

## Union Calendar No. 488

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5987

[Report No. 112-676]

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

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2012

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

SEPTEMBER 18, 2012

Additional sponsors: Mr. DICKS and Mr. GRIMM

SEPTEMBER 18, 2012

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, and depicted in the map titled  
9 \_\_\_\_\_ and numbered \_\_\_\_\_:

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

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

14 (B) at the X–10 Graphite Reactor at the  
15 Oak Ridge National Laboratory;

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

18 (D) at the former Guest House located at  
19 210 East Madison Road.

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

22 (A) in the Los Alamos Scientific Labora-  
23 tory National Historic Landmark District, or  
24 any addition to the Landmark District proposed  
25 in the National Historic Landmark Nomina-

1           tion—Los Alamos Scientific Laboratory  
2           (LASL) NHL District (Working Draft of NHL  
3           Revision), Los Alamos National Laboratory  
4           document LA-UR 12-00387 (January 26,  
5           2012);

6           (B) at the former East Cafeteria located at  
7           1670 Nectar Street; and

8           (C) at the former dormitory located at  
9           1725 17th Street.

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

12           (A) the B Reactor National Historic Land-  
13           mark;

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

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

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

21           (E) the Hanford Irrigation District Pump  
22           House; and

23           (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.

Union Calendar No. 488

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5987**

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## **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.

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SEPTEMBER 18, 2012

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