

Union Calendar No. 325

103^D CONGRESS
2^D SESSION

H. R. 3708

[Report No. 103-588]

A BILL

To reform the operation, maintenance, and development of the Steamtown National Historic Site, and for other purposes.

JULY 12, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. VENTO introduced the following bill; which was referred to the Committee on Natural Resources

JULY 12, 1994

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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 22, 1993]

A BILL

To reform the operation, maintenance, and development of the Steamtown National Historic Site, 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 **TITLE I—STEAMTOWN NATIONAL**
2 **HISTORIC SITE**

3 **SEC. 101. ESTABLISHMENT.**

4 (a) *ESTABLISHMENT.*—In order to preserve and inter-
5 pret certain elements of railroading, especially steam-oper-
6 ated railroads during the period of 1850 to 1950, there is
7 hereby established the Steamtown National Historic Site
8 (hereinafter in this title referred to as the “historic site”).
9 The purposes of the historic site shall include interpretation
10 of the evolution of railroads and their impact on the devel-
11 opment of this nation, including technological, economic,
12 social, and political effects and the relationship of railroads
13 to industrialization.

14 (b) *BOUNDARIES.*—The historic site shall consist of the
15 lands and interests in lands within the area generally de-
16 picted on the map entitled “Boundary Map, Steamtown
17 National Historic Site”, numbered STTO-80,000B, and
18 dated June, 1994. The map shall be on file and available
19 for public inspection in the offices of the National Park
20 Service, Department of the Interior. No revisions may be
21 made in the boundary of the historic site, except by Act
22 of Congress.

23 (c) *REPEAL.*—Sections 1 through 5 of the Steamtown
24 National Historic Site Act of 1986 (Public Law 99–591;
25 100 Stat. 3341–248–249) are hereby repealed.

1 **SEC. 102. ADMINISTRATION.**

2 *The Secretary of the Interior (hereinafter in this title*
3 *referred to as the “Secretary”) shall administer the historic*
4 *site in accordance with this title and with the provisions*
5 *of law generally applicable to units of the national park*
6 *system, including the Act entitled “An Act to establish a*
7 *National Park Service, and for other purposes”, approved*
8 *August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4).*
9 *On or before September 30, 1995, the Secretary shall pre-*
10 *pare and submit to the Committee on Natural Resources*
11 *of the United States House of Representatives and to the*
12 *Committee on Energy and Natural Resources of the United*
13 *States Senate a new comprehensive general management*
14 *plan for the historic site. The plan shall be prepared with*
15 *the assistance of nationally recognized experts in railroad*
16 *management and history and shall be consistent with this*
17 *title, with section 12 of the Act of August 18, 1970 (16*
18 *U.S.C. 1a–1 through 1a–7) and with other applicable provi-*
19 *sions of law. The Secretary shall provide for public partici-*
20 *pation and comment in the development of the plan.*

21 **SEC. 103. ACQUISITION OF LAND.**

22 (a) *IN GENERAL.*—*The Secretary may acquire lands*
23 *or interests in land within the boundaries of the historic*
24 *site only by donation or by purchase with donated funds.*

25 (b) *CONTAMINATED LANDS.*—*The Secretary may not*
26 *acquire any lands or interests in lands for purposes of the*

1 *historic site unless such lands are not contaminated with*
2 *a hazardous substance or a pollutant or contaminant which*
3 *will require removal or remedial action at the expense of*
4 *the United States. The Secretary shall take such steps as*
5 *are necessary to obtain cost recovery under the Comprehen-*
6 *sive Environmental Compensation, Response, and Liability*
7 *Act of 1980 (Superfund) for any funds of the National Park*
8 *Service expended, prior to the date of the enactment of this*
9 *Act, on removal or remedial action with respect to any con-*
10 *tamination of lands within the boundaries of historic site.*
11 *Any such reimbursement shall be credited to miscellaneous*
12 *receipts in the Treasury.*

13 **SEC. 104. PARK SERVICE ACTIVITIES.**

14 (a) *IN GENERAL.*—*The Secretary shall take such ac-*
15 *tions as necessary and appropriate to administer the his-*
16 *toric site, to maintain and preserve the facilities at the his-*
17 *toric site, to interpret the resources of the site and their*
18 *history to the public, and to provide essential services to*
19 *the public at the historic site.*

20 (b) *RAILROAD EQUIPMENT.*—(1) *The Secretary shall*
21 *preserve the collection of railroad equipment, including lo-*
22 *comotives and rolling stock, which is present at the historic*
23 *site as of the date of enactment of this Act. The Secretary*
24 *may also preserve such equipment and essential machinery*
25 *as is necessary for the maintenance of the locomotives and*

