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108TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 108–360

STEEL INDUSTRY NATIONAL HISTORIC SITE ACT

NOVEMBER 17, 2003.—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. 521]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 521) to establish the Steel Industry National Historic Site in the Commonwealth of Pennsylvania, 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 "Steel Industry National Historic Site Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Certain sites and structures in the Commonwealth of Pennsylvania symbolize in physical form the heritage of the steel industry of the United States.

(2) Certain buildings and other structures in the Commonwealth of Pennsylvania are nationally significant historical resources, including the United States Steel Homestead Works, the Carrie Furnace complex, and the Hot Metal Bridge.

(3) Despite substantial efforts for cultural preservation and historical interpretation by the Commonwealth of Pennsylvania and by individuals and public and private entities in the Commonwealth, these buildings and other structures may be lost without the assistance of the Federal Government.

(b) PURPOSES.—The purposes of this Act are to ensure the preservation, interpretation, visitor enjoyment, and maintenance of the nationally significant historical and cultural sites and structures described in subsection (a) for the benefit and inspiration of present and future generations.

SEC. 3. STEEL INDUSTRY NATIONAL HISTORIC SITE, PENNSYLVANIA.

(a) ESTABLISHMENT.—The Steel Industry National Historic Site is hereby established as a unit of the National Park System in the Commonwealth of Pennsylvania.

(b) DESCRIPTION.—

(1) INCLUSION OF CERTAIN PROPERTY.—Subject to paragraph (2), the historic site shall consist of the following properties, each of which relate to the former United States Steel Homestead Works, as depicted on the map entitled "Steel Industry National Historic Site", dated November 2003, and numbered 80,000:

(A) The historic location of the Battle of Homestead site in the borough of Munhall, Pennsylvania, consisting of approximately 3 acres of land, including the pumphouse and water tower and related structures, within the property bounded by the Monongahela River, the CSX railroad, Waterfront Drive, and the Damascus-Marcegaglia Steel Mill.

(B) The historic location of the Carrie Furnace complex in the boroughs of Swissvale and Rankin, Pennsylvania, consisting of approximately 35 acres of land, including blast furnaces 6 and 7, the ore yard, the cast house, the blowing engine house, the AC power house, and related structures, within the property bounded by the proposed southwesterly right-of-way line needed to accommodate the Mon/Fayette Expressway and the relocated CSX railroad right-of-way, the Monongahela River, and a property line drawn northeast to southwest approximately 100 yards east of the AC power house.

(C) The historic location of the Hot Metal Bridge, consisting of the Union railroad bridge and its approaches, spanning the Monongahela River and connecting the mill sites in the boroughs of Rankin and Munhall, Pennsylvania.

(2) AVAILABILITY OF MAP.—The map referred to in paragraph (1) shall be available for public inspection in an appropriate office of the National Park Service.

(c) ACQUISITION OF PROPERTY.— To further the purposes of this section, the Secretary of the Interior may acquire, only by donation, property for inclusion in the historic site as follows:

(1) Any land or interest in land with respect to the property identified in subsection (b)(1).

(2) Up to 10 acres of land adjacent to or in the general proximity of the property identified in such subsection, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

(3) Personal property associated with, and appropriate for, the interpretation of the historic site.

(d) PRIVATE PROPERTY PROTECTIONS.—Nothing in this Act shall be construed—

(1) to require any private property owner to permit public access (including Federal, State, or local government access) to the private property; or

(2) to modify any provision of Federal, State, or local law with regard to public access to or use of private property.

(e) ADMINISTRATION.—The Secretary of the Interior shall administer the historic site in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(f) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—Until such time as the Secretary of the Interior has acquired the property identified in subsection (b)(1), as depicted on the map referred to in such subsection, the Secretary may enter into a cooperative agreement with any interested individual, public or private agency, organization, or institution to further the purposes of the historic site.

(2) CONTRARY PURPOSES.—Any payment made by the Secretary pursuant to a cooperative agreement under this subsection shall be subject to an agreement that conversion, use, or disposal of the project so assisted for purposes contrary to the purpose of the historic site, as determined by the Secretary, shall result in a right of the United States to reimbursement of all funds made available to such a project or the proportion of the increased value of the project attributable to such funds as determined at the time of such conversion, use, or disposal, whichever is greater.

(g) TECHNICAL ASSISTANCE.—The Secretary of the Interior may provide technical assistance to any person for—

(1) the preservation of historic structures within the historic site; and

(2) the maintenance of the natural and cultural landscape of the historic site.

(h) GENERAL MANAGEMENT PLAN.—

(1) PREPARATION.—Not later than three years after the date on which funds are first made available to carry out this Act, the Secretary of the Interior shall prepare a general management plan for the historic site that will incorporate or otherwise address substantive comments made during the consultation required by paragraph (2).

(2) CONSULTATION.—The Secretary shall prepare the general management plan in consultation with—

(A) an appropriate official of each appropriate political subdivision of the Commonwealth of Pennsylvania that has jurisdiction over all or a portion of the lands included in the historic site;

(B) an appropriate official of the Steel Industry Heritage Corporation; and

(C) private property owners in the vicinity of the historic site.

