

103^D CONGRESS
2^D SESSION

H. R. 3708

IN THE SENATE OF THE UNITED STATES

JULY 14 (legislative day, JULY 11), 1994

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

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 in-
5 terpret certain elements of railroading, especially steam-
6 operated railroads during the period of 1850 to 1950,
7 there is hereby established the Steamtown National His-
8 toric Site (hereinafter in this title referred to as the “his-
9 toric site”). The purposes of the historic site shall include
10 interpretation of the evolution of railroads and their im-
11 pact on the development of this nation, including techno-
12 logical, economic, social, and political effects and the rela-
13 tionship of railroads to industrialization.

14 (b) BOUNDARIES.—The historic site shall consist of
15 the lands and interests in lands within the area generally
16 depicted 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25 100 Stat. 3341-248-249) are hereby repealed.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 his-
4 toric site in accordance with this title and with the provi-
5 sions of law generally applicable to units of the national
6 park system, including the Act entitled “An Act to estab-
7 lish a National Park Service, and for other purposes”, ap-
8 proved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2,
9 3, and 4). On or before September 30, 1995, the Secretary
10 shall prepare and submit to the Committee on Natural Re-
11 sources of the United States House of Representatives and
12 to the Committee on Energy and Natural Resources of
13 the United States Senate a new comprehensive general
14 management plan for the historic site. The plan shall be
15 prepared with the assistance of nationally recognized ex-
16 perts in railroad management and history and shall be
17 consistent with this title, with section 12 of the Act of
18 August 18, 1970 (16 U.S.C. 1a-1 through 1a-7) and with
19 other applicable provisions of law. The Secretary shall pro-
20 vide for public participation and comment in the develop-
21 ment of the plan.

22 **SEC. 103. ACQUISITION OF LAND.**

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

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

15 **SEC. 104. PARK SERVICE ACTIVITIES.**

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

22 (b) RAILROAD EQUIPMENT.—(1) The Secretary shall
23 preserve the collection of railroad equipment, including lo-
24 comotives and rolling stock, which is present at the his-
25 toric site as of the date of enactment of this Act. The

1 Secretary may also preserve such equipment and essential
2 machinery as is necessary for the maintenance of the loco-
3 motives and rolling stock. The Secretary may not purchase
4 any additional locomotive for operation at the historic site
5 if such purchase would result in the operation by the
6 United States at the historic site of more locomotives than
7 the number of locomotives operating at the site as of June
8 22, 1994.

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

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

22 (4) The Secretary shall submit a report to the Con-
23 gress no later than February 31, 1995 containing an in-
24 ventory of all locomotive and rolling stock at the historic
25 site, a statement of the range of historic significance of

1 the components of the collection, a statement of how many
2 of each are needed to meet the purposes of the historic
3 site, the restoration and repair plans and estimates of the
4 Secretary for facilities and equipment at the historic site,
5 and a detailed deaccession plan.

6 (5) The Secretary shall, to the extent practicable,
7 seek donations and assistance from volunteers and other
8 cost-sharing methods to restore the locomotives and roll-
9 ing stock.

10 (c) ARTIFACTS AND ARCHIVAL MATERIALS.—The
11 Secretary shall preserve the artifact collection and archival
12 materials located at the site.

13 (d) EXCURSIONS.—To the extent that it furthers
14 public understanding, and provided that appropriate inter-
15 pretation is provided, the Secretary may provide a regular
16 excursion from Scranton, Pennsylvania, to Moscow, Penn-
17 sylvania. For purposes of such excursions, the Secretary
18 may provide essential visitor services at Moscow, Penn-
19 sylvania. The Secretary may not expend funds of the Na-
20 tional Park Service for the restoration or maintenance of
21 tracks, bridges or tunnels located outside the historic site,
22 except that the Secretary may use funds appropriated
23 prior to November 15, 1991 for restoration of tracks and
24 bridges between the historic site and Moscow, Pennsylva-
25 nia, pursuant to a cooperative agreement to be entered

1 into between the Secretary and the owner of such tracks
2 and bridges permitting the National Park Service to use
3 such tracks and bridges for excursions authorized under
4 this section. The Secretary may pay customary and appro-
5 priate track usage fees and may also provide additional
6 special excursions if no such excursion is longer than 60
7 miles one way.

8 (e) USER AND INTERPRETIVE FEES.—(1) User or in-
9 terpretive fees charged for the rail excursion from the his-
10 toric site to Moscow, Pennsylvania, or to any other loca-
11 tion shall be established at a level such that a minimum
12 of 100 percent of the costs of maintenance, personnel,
13 equipment, and fees imposed on the Secretary for the ex-
14 cursion shall be recovered by the Secretary.

15 (2)(A) Notwithstanding any other provision of law,
16 the Secretary is authorized to impose a fee on any person
17 using the core complex within the site. The amount of
18 such fee shall not exceed a single charge of \$5 per person
19 per day for the use of the entire core complex. No fee
20 shall be imposed for the use of such complex by any person
21 under 16 years of age or any person who is part of an
22 organized school group or outing conducted for edu-
23 cational purposes by a school or other bona fide edu-
24 cational institution.

