

103^D CONGRESS
1ST SESSION

H. R. 3604

To establish the Birmingham National Industrial Heritage District in the State of Alabama, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 1993

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

A BILL

To establish the Birmingham National Industrial Heritage District in the State of Alabama, 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 “Birmingham National
5 Industrial Heritage District Act of 1993”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—The Congress makes the following
8 findings:

9 (1) Within the Birmingham District an abun-
10 dance of natural and mineral resources, waterways,

1 forges, furnaces, foundries, mills, mines, and rail-
2 roads, active and inactive, symbolize in physical form
3 the evolution from small scale industries to inte-
4 grated mines, iron and steel mill operations, and
5 from a work force of slaves, through an extensive pe-
6 riod when industry relied upon a convict labor force,
7 to capital intensive labor-saving facilities and re-
8 duced industrial employment.

9 (2) The sites referred to in paragraph (1) in-
10 clude Sloss Furnaces National Historic Landmark
11 and Red Mountain Cut National Natural Landmark
12 and have been found by the Secretary of the Interior
13 to have substantial potential to preserve and inter-
14 pret vestiges of the iron and steel industry in the
15 southern United States.

16 (3) Despite efforts by the State, political sub-
17 divisions of the State, volunteer associations, and
18 private business, the cultural, historical, natural,
19 and recreational resources of the District have not
20 realized full potential social value and may be lost
21 without assistance from the Federal Government.

22 (b) PURPOSE.—It is the purpose of this Act to—

23 (1) preserve and interpret, for the education
24 and inspirational benefit of present and future gen-
25 erations, the unique and significant contributions to

1 our national heritage of certain natural, historical,
2 cultural, and recreational resources within the Bir-
3 mingham District in the counties of Walker, Tusca-
4 loosa, Shelby, Jefferson, and Bibb in the State of
5 Alabama; and

6 (2) provide a management framework to assist
7 the District and units of local government and re-
8 gional planning and development agencies in the de-
9 velopment and implementation of integrated natural,
10 historical, cultural, and recreational resource man-
11 agement programs in order to retain, enhance, and
12 interpret the significant value of the land, water,
13 and other resources of the District.

14 **SEC. 3. DEFINITIONS.**

15 For purposes of this Act—

16 (1) the term “Commission” means the Bir-
17 mingham National Industrial Heritage District
18 Commission established by section 5;

19 (2) the term “District” or “Birmingham Dis-
20 trict” means the Birmingham National Industrial
21 Heritage District established by section 4;

22 (3) the term “Plan” means the heritage man-
23 agement plan prepared pursuant to section 8 and
24 approved by the Secretary;

1 (4) the term “affected political subdivision of
2 the State” means any political subdivision of the
3 State of Alabama, any part of which is located in,
4 adjacent to, or proximate to the District, including
5 counties, cities, and towns;

6 (5) the term “Secretary” means the Secretary
7 of the Interior; and

8 (6) the term “State” means the State of Ala-
9 bama.

10 **SEC. 4. ESTABLISHMENT, BOUNDARIES, AND ADMINISTRA-**
11 **TION OF DISTRICT.**

12 (a) ESTABLISHMENT.—To carry out the purpose of
13 this Act, there is hereby established the Birmingham Na-
14 tional Industrial Heritage District.

15 (b) BOUNDARIES.—(1) The District shall consist of
16 Walker, Tuscaloosa, Shelby, Jefferson and Bibb Counties
17 in the State of Alabama.

18 (2) Upon a request of the Commission signed by not
19 less than 7 members of the Commission, the Secretary
20 may make revisions in the boundaries of the District. Any
21 such revision shall take effect upon publication by the Sec-
22 retary in the Federal Register of a revised boundary de-
23 scription or map.

24 (c) ADMINISTRATION.—The District shall be admin-
25 istered in accordance with this Act.

1 **SEC. 5. ESTABLISHMENT OF BIRMINGHAM NATIONAL IN-**
2 **DUSTRIAL HERITAGE DISTRICT COMMISSION.**

3 (a) ESTABLISHMENT.—There is established a com-
4 mission to be known as the Birmingham National Indus-
5 trial Heritage District Commission.

