

JOHNSTOWN FLOOD NATIONAL MEMORIAL BOUNDARY
ADJUSTMENT ACT OF 2003

OCTOBER 7, 2003.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1521]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1521) to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes, 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 “Johnstown Flood National Memorial Boundary Adjustment Act of 2003”.

SEC. 2. BOUNDARY OF JOHNSTOWN FLOOD NATIONAL MEMORIAL.

The boundary of the Johnstown Flood National Memorial (“Memorial”) is modified to include the area as generally depicted on the map entitled “Johnstown Flood National Memorial, Cambria County, Commonwealth of Pennsylvania”, numbered N.E.R.O. 427/80,008 and dated June, 2003. The map shall be on file and available for inspection in the appropriate offices of the National Park Service, Department of the Interior.

SEC. 3. ACQUISITION OF LANDS.

The Secretary of the Interior (“Secretary”) is authorized to acquire from willing sellers the land or interests in land as described in section 2 by donation, purchase with donated or appropriated funds, or exchange.

SEC. 4. ADMINISTRATION OF LANDS.

Lands added to the Memorial by section 2 shall be administered by the Secretary as part of the Memorial in accordance with applicable laws and regulations.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise made available for land acquisition, there are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

PURPOSE OF THE BILL

The purpose of H.R. 1521 is to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

On June 1, 1889, the city of Johnstown, Pennsylvania, located in the southwestern part of the State, was devastated by the worst inland flood in our Nation's history. At the time of the flood, Johnstown had a population of 30,000 and was largely a steel company town. Property damage from the flood was estimated at \$17 million and 2,209 people lost their lives. The flood was caused by the collapse of the South Fork Dam. The flood was also the first disaster relief work for Clara Barton and the Red Cross. In 1964, Congress created the Johnstown Flood National Memorial to tell the stories of the events leading up to the Johnstown flood, the flood itself, and of its effects on Johnstown and the Nation. The Memorial is administered by the National Park Service of the Department of the Interior.

In 2001, it was brought to the attention of the National Park Service that certain properties adjacent to the Memorial and some downstream from the Memorial (the historic South Fork Fishing and Hunting Club) would be available to further tell the story of the events leading up to and following the flood. The National Park Service completed its environmental review of the properties, issuing a Finding of No Significant Impact in 2002. H.R. 1521 would authorize the properties to be acquired by the Secretary of the Interior by donation, purchase, or exchange from willing sellers and the boundary of the Memorial would be adjusted accordingly.

COMMITTEE ACTION

H.R. 1521 was introduced on March 31, 2003, by Congressman John Murtha (D-PA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On June 24, 2003, the Subcommittee held a hearing on the bill. On September 23, 2003, the Subcommittee met to mark up the bill. Congressman George Radanovich (R-CA) offered an amendment in the nature of a substitute to correct the number and date of the map cited in the bill to reflect the correct map. The amendment was adopted by voice vote. The bill, as amended, was then forwarded to the Full Resources Committee by voice vote. On September 24, 2003, the Full Resources Committee met to consider the bill. No further amendments were offered and the bill as amended was ordered 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 Re-

sources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and article IV, section 3, 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. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 3, 2003.

Hon. RICHARD W. POMBO,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1521, the Johnstown Flood National Memorial Boundary Adjustment Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 1521—Johnstown Flood National Memorial Boundary Adjustment Act of 2003

H.R. 1521 would expand the boundary of the Johnstown Flood National Memorial to include an additional 14 acres of land, which the National Park Service (NPS) would be authorized to acquire by

purchase, donation, or exchange. The bill would authorize the appropriation of whatever amounts are necessary to acquire and administer the new acreage.

Assuming appropriation of the necessary amounts, CBO estimates that the federal government would spend about \$4.5 million to implement H.R. 1521 over the next five years. About \$1 million of that amount would be used to purchase the land within the proposed addition area over the next year or two. We expect that the NPS would spend the balance of the funds to restore four historic buildings on the newly acquired properties. Finally, we estimate that operating and maintaining the new property would cost about \$500,000 annually after acquisition and development is complete.

H.R. 1521 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of State, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This 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.