1 *rolling stock. The Secretary may not purchase any addi-*
2 *tional locomotive for operation at the historic site if such*
3 *purchase would result in the operation by the United States*
4 *at the historic site of more locomotives than the number of*
5 *locomotives operating at the site as of June 22, 1994.*

6 (2) *No Federal funds may be expended to provide ac-*
7 *cess between the historic site and any structure that is pri-*
8 *vately owned and operated for profit. The Secretary may*
9 *exchange or purchase appropriate examples of locomotives*
10 *and rolling stock to enhance the site's collection if the total*
11 *number of such equipment does not increase and if all such*
12 *actions are consistent with the general management plan*
13 *for the historic site.*

14 (3) *The Secretary shall dispose of all locomotives and*
15 *rolling stock that are not needed for exchange under para-*
16 *graph (2), that do not meet the criteria of the National Reg-*
17 *ister of Historic Places, and that are not necessary for the*
18 *interpretive activities of the historic site.*

19 (4) *The Secretary shall submit a report to the Congress*
20 *no later than February 31, 1995 containing an inventory*
21 *of all locomotive and rolling stock at the historic site, a*
22 *statement of the range of historic significance of the compo-*
23 *nents of the collection, a statement of how many of each*
24 *are needed to meet the purposes of the historic site, the res-*
25 *toration and repair plans and estimates of the Secretary*

1 *for facilities and equipment at the historic site, and a de-*
2 *tailed deaccession plan.*

3 *(5) The Secretary shall, to the extent practicable, seek*
4 *donations and assistance from volunteers and other cost-*
5 *sharing methods to restore the locomotives and rolling stock.*

6 *(c) ARTIFACTS AND ARCHIVAL MATERIALS.—The Sec-*
7 *retary shall preserve the artifact collection and archival*
8 *materials located at the site.*

9 *(d) EXCURSIONS.—To the extent that it furthers public*
10 *understanding, and provided that appropriate interpreta-*
11 *tion is provided, the Secretary may provide a regular excur-*
12 *sion from Scranton, Pennsylvania, to Moscow, Pennsylva-*
13 *nia. For purposes of such excursions, the Secretary may*
14 *provide essential visitor services at Moscow, Pennsylvania.*
15 *The Secretary may not expend funds of the National Park*
16 *Service for the restoration or maintenance of tracks, bridges*
17 *or tunnels located outside the historic site, except that the*
18 *Secretary may use funds appropriated prior to November*
19 *15, 1991 for restoration of tracks and bridges between the*
20 *historic site and Moscow, Pennsylvania, pursuant to a co-*
21 *operative agreement to be entered into between the Secretary*
22 *and the owner of such tracks and bridges permitting the*
23 *National Park Service to use such tracks and bridges for*
24 *excursions authorized under this section. The Secretary*
25 *may pay customary and appropriate track usage fees and*

1 *may also provide additional special excursions if no such*
2 *excursion is longer than 60 miles one way.*

3 *(e) USER AND INTERPRETIVE FEES.—(1) User or in-*
4 *terpretive fees charged for the rail excursion from the his-*
5 *toric site to Moscow, Pennsylvania, or to any other location*
6 *shall be established at a level such that a minimum of 100*
7 *percent of the costs of maintenance, personnel, equipment,*
8 *and fees imposed on the Secretary for the excursion shall*
9 *be recovered by the Secretary.*

10 *(2)(A) Notwithstanding any other provision of law, the*
11 *Secretary is authorized to impose a fee on any person using*
12 *the core complex within the site. The amount of such fee*
13 *shall not exceed a single charge of \$5 per person per day*
14 *for the use of the entire core complex. No fee shall be im-*
15 *posed for the use of such complex by any person under 16*
16 *years of age or any person who is part of an organized*
17 *school group or outing conducted for educational purposes*
18 *by a school or other bona fide educational institution.*

19 *(B) The proceeds of any fee imposed under this section*
20 *shall be credited to a special account established for the Na-*
21 *tional Park Service in the Treasury of the United States*
22 *and shall be available, without further appropriation, for*
23 *use by the Secretary of the Interior to further educational*
24 *and interpretive programs at the site, including the cooper-*
25 *ative agreement specified in subsection (g)(2).*

1 (C) As part of each annual budget submission to the
2 Congress, the Secretary shall provide a report detailing the
3 amount of fees received under subparagraph (A) and the
4 expenditures under subparagraph (B) during the imme-
5 diately preceding fiscal year. A copy of such report shall
6 also be made available annually to the Committee on Natu-
7 ral Resources and the Committee on Appropriations of the
8 United States House of Representatives and to the Commit-
9 tee on Energy and Natural Resources and the Committee
10 on Appropriations of the United States Senate.