6 (b) MEMBERSHIP.—(1) The Commission shall be
7 composed of 14 members as follows:

8 (A) The Chief, Historic American Building Sur-
9 vey/Historic American Engineering Record of the
10 National Park Service, ex officio, or such other per-
11 son as the Secretary shall delegate.

12 (B) An individual associated with the Sloss
13 Furnaces National Historic Landmark who shall be
14 nominated by the Mayor of the City of Birmingham
15 and appointed by the Secretary.

16 (C) An individual associated with Red Mountain
17 Cut National Natural Landmark who shall be nomi-
18 nated by the Mayor of the City of Birmingham and
19 appointed by the Secretary.

20 (D) A representative of a local historical organi-
21 zation active in researching and interpreting indus-
22 trial history who shall be nominated by the Commis-
23 sion of Jefferson County, Alabama, and appointed
24 by the Secretary.

25 (E) An individual associated with the iron,
26 steel, coke or cast iron industry who shall be nomi-

1 nated by the Commission of Jefferson County, Ala-
2 bama, and appointed by the Secretary.

3 (F) An individual associated with Tannehill
4 State Historic Park who shall be nominated by the
5 Governor of the State and appointed by the Sec-
6 retary.

7 (G) An individual associated with the Alabama
8 Mining Museum who shall be nominated by the
9 Commission of Walker County, Alabama, and ap-
10 pointed by the Secretary.

11 (H) An individual associated with the mining
12 industry who shall be nominated by the Commission
13 of Walker County, Alabama, and appointed by the
14 Secretary.

15 (I) An individual associated with the Alabama
16 Museum of Natural History who shall be nominated
17 by the President of the University of Alabama, Tus-
18 caloosa, Alabama, and appointed by the Secretary.

19 (J) An individual associated with a local histori-
20 cal organization active in researching and interpret-
21 ing industrial history who shall be nominated by the
22 Commission of Tuscaloosa County, Alabama, and
23 appointed by the Secretary.

24 (K) An individual associated with a local histor-
25 ical organization active in researching and interpret-

1 ing industrial history who shall be nominated by the
2 Commission of Shelby County, Alabama, and ap-
3 pointed by the Secretary.

4 (L) An individual associated with a local histor-
5 ical organization active in researching and interpret-
6 ing industrial history who shall be nominated by the
7 Commission of Bibb County, Alabama, and ap-
8 pointed by the Secretary.

9 (M) An individual with urban planning and her-
10 itage tourism expertise who shall be nominated by
11 the Birmingham Regional Planning Commission and
12 appointed by the Secretary.

13 (N) An individual active in historic preservation
14 in the State who shall be nominated by the Alabama
15 Historical Commission and appointed by the Sec-
16 retary.

17 (2) The Secretary shall reject the nomination of any
18 individual upon a finding that the individual does not meet
19 the qualifications for nomination and appointment as stat-
20 ed in paragraph (1), whereupon the appropriate nominat-
21 ing authority shall submit a new nomination within 30
22 days of such rejection. If a nominating authority fails to
23 make a timely nomination, the Secretary shall appoint a
24 person meeting as nearly as practicable the stated quali-
25 fications for nomination and appointment.

1 (3) A vacancy on the Commission shall be filled in
2 the manner in which the original appointment was made.

3 (c) TERMS.—(1) Except as provided in paragraphs
4 (2), (3), and (4) members of the Commission shall be ap-
5 pointed for terms of three years.

6 (2) Of the members of the Commission first ap-
7 pointed under subsection (b)(1)(B) through (N)—

8 (A) four shall be appointed for terms of one
9 year;

10 (B) four shall be appointed for terms of two
11 years; and

12 (C) five shall be appointed for terms of three
13 years,

14 as designated by the Secretary at the time of appointment.

15 (3) The member appointed under subsection
16 (b)(1)(A) shall serve at the pleasure of the Secretary.

17 (4) Any member of the Commission appointed to fill
18 a vacancy occurring before the expiration of a term for
19 which the member's predecessor was appointed shall be
20 appointed only for the remainder of such term. A member
21 of the Commission may serve after the expiration of the
22 member's term until the member's successor has taken of-
23 fice.