(3) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

PURPOSE OF THE BILL

The purpose of H.R. 521 is to establish the Steel Industry National Historic Site in the Commonwealth of Pennsylvania.

BACKGROUND AND NEED FOR LEGISLATION

In 1996, Congress designated the Rivers of Steel National Heritage Area in southwestern Pennsylvania to help preserve, interpret, and manage the historic, cultural, and natural resources related to the steel industry. The Heritage Area encompasses 3,000 square miles throughout seven counties: Allegheny, Armstrong, Beaver, Westmoreland, Greene, Fayette and Washington. From 1875 to 1980, southwestern Pennsylvania was the "steel making capital of the world," producing steel for the Brooklyn Bridge and the Empire State Building. Located within the Heritage Area is the United States Steel Homestead Works (site of the 1892 bloody Homestead Steel Strike), the Carrie Furnace complex (last of the giant blast furnaces from the Homestead Works), and the Hot Metal Bridge.

H.R. 521 would create a 38-acre National Historic Park within the National Heritage Area to further highlight the Homestead Works, the Carrie Furnace and the Hot Metal Bridge.

COMMITTEE ACTION

H.R. 521 was introduced on February 4, 2003, by Congressman Mike Doyle (D–PA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On October 29, 2003, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Recreation and Public Lands was discharged from further consideration of the bill by unanimous consent. Congressman Richard Pombo (R–CA) offered an amendment in the nature of a substitute that required all land acquired for the Historic Site be by donation only, added a map name and number to the bill, and included private property protections. The amendment was agreed to by unanimous consent. 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 and Article IV, section 3 of the Constitution of the United States grant 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, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 10, 2003.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 521, the Steel Industry National Historic Site Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 521—Steel Industry National Historic Site Act

Summary: H.R. 521 would establish the Steel Industry National Historic Site (NHS) in Pennsylvania as a unit of the National Park System. The federal budget impact of enacting this legislation is uncertain and would depend on unknown factors such as the condition of property that may be acquired by the National Park Service (NPS), the need for mitigating environmental or other safety hazards, and the extent of nonfederal participation in the project. Depending on the level of restoration, stabilization, and development for visitor use that would be undertaken, CBO estimates that initial costs to establish and operate the new NHS would be between

$55 million and $120 million over the five years following enactment. Some of these costs could be borne by state, local, or nonprofit entities, but the legislation would not require cost-sharing. All federal spending to implement the project, including operating expenses of about $1 million annually, would be subject to appropriation. Enacting the legislation would not affect direct spending or revenues.

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

Major provisions: Under H.R. 521, the Steel Industry NHS would consist of three or more separate properties in southwestern Pennsylvania—the Battle of Homestead site (between 3 acres and 5 acres and related structures), the 35-acre Carrie Furnace complex (including blast furnaces, an ore yard, and related buildings), the hot metal bridge over the Monongahela River, and possibly up to 10 acres of nearby land that may be acquired by the NPS for visitor and administrative facilities. H.R. 521 would authorize the NPS to acquire all of these sites (as well as related personal property) by donation only. In addition to managing the NHS, the NPS could provide technical and financial assistance to local parties for their preservation and management efforts. The agency also would prepare a general management plan for the site within three years of the bill's enactment.

Estimated cost to the Federal Government: CBO estimates that one-time planning, restoration, and development costs to establish the Steel Industry NHS would be between $50 million and $115 million over the first five years following the bill's enactment. Of this amount, about $15 million would be used to build administrative and visitor facilities and develop an interpretive program. Planning (including the preparation of a general management plan, historic structures report, environmental assessments, and other requisite studies) would cost $1 million over the first three years. The balance of one-time costs are uncertain and would depend on the need to restore historic structures, to stabilize or rehabilitate industrial property such as blast furnaces and the hot metal bridge, and to mitigate hazardous conditions and environmental contamination.

We estimate that managing the new NHS would increase NPS operating costs by a total of $5 million through 2008. After 2008, estimated ongoing costs would be less than $2 million a year. Annual costs would include routine NPS operating expenses, services to secure and maintain special property such as the bridge and blast furnaces, and technical assistance to nonfederal participant organizations.

This estimate is based on information provided by the nonprofit Steel Industry Heritage Corporation, the NPS, and other federal, state, and local agencies. For this estimate, CBO assumes that any significant contamination or other safety hazards located on donated property would be corrected before or soon after federal acquisition. If the agency should acquire contaminated or unsafe property, the federal government could be liable for future third-party damages, but CBO has no basis for estimating the likelihood or amount of such costs.

Intergovernmental and private-sector impact: The bill contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Deborah Reis. Impact on State, Local, and Tribal Governments: Marjorie Miller. Impact on the Private Sector: Cecil McPherson.

Estimate approved by: Peter H. Fontaine, Deputy 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.

CHANGES IN EXISTING LAW

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

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