11 (D) For purposes of this section, the term “core com-
12 plex” means the two museums, the theater, the visitor cen-
13 ter, and roundhouse.

14 (f) TRACK AND SWITCH REHABILITATION.—The Sec-
15 retary may assist the owner of Bridge 60 and Bridge 60
16 Wye with track and switch rehabilitation to facilitate ac-
17 tivities directly associated with the historic site. Any finan-
18 cial assistance for any such project shall be limited to a
19 portion of the total costs of the project. The portion paid
20 by the Secretary shall not exceed that fraction of the total
21 costs of the project which is equal to the fraction of the total
22 usage of such tracks and switches attributable to use by
23 equipment associated with the historic site. Nothing in this
24 Act or in any other provision of law shall authorize the

1 *Secretary to acquire either of such bridges or the associated*
2 *tracks and switches.*

3 (g) *COOPERATIVE AGREEMENTS.—(1) The Secretary*
4 *may enter into cooperative agreements with appropriate*
5 *authorities for law enforcement and for purposes of control-*
6 *ling rail traffic through the historic site, but the Secretary*
7 *may not enter into any other cooperative agreement relat-*
8 *ing to administration of the historic site with any entity*
9 *(other than a department or agency of the United States)*
10 *without specific authorization by an Act of Congress ap-*
11 *proved after the enactment of this Act, except as provided*
12 *in paragraph (2) of this subsection.*

13 (2) *The Secretary is authorized to enter into a coopera-*
14 *tive agreement with a qualified educational institution to*
15 *provide, at the Secretary's direction, certain visitor services*
16 *and educational programs within the historic site and to*
17 *collect the fees authorized under paragraph (2) of subsection*
18 *(e). The Secretary shall transmit any cooperative agreement*
19 *proposed to be entered into under this paragraph to the*
20 *Committee on Natural Resources of the United States House*
21 *of Representatives and to the Committee on Energy and*
22 *Natural Resources of the United States Senate at least 60*
23 *days before such agreement is entered into by the Secretary.*

24 (h) *REPORT ON ALTERNATIVES.—(1) The Secretary*
25 *shall prepare a report identifying any feasible and suitable*

1 *alternatives for managing the historic site, including part-*
2 *nerships or direct management by the Commonwealth of*
3 *Pennsylvania, local governments, other agencies, or private*
4 *entities. Such report shall be submitted to the Congress not*
5 *later than 2 years after the enactment of this Act.*

6 (2) *In taking the action referred to in paragraph (1)*
7 *the Secretary shall consult with other Federal land manag-*
8 *ing agencies, State and local officials, the national park*
9 *System Advisory Board, resource management, recreation,*
10 *and scholarly organizations, and other interested parties as*
11 *the Secretary deems advisable. Such consultation shall in-*
12 *clude appropriate opportunities for public review and com-*
13 *ment.*

14 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

15 *There are hereby authorized to be appropriated such*
16 *sums as may be necessary to carry out the purposes of this*
17 *title, except that no funds may be appropriated after the*
18 *enactment of this Act for any construction, development, or*
19 *related activities with respect to the site without specific*
20 *authorization by an Act of Congress pursuant to a law en-*
21 *acted after the enactment of this Act. No Federal funds may*
22 *be expended at the site for purposes other than those speci-*
23 *fied in section 104 and in section 105(d). Not more than*
24 *5 percent of the funds appropriated annually for operation*
25 *of the historic site may be used for the restoration or repair*

1 *of locomotives, cars, and other rolling stock without specific*
2 *authorization by an Act of Congress enacted after the enact-*
3 *ment of this Act.*

4 **TITLE II—DELAWARE WATER**
5 **GAP NATIONAL RECREATION**
6 **AREA**

7 **SEC. 201. BOUNDARIES.**

8 *Section 2(a) of the Act of September 1, 1965 (79 Stat.*
9 *612; 16 U.S.C. 460o-1(a)) establishing the Delaware Water*
10 *Gap National Recreation Area is amended by striking “as*
11 *generally depicted on the drawing entitled ‘Proposed Tocks*
12 *Island National Recreation Area’ dated and numbered Sep-*
13 *tember 1962, NRA-TI-7100, which drawing is on file” and*
14 *inserting “as generally depicted on the map entitled ‘Dela-*
15 *ware Water Gap National Recreation Area’ dated November*
16 *1991 and numbered DWGNRA-620/80,900A which shall be*
17 *on file”.*