24 (d) COMPENSATION.—Members of the Commission
25 shall receive no pay on account of their service on the

1 Commission, but while away from their homes or regular
2 places of business in the performance of services for the
3 Commission, members of the Commission shall be allowed
4 travel expenses, including per diem in lieu of subsistence,
5 in accordance with sections 5702 and 5703 of title 5,
6 United States Code.

7 (e) CHAIRPERSON.—(1) The chairperson of the Com-
8 mission shall be elected by the members of the Commis-
9 sion from among members appointed under subsection
10 (b)(1)(B) through (N).

11 (2)(A) Except as provided in subparagraph (B), the
12 term of the chairperson shall be two years.

13 (B) If a member is appointed to a term on the Com-
14 mission which is less than two years and is elected chair-
15 person of the Commission, then such member's term as
16 chairperson shall expire at the end of such member's term
17 on the Commission.

18 (f) QUORUM.—(1) Eight members of the Commission
19 shall constitute a quorum, but a lesser number may hold
20 hearings.

21 (2) Any member of the Commission may vote by
22 means of a signed proxy exercised by another member of
23 the Commission, but any member so voting shall not be
24 considered present for purposes of establishing a quorum.

1 (3) The affirmative vote of not less than eight mem-
2 bers of the Commission shall be required to approve the
3 budget of the Commission.

4 (g) MEETINGS.—The Commission shall meet at least
5 quarterly at the call of the chairperson or seven of its
6 members. Meetings of the Commission shall be subject to
7 section 552b of title 5, United States Code (relating to
8 open meetings).

9 **SEC. 6. STAFF OF COMMISSION.**

10 (a) DIRECTOR AND STAFF.—(1) The Commission
11 shall have the power to appoint and fix compensation of
12 a Director and such staff as may be necessary to carry
13 out its duties.

14 (2) Such staff may include specialists in areas such
15 as interpretation, history, historic preservation, recreation,
16 conservation, archaeology, revitalization, public manage-
17 ment, and fundraising.

18 (3) Except as otherwise provided in this subsection,
19 such Director and staff—

20 (A) shall be appointed subject to the provisions
21 of title 5, United States Code, governing appoint-
22 ments in the competitive service; and

23 (B) shall be paid in accordance with the provi-
24 sions of chapter 51 and subchapter III of chapter 53

1 of such title relating to classification and General
2 Schedule pay rates.

3 (b) EXPERTS AND CONSULTANTS.—Subject to such
4 rules as may be adopted by the Commission, the Commis-
5 sion may procure temporary and intermittent services to
6 the same extent as is authorized by section 3109(b) of title
7 5, United States Code, but at rates determined by the
8 Commission to be reasonable.

9 (c) STAFF OF OTHER AGENCIES.—(1) Upon request
10 of the Commission, the head of any Federal agency may
11 detail, on a reimbursable basis, any of the personnel of
12 such agency to the Commission to assist the Commission
13 in carrying out any of the Commission's duties under this
14 Act.

15 (2) The Commission may accept the services of per-
16 sonnel detailed from the State of Alabama or any affected
17 political subdivision of the State and may reimburse the
18 State or such political subdivision for such services.

19 **SEC. 7. POWERS OF COMMISSION.**

20 (a) HEARINGS.—(1) The Commission may, for the
21 purpose of carrying out this Act, hold such hearings, sit
22 and act at such times and places, take such testimony,
23 and receive such evidence, as the Commission considers
24 appropriate.

1 (2) The Commission may not issue subpoenas or ex-
2 ercise any subpoena authority.

3 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
4 ber or agent of the Commission, if so authorized by the
5 Commission, may take any action which the Commission
6 is authorized to take by this Act.

7 (c) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
8 ministrators of General Services shall provide to the Com-
9 mission, on a reimbursable basis, such administrative sup-
10 port services as the Commission may request.

11 (d) MAILS.—The Commission may use the United
12 States mails in the same manner and under the same con-
13 ditions as other departments and agencies of the United
14 States.

