

MANHATTAN PROJECT SITES STUDY ACT OF 2004

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OCTOBER 6, 2004.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed  
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Mr. POMBO, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 3207]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3207) to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, 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 “Manhattan Project Sites Study Act of 2004”.

**SEC. 2. DEFINITIONS.**

In this Act:

- (1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (2) STUDY.—The term “study” means the study authorized by section 3(a).
- (3) STUDY AREA.—The term “study area” means the following historically significant sites associated with the Manhattan Project sites:
  - (A) Los Alamos National Laboratory and townsite in the State of New Mexico.
  - (B) The Hanford Site in the State of Washington.
  - (C) Oak Ridge Laboratory in the State of Tennessee.

**SEC. 3. SPECIAL RESOURCE STUDY.**

(a) STUDY.—

(1) IN GENERAL.—The Secretary in consultation with the Secretary of Energy, shall conduct a special resource study of the study area to assess the national significance, suitability, and feasibility of designating one or more sites within the study area as a unit of the National Park System in accordance with section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)).

(2) ADMINISTRATION.—In conducting the study, the Secretary shall—

- (A) consult with interested Federal, State, tribal, and local officials, representatives of organizations, and members of the public;

(B) evaluate, in coordination with the Secretary of Energy, the compatibility of designating one or more sites within the study area as a unit of the National Park System with maintaining the security, productivity, and management goals of the Department of Energy and public health and safety; and

(C) consider research in existence on the date of enactment of this Act by the Department of Energy on the historical significance and feasibility of preserving and interpreting the various sites and structures in the study area.

(b) REPORT.—Not later than 2 years after the date on which funds are made available to carry out the study, the Secretary shall submit to Congress a report that describes the findings of the study and any conclusions and recommendations of the Secretary.

#### PURPOSE OF THE BILL

The purpose of H.R. 3207 is to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System.

#### BACKGROUND AND NEED FOR LEGISLATION

The Manhattan Project was a top-secret program implemented during World War II that was designed to beat Nazi Germany to the construction of the first nuclear bomb. The results of the three year, multi-million dollar Manhattan Project transformed the world of science and technology and ultimately ushered in the modern information age. The project was carried out in four primary locations including Oak Ridge, Tennessee, where the first uranium enrichment facilities and pilot scale nuclear reactor were built; Hanford, Washington, the location of the first large-scale reactor for producing plutonium; Los Alamos, New Mexico, where the first atomic bombs were designed and built; and the Trinity Site, New Mexico, where the first nuclear device was detonated. Three of these sites have been designated as National Historic Landmarks and all are included on the National Register of Historic Places. A panel of experts convened by the Advisory Council on Historic Preservation reported in 2001 that the development and use of the atomic bomb during World War II has been called “the single most significant event of the 20th century.” The Advisory Council recommended that the sites of the Manhattan Project be formally established as a collective unit and be administered for preservation, commemoration and public interpretation in cooperation with the National Park Service.

H.R. 3207 directs the Secretary of the Interior to conduct a feasibility study of historically significant sites associated with the Manhattan Project for inclusion as a unit of the National Park System. The purpose of the study is to evaluate the compatibility of designating one or more of these sites as a national historical park. Additionally, the study will evaluate the compatibility of such a designation with maintaining the security, productivity and management goals of the Department of Energy.

#### COMMITTEE ACTION

H.R. 3207 was introduced by Congressman Doc Hastings (R-WA) on September 30, 2003. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On September 15, 2004,

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 George Radanovich (R-CA) offered in the nature of a substitute that made several clarifying changes, removed the statement of findings, reduced the number of sites for consideration included in the study area, and increased the time allowed for the Secretary of the Interior to produce its report to Congress. The amendment was adopted by unanimous consent. The bill as amended was then 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 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 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:

#### *H.R. 3207—Manhattan Project Sites Park Study Act of 2004*

H.R. 3207 would direct the Department of the Interior to conduct a special study of the Los Alamos National Laboratory in New Mexico and other sites that were associated with the Manhattan Project. The various sites, located in New Mexico, Tennessee, and Washington, would be evaluated to determine the feasibility and suitability of designating them as a unit of the National Park System. The bill would require the department to report on its findings and recommendations within two years of receiving funds.

Assuming the availability of appropriated funds, CBO estimates that it would cost about \$250,000 over the next three years to complete the required study and report. Enacting the bill would not affect direct spending or revenues.

H.R. 3207 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.

On May 5, 2004, CBO transmitted a cost estimate for S. 1687, the Manhattan Project National Historical Park Study Act, as ordered reported by the Senate Committee on Energy and Natural Resources on April 28, 2004. S. 1687 and H.R. 3207 are very similar, and the estimated cost of the two bills is identical.

The CBO staff contact for this estimate is Deborah Reis. The estimate was 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 to existing law.