1 (B) The proceeds of any fee imposed under this sec-
2 tion shall be credited to a special account established for
3 the National Park Service in the Treasury of the United
4 States and shall be available, without further appropria-
5 tion, for use by the Secretary of the Interior to further
6 educational and interpretive programs at the site, includ-
7 ing the cooperative agreement specified in subsection
8 (g)(2).

9 (C) As part of each annual budget submission to the
10 Congress, the Secretary shall provide a report detailing
11 the amount of fees received under subparagraph (A) and
12 the expenditures under subparagraph (B) during the im-
13 mediately preceding fiscal year. A copy of such report shall
14 also be made available annually to the Committee on Nat-
15 ural Resources and the Committee on Appropriations of
16 the United States House of Representatives and to the
17 Committee on Energy and Natural Resources and the
18 Committee on Appropriations of the United States Senate.

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

22 (f) TRACK AND SWITCH REHABILITATION.—The Sec-
23 retary may assist the owner of Bridge 60 and Bridge 60
24 Wye with track and switch rehabilitation to facilitate ac-
25 tivities directly associated with the historic site. Any finan-

1 cial assistance for any such project shall be limited to a
2 portion of the total costs of the project. The portion paid
3 by the Secretary shall not exceed that fraction of the total
4 costs of the project which is equal to the fraction of the
5 total usage of such tracks and switches attributable to use
6 by equipment associated with the historic site. Nothing in
7 this Act or in any other provision of law shall authorize
8 the Secretary to acquire either of such bridges or the asso-
9 ciated tracks and switches.

10 (g) COOPERATIVE AGREEMENTS.—(1) The Secretary
11 may enter into cooperative agreements with appropriate
12 authorities for law enforcement and for purposes of con-
13 trolling rail traffic through the historic site, but the Sec-
14 retary may not enter into any other cooperative agreement
15 relating to administration of the historic site with any en-
16 tity (other than a department or agency of the United
17 States) without specific authorization by an Act of Con-
18 gress approved after the enactment of this Act, except as
19 provided in paragraph (2) of this subsection.

20 (2) The Secretary is authorized to enter into a coop-
21 erative agreement with a qualified educational institution
22 to provide, at the Secretary's direction, certain visitor
23 services and educational programs within the historic site
24 and to collect the fees authorized under paragraph (2) of
25 subsection (e). The Secretary shall transmit any coopera-

1 tive agreement proposed to be entered into under this
2 paragraph to the Committee on Natural Resources of the
3 United States House of Representatives and to the Com-
4 mittee on Energy and Natural Resources of the United
5 States Senate at least 60 days before such agreement is
6 entered into by the Secretary.

7 (h) REPORT ON ALTERNATIVES.—(1) The Secretary
8 shall prepare a report identifying any feasible and suitable
9 alternatives for managing the historic site, including part-
10 nerships or direct management by the Commonwealth of
11 Pennsylvania, local governments, other agencies, or pri-
12 vate entities. Such report shall be submitted to the Con-
13 gress not later than 2 years after the enactment of this
14 Act.

15 (2) In taking the action referred to in paragraph (1)
16 the Secretary shall consult with other Federal land man-
17 aging agencies, State and local officials, the national park
18 System Advisory Board, resource management, recreation,
19 and scholarly organizations, and other interested parties
20 as the Secretary deems advisable. Such consultation shall
21 include appropriate opportunities for public review and
22 comment.

23 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

24 There are hereby authorized to be appropriated such
25 sums as may be necessary to carry out the purposes of

1 this title, except that no funds may be appropriated after
2 the enactment of this Act for any construction, develop-
3 ment, or related activities with respect to the site without
4 specific authorization by an Act of Congress pursuant to
5 a law enacted after the enactment of this Act. No Federal
6 funds may be expended at the site for purposes other than
7 those specified in section 104 and in section 105(d). Not
8 more than 5 percent of the funds appropriated annually
9 for operation of the historic site may be used for the res-
10 toration or repair of locomotives, cars, and other rolling
11 stock without specific authorization by an Act of Congress
12 enacted after the enactment of this Act.

13 **TITLE II—DELAWARE WATER**
14 **GAP NATIONAL RECREATION**
15 **AREA**

16 **SEC. 201. BOUNDARIES.**

17 Section 2(a) of the Act of September 1, 1965 (79
18 Stat. 612; 16 U.S.C. 460o-1(a)) establishing the Dela-
19 ware Water Gap National Recreation Area is amended by
20 striking “as generally depicted on the drawing entitled
21 ‘Proposed Tocks Island National Recreation Area’ dated
22 and numbered September 1962, NRA-TI-7100, which
23 drawing is on file” and inserting “as generally depicted
24 on the map entitled ‘Delaware Water Gap National Recre-

1 ation Area' dated November 1991 and numbered
2 DWGNRA-620/80,900A which shall be on file''.

Passed the House of Representatives July 12, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.