15 (e) USE OF APPROPRIATED AMOUNTS TO OBTAIN
16 FEDERAL FUNDING.—Notwithstanding any other provi-
17 sion of law, for purposes of any law conditioning the re-
18 ceipt of Federal funding on a non-Federal contribution,
19 any portion of the amounts appropriated pursuant to this
20 Act may, at the election of the Commission, be used as
21 such non-Federal contribution.

22 (f) GIFTS.—(1) Except as provided in subsection
23 (g)(2)(B), the Commission may, for purposes of carrying
24 out its duties, seek, accept, and dispose of gifts, bequests,

1 or donations of money, personal property, or services, re-
2 ceived from any source.

3 (2) For purposes of section 170(c) of the Internal
4 Revenue Code of 1986, any gift to the Commission shall
5 be deemed to be a gift to the United States.

6 (g) ACQUISITION OF REAL PROPERTY.—(1) Except
7 as provided in paragraph (2) and except with respect to
8 any leasing of facilities, the Commission may not acquire
9 any real property or interest in real property.

10 (2) Subject to paragraph (3) of this subsection, the
11 Commission may acquire real property, or interests in real
12 property, in the District—

13 (A) by gift or devise; or

14 (B) by purchase from a willing seller.

15 (3) Any real property or interest in real property ac-
16 quired by the Commission under paragraph (2) shall be
17 conveyed by the Commission to an appropriate public or
18 private land managing agency with the consent of such
19 agency, as determined by the Commission. Any such con-
20 veyance shall be made—

21 (A) as soon as practicable after such acquisi-
22 tion;

23 (B) without consideration; and

1 (C) on the condition that the real property or
2 interest in real property so conveyed is used for pub-
3 lic purposes, consistent with the Plan.

4 (h) ADVISORY GROUPS.—The Commission may es-
5 tablish such advisory groups as the Commission deems
6 necessary to ensure open communication with, and assist-
7 ance from, the State, political subdivisions of the State,
8 and interested persons.

9 (i) OTHER POWERS.—The Commission shall, for the
10 purpose of implementing the purposes of this Act, have
11 the following powers and such other powers as are implied
12 thereby or by any other provision of this Act—

13 (1) to sue and be sued in its own name and to
14 prosecute and defend civil actions in any court hav-
15 ing jurisdiction of the subject matter and of the par-
16 ties; to defend and to pay the expenses of defending
17 members, officers, and employees of the Commission
18 in any action arising from the business of the Com-
19 mission;

20 (2) to adopt and make use of a corporate seal
21 and to alter the same at pleasure;

22 (3) to adopt and alter bylaws for the regulation
23 and conduct of its affairs and business;

24 (4) to acquire, whether by purchase, exchange,
25 gift, lease, or otherwise and to refinance existing in-

1 debtedness on, improve and maintain personal prop-
2 erty which the Commission deems necessary for its
3 corporate purposes;

4 (5) to contract for any period with the State or
5 any affected political subdivision of the State for use
6 by the Commission of any facilities or services of the
7 State or any such political subdivision, or by the
8 State or any such political subdivision of any facili-
9 ties of the Commission;

10 (6) to provide such insurance as the Commis-
11 sion may deem advisable;

12 (7) to make, enter into, and execute such con-
13 tracts, agreements, leases, and other instruments
14 and to take such other actions as may be necessary
15 or convenient to accomplish any purpose for which
16 the Commission is organized or to exercise any
17 power expressly granted hereunder;

18 (8) to make application directly or indirectly to
19 any Federal, State, or other source, public or pri-
20 vate, for loans, grants, guarantees, or other financial
21 assistance in furtherance of the Commission's public
22 purpose and to accept and use the same upon such
23 terms and conditions as are prescribed by such Fed-
24 eral, State, or other source; and

1 (9) to establish and maintain bank accounts
2 and invest funds temporarily pursuant to such poli-
3 cies as the Commission may adopt.

