to constitute a manageable park*
 20 *unit; or*

21 *(B) the Secretary has entered into an agree-*
 22 *ment with the Secretary of Energy in accordance*
 23 *with section 6.*

24 *(b) ELIGIBLE AREAS.—The Historical Park may be*
 25 *comprised of 1 or more of the following areas or portions*
 26 *of the areas, as generally depicted on the map entitled*

1 “Manhattan Project National Historical Park Sites”,
2 numbered 540/108,834–C (*4 pages*), and dated September
3 2012:

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

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

8 (B) at the X–10 Graphite Reactor at the
9 Oak Ridge National Laboratory;

10 (C) at the K–25 Building site at the East
11 Tennessee Technology Park;

12 (D) at the former Guest House located at
13 210 East Madison Road; and

14 (E) at other sites within the boundary of
15 the city of Oak Ridge, Tennessee, that are not
16 depicted on the map described in this sub-
17 section, but are determined by the Secretary to
18 be suitable and appropriate for inclusion, *except*
19 *that sites owned or managed by the Secretary of*
20 *Energy may be included only with the concu-*
21 *rence of the Secretary of Energy.*

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) in the B Reactor National Historic Landmark;

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

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

(D) at the warehouse in the Bruggemann's Agricultural Complex;

(E) at the Hanford Irrigation District Pump House; and

1 (F) at the T Plant (221–T Process Build-
2 ing).

3 (c) AVAILABILITY OF MAP.—The map described in
4 subsection (b) shall be kept on file and available for public
5 inspection in the appropriate offices of the National Park
6 Service and the Department of Energy.

7 **SEC. 6. AGREEMENT.**

8 (a) IN GENERAL.—Not later than 1 year after the
9 date of enactment of this Act, the Secretary and the Sec-
10 retary of Energy (acting through the Oak Ridge, Rich-
11 land, and Los Alamos site offices) shall enter into an
12 agreement governing the respective roles of the Secretary
13 and the Secretary of Energy in administering the facili-
14 ties, land, or interests in land under the administrative
15 jurisdiction of the Department of Energy that is to be in-
16 cluded in the Historical Park, including provisions for
17 public access, management, interpretation, and historic
18 preservation.

19 (b) RESPONSIBILITIES OF THE SECRETARY.—Any
20 agreement under subsection (a) shall provide that the Sec-
21 retary shall—

22 (1) have decisionmaking authority for the con-
23 tent of historic interpretation of the Manhattan
24 Project for purposes of administering the Historical
25 Park; and

1 (2) ensure that the agreement provides an ap-
2 propriate role for the National Park Service in pre-
3 serving the historic resources covered by the agree-
4 ment.

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

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

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

16 (3) shall retain responsibility, in accordance
17 with applicable law, for any environmental remedi-
18 ation and structural safety that may be necessary in
19 or around the facilities, land, or interests in land
20 governed by the agreement.

21 (d) AMENDMENTS.—The agreement under subsection
22 (a) may be amended, including to add to the Historical
23 Park facilities, land, or interests in land described in sec-
24 tion 5(b) that are under the jurisdiction of the Secretary
25 of Energy.

1 **SEC. 7. PUBLIC PARTICIPATION.**

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

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

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

9 (b) NOTICE OF DETERMINATION.—Not later than 30
10 days after the date on which an agreement under section
11 6 is executed, the Secretary shall publish in the Federal
12 Register notice of the establishment of the Historical
13 Park, including an official boundary map.

14 (c) AVAILABILITY OF MAP.—The official boundary
15 map published under subsection (b) shall be on file and
16 available for public inspection in the appropriate offices
17 of the National Park Service.

18 (d) ADDITIONS.—Any land, interest in land, or facil-
19 ity within the eligible areas described in section 5(b) that
20 is acquired by the Secretary or included in an amendment
21 to the agreement under section 6(d) shall be added to the
22 Historical Park.

23 **SEC. 8. ADMINISTRATION.**

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

26 (1) this Act; and

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

3 (A) the National Park System Organic Act
4 (16 U.S.C. 1 et seq.); and

5 (B) the Act of August 21, 1935 (16 U.S.C.
6 461 et seq.).

7 (b) GENERAL MANAGEMENT PLAN.—Not later than
8 3 years after the date on which funds are made available
9 to carry out this section, the Secretary, in consultation
10 with the Secretary of Energy, shall complete a general
11 management plan for the Historical Park in accordance
12 with—

13 (1) section 12(b) of Public Law 91–383 (com-
14 monly known as the “National Park Service General
15 Authorities Act”) (16 U.S.C. 1a–7(b)); and

16 (2) the agreement established under section 6.

17 (c) INTERPRETIVE TOURS.—The Secretary may, sub-
18 ject to applicable law, provide interpretive tours of histori-
19 cally significant Manhattan Project sites and resources in
20 the States of Tennessee, New Mexico, and Washington
21 that are located outside the boundary of the Historical
22 Park.

23 (d) LAND ACQUISITION.—

1 (1) IN GENERAL.—The Secretary may only ac-
 2 quire land and interests in land within the eligible
 3 areas described in section 5(b) by—

4 (A) transfer of administrative jurisdiction
 5 from the Department of Energy by agreement
 6 between the Secretary and the Secretary of En-
 7 ergy; or

8 (B) purchase from willing sellers, donation,
 9 or exchange.

10 (2) FACILITIES.—The Secretary may acquire
 11 land or interests in land in the vicinity of Historical
 12 Park for visitor and administrative facilities.

13 (e) DONATIONS; COOPERATIVE AGREEMENTS.—

14 (1) FEDERAL FACILITIES.—

15 (A) IN GENERAL.—The Secretary may
 16 enter into 1 or more agreements with the head
 17 of a Federal agency to provide public access to,
 18 and management, interpretation, and historic
 19 preservation of, historically significant Manhat-
 20 tan Project resources under the jurisdiction or
 21 control of the Federal agency.

22 (B) DONATIONS; COOPERATIVE AGREE-
 23 MENTS.—The Secretary may accept donations
 24 from, and enter into cooperative agreements
 25 with, State governments, units of local govern-

1 ment, tribal governments, organizations, or in-
2 dividuals to further the purpose of an inter-
3 agency agreement entered into under subpara-
4 graph (A).

5 (2) TECHNICAL ASSISTANCE.—The Secretary
6 may provide technical assistance to State, local, or
7 tribal governments, organizations, or individuals for
8 the management, interpretation, and historic preser-
9 vation of historically significant Manhattan Project
10 resources not included within the Historical Park.

11 (3) DONATIONS TO DEPARTMENT OF EN-
12 ERGY.—For the purposes of this Act, or for the pur-
13 pose of preserving or providing access to historically
14 significant resources relating to the Manhattan
15 Project, the Secretary of Energy may accept, hold,
16 administer, and use gifts, bequests, and devises (in-
17 cluding labor and services).

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