4 **SEC. 8. HERITAGE MANAGEMENT PLAN.**

5 (a) PREPARATION OF PLAN.—The Commission shall
6 prepare and submit for approval by the Secretary a herit-
7 age management plan consistent with the reports submit-
8 ted by the Birmingham Historical Society to the National
9 Park Service pursuant to Cooperative Agreement CA-
10 5000-1-9011. The plan shall include resource inventories,
11 a conceptual plan, a management plan, and implementa-
12 tion strategies for the District, together with stated goals,
13 objectives, and action statements, all for the purpose of
14 preserving, enhancing, and interpreting the natural, his-
15 torical, cultural, and recreational resources of the District.
16 The plan shall—

17 (1) provide an inventory which includes any
18 property in the District which should be preserved,
19 restored, managed, developed, maintained, or ac-
20 quired because of its historic or cultural significance;

21 (2) provide for the preparation of interpretive
22 presentations to tell the story of the District;

23 (3) provide for standards, criteria, and approval
24 procedures for the preservation and use of natural,

1 cultural, and recreational resources within the Dis-
2 trict;

3 (4) provide for one or more visitor orientation
4 centers within the District;

5 (5) contain a coordination component which de-
6 tails the ways in which local, State, and Federal pro-
7 grams may be best coordinated to promote the pur-
8 poses of this Act;

9 (6) contain a program for local and State gov-
10 ernment implementation of the plan; and

11 (7) contain policies for land use management
12 which consider and detail the application of appro-
13 priate land and water management techniques in-
14 cluding but not limited to local zoning, use of ease-
15 ments and development of intergovernmental cooper-
16 ative agreements so as to protect the District's cul-
17 tural, natural, and recreational resources.

18 (b) MODIFICATION OF PLAN.—The Commission may
19 modify the Plan if the Commission determines that such
20 modification is necessary to carry out the purpose of this
21 Act. No such modification shall take effect until—

22 (1) the State and any affected political subdivi-
23 sion of the State which would be affected by such
24 modification receives notice of such modification;
25 and

1 (2) if such modification is significant (as deter-
2 mined by the Commission) the Commission—

3 (A) provides adequate notice (as deter-
4 mined by the Commission) of such modification
5 by publication in the area of the District; and

6 (B) conducts a public hearing with respect
7 to such modification.

8 (c) APPROVAL OF PLAN.—(1) No plan submitted to
9 the Secretary under this section shall be approved unless
10 the Secretary finds that the plan, if implemented, would
11 adequately protect the significant historical and cultural
12 resources of the District and consistent with such protec-
13 tion provide adequate and appropriate outdoor rec-
14 reational opportunities and economic activities within the
15 District.

16 (2) In determining whether or not to approve the
17 plan, the Secretary shall consider whether—

18 (A) the Commission has afforded adequate op-
19 portunity, including public hearings, for public and
20 governmental involvement in the preparation of the
21 plan; and

22 (B) that adequate assurances have been re-
23 ceived from appropriate State and local officials that
24 the recommended implementation program identified
25 in the plan will be initiated within a reasonable time

1 after the date of approval of the plan and such pro-
2 gram will ensure implementation of State and local
3 aspects of the plan.

4 (3) If the Secretary disapproves the plan, the Com-
5 mission shall be advised in writing of reasons for the dis-
6 approval therefore and shall also be advised of any rec-
7 ommendations for revisions. Following completion of any
8 necessary revisions to the plan, the Secretary shall have
9 45 days to either approve or disapprove the plan.

10 (d) COOPERATIVE AGREEMENTS.—For purposes of
11 preparing or carrying out the Plan, the Commission may
12 enter into cooperative agreements with the State, with any
13 affected political subdivision of the State, or with any or-
14 ganization or person. Any such cooperative agreement
15 shall, at a minimum, establish procedures for providing
16 notice to the Commission of any action proposed by the
17 State, such political subdivision, or such organization or
18 person which may affect the implementation of the Plan.

19 **SEC. 9. IMPLEMENTATION OF HERITAGE MANAGEMENT**
20 **PLAN.**

21 After review and approval of the Plan by the Sec-
22 retary, the Commission shall use its power to implement
23 the Plan and shall give priority to actions which assist
24 in—

1 (1) preserving and interpreting the historic, cul-
2 tural, and natural resources of the District;

3 (2) complementing State and local historical
4 parks and museums in the District;

5 (3) assisting with the enhancement of public
6 awareness of an appreciation for the cultural, natu-
7 ral, and recreational resources of the District by
8 producing interpretive materials for the general pub-
9 lic and District schools, including (but not limited
10 to) brochures, visitor orientation displays, videos,
11 and curriculum units for schools;

12 (4) assisting the State or local government or
13 any nonprofit organization in the preservation and
14 interpretation of any historic, cultural, or natural re-
15 source in the District, including providing technical
16 staff assistance for planning, research, preservation,
17 and interpretation;

18 (5) encouraging, by appropriate means, en-
19 hanced economic and industrial development in the
20 District consistent with the goals of the Plan;

21 (6) encouraging local and State governments
22 and regional planning and development agencies to
23 adopt land use policies consistent with the goals of
24 the Plan and to take actions to implement those
25 policies;

1 (7) encouraging private owners of resources
2 identified in District inventories to adopt voluntary
3 measures for the preservation of these resources;

4 (8) encouraging private landowners adjacent to
5 significant historic, cultural, and natural resources
6 within the District to establish, reestablish, or re-
7 tain, where possible, vegetative or other buffers and
8 scenic easements for the protection and enhance-
9 ment of these resources;

10 (9) ensuring that clear, consistent access routes
11 are developed to major resources in the District and
12 signage identifying access points and sites of cul-
13 tural, natural, and recreational interest are devel-
14 oped, implemented, and maintained; and

15 (10) establishing recognition of the District by
16 actively promoting the historic, cultural, and natural
17 resources of the District on a community, regional,
18 State, national, and international basis.

19 **SEC. 10. TERMINATION OF COMMISSION.**

20 (a) TERMINATION.—Except as provided in subsection
21 (b), the Commission shall terminate on the date which is
22 10 years after the date of the enactment of this Act.

23 (b) EXTENSION.—The Commission may extend the
24 life of the Commission for a period of not more than 10

1 years beginning on the date referred to in subsection (a)
2 if, not later than 180 days before such date—

3 (1) the Commission determines such extension
4 is necessary in order for the Commission to carry
5 out the purpose of this Act;

6 (2) the Commission submits such proposed ex-
7 tension to the Committee on Interior and Insular Af-
8 fairs of the House of Representatives and to the
9 Committee on Energy and Natural Resources of the
10 Senate; and

11 (3) the Governor of the State and the Secretary
12 each approve such extension.

13 (c) CONVEYANCE OF ASSETS.—Upon termination of
14 the Commission, its official records and other personal as-
15 sets shall be distributed as determined by the Secretary
16 with the advice of the Commission as set forth in any reso-
17 lution of the Commission adopted by the Commission prior
18 to its termination.

19 **SEC. 11. DUTIES OF THE SECRETARY.**

20 In carrying out this Act, the Secretary shall do the
21 following:

22 (1) Review and approve as appropriate the her-
23 itage management plan developed under section 8
24 and any amendments thereto.

1 (2) Upon request of the Commission, provide
2 technical assistance to the Commission in carrying
3 out the provisions of section 9(a)(6). Such assistance
4 may include recommendations concerning appro-
5 priate documentation and preservation treatment,
6 adaptive reuse potential, strategies for finding pri-
7 vate investors, and tax advantages available with re-
8 spect to such rehabilitation.

9 (3) Make available to interested persons infor-
10 mation which explains tax advantages available with
11 respect to the rehabilitation of historical structures
12 in the District.

13 (4) For each fiscal year during the life of the
14 Commission, detail to the Commission, on a
15 nonreimbursable basis, two employees of the Depart-
16 ment of the Interior to enable the Commission to
17 carry out the Commission's duties under section 9.

18 **SEC. 12. DUTIES OF OTHER FEDERAL ENTITIES.-**

19 Any Federal entity conducting or supporting signifi-
20 cant activities directly affecting the District shall—

21 (1) consult with the Secretary and the Commis-
22 sion with respect to such activities;

23 (2) cooperate with the Secretary and the Com-
24 mission in carrying out their duties under this Act
25 and, to the maximum extent practicable, coordinate

1 such activities with the carrying out of such duties;
2 and

3 (3) to the maximum extent practicable, conduct,
4 or support such activities in a manner which the
5 Commission determines will not have an adverse ef-
6 fect on the resources cited in the National Park
7 Service reports.

8 **SEC. 13. EFFECT ON ENVIRONMENTAL AND OTHER STAND-**
9 **ARDS; RESTRICTIONS; SAVINGS PROVISIONS**

10 (a) EFFECT ON ENVIRONMENTAL AND OTHER
11 STANDARDS.—(1) Nothing in this Act shall be deemed to
12 impose any environmental, occupational, safety, and other
13 rule, regulation, standard, or permit process which is dif-
14 ferent from those applicable on the date of the enactment
15 of this Act, or which would be applicable, had the District
16 not been established.

17 (2) The establishment of the District shall not impose
18 any change in Federal environmental quality standards.
19 No portion of the District which is subject to the Clean
20 Air Act may be designated as class 1 for purposes of such
21 part C solely by reason of the establishment of the Dis-
22 trict.

23 (3) No State or Federal agency shall impose more
24 restrictive water use designations or water quality stand-
25 ards upon uses of, or discharges to, waters of the State

1 or waters of the United States, within or adjacent to the
2 District solely by reason of the establishment of the Dis-
3 trict.

4 (4) Nothing in the establishment of the District shall
5 abridge, restrict, or alter any applicable rule, regulation,
6 standard, or review procedure for permitting of facilities
7 within or adjacent to the District.

8 (5) Nothing in the establishment of the District shall
9 affect the continuing use and operation, as presently lo-
10 cated, of all public utilities and common carriers.

11 (6) Actions taken under this Act to achieve the pur-
12 poses described in section 2(b) shall emphasize voluntary
13 cooperation.

14 (b) RESTRICTIONS ON COMMISSION AND SEC-
15 RETARY.—Nothing in this Act shall be construed to vest
16 in the Commission or the Secretary any authority—

17 (1) to require the State, any affected political
18 subdivision of the State, or any private person to
19 participate in any project or program carried out by
20 the Commission or the Secretary under this Act;

21 (2) to intervene as a party in any administra-
22 tive or judicial proceeding concerning the application
23 or enforcement of any regulatory authority of the
24 State or any affected political subdivision of the
25 State, including any authority relating to land use

1 regulation, environmental quality, licensing, permit-
2 ting, easements, private land development, or other
3 occupational or access issues;

4 (3) to establish or modify any regulatory au-
5 thority of the State or of any affected political sub-
6 division of the State, including any authority relat-
7 ing to land use regulation, environmental quality, or
8 pipeline or utility crossings;

9 (4) to modify any policy of the State or of any
10 affected political subdivision of the State; or

11 (5) to establish or modify any authority of the
12 State or of any affected political subdivision of the
13 State with respect to the acquisition of lands or in-
14 terests in lands.

15 (c) SAVINGS PROVISION.—Nothing in this Act shall
16 diminish, enlarge, or modify any right of the State or of
17 any affected political subdivision of the State—

18 (1) to exercise civil and criminal jurisdiction
19 within the District; or

20 (2) to tax persons, corporations, franchises, or
21 property, including minerals and other interests in
22 or on lands or waters, within the District.

1 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS; ALLOCA-**
2 **TION OF AMOUNT FOR CERTAIN PURPOSES**

3 For each fiscal year which commences after Septem-
4 ber 30, 1993, there is authorized to be appropriated—

5 (1) to the Commission a sum not to exceed
6 \$450,000 to carry out the Commission's duties
7 under this Act;

8 (2) to the Commission such sums as may be
9 necessary to carry out the Commission's duties
10 under section 8(a)(4) of this Act relating to visitor
11 orientation centers; and

12 (3) to the Secretary such sums as may be nec-
13 essary to carry out the Secretary's duties under this
14 Act.

15 Any sum appropriated shall remain available until ex-
16 pended.

17 **SEC. 15. COMPLIANCE WITH BUDGET ACT.**

18 Any new spending authority described in section
19 401(c)(2)(A) of the Congressional Budget Act of 1974
20 which is provided under this Act shall be effective for any
21 fiscal year only to such extent or in such amounts as are
22 provided in appropriation Acts.

○

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