

NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER
ACT

JULY 17, 2000.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 2919]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2919) to promote preservation and public awareness of the history of the Underground Railroad by providing financial assistance, to the Freedom Center in Cincinnati, Ohio, 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 out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Underground Railroad Freedom Center Act”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the National Underground Railroad Freedom Center (hereinafter “Freedom Center”) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

(2) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

(3) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(4) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(5) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

(b) PURPOSES.—The purposes of this Act are—

- (1) to promote preservation and public awareness of the history of the Underground Railroad;
- (2) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and
- (3) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term “project budget” means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term “Federal share” means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term “non-Federal share” means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term “the Freedom Center facility” means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in section 4(c).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in section 5.

(b) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (a) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(c) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (a) and (b) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$16,000,000 for the 4 fiscal year period beginning October 1, 1999. Funds not to exceed that total amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(e) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this Act shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(f) OTHER PROVISIONS.—Any grant made under this Act shall provide that—

(1) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(2) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(3) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(A) all Federal funds made available to the grantee under this Act; or

(B) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

SEC. 5. AUTHORIZED ACTIVITIES.

(a) **IN GENERAL.**—The Freedom Center may engage in any activity related to its objectives addressed in section 2(a), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

(b) **PRIORITIES.**—The Freedom Center shall give priority to—

- (1) construction of the Freedom Center facility;
- (2) development of programs and exhibits to be presented in or from the Freedom Center facility; and
- (3) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

SEC. 6. APPLICATION.

(a) **IN GENERAL.**—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

- (1) describe the activities for which assistance is sought;
- (2) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(b) **APPROVAL.**—The Secretary shall approve the application submitted pursuant to subsection (a) unless such application fails to comply with the provisions of this Act.

SEC. 7. REPORTS.

The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this Act. The report shall—

- (1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;
- (2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and
- (3) include a description of the activities taken to assure compliance with this Act.

SEC. 8. AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.

The National Underground Railroad Network to Freedom Act of 1998 (Public Law 105–203) is amended by adding at the end the following:

“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.

“(a) **AUTHORITY TO MAKE GRANTS.**—The Secretary of the Interior may make grants, in accordance with this section, to historic sites or structures associated with the Underground Railroad for the preservation and restoration of buildings or structures listed on, or eligible for listing on, the National Register of Historic Places.—

“(b) **GRANT CONDITIONS.**—Any grant made under this section shall provide that—

- “(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;
- “(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and
- “(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

“(c) **MATCHING REQUIREMENT.**—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an ex-

treme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

“(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.”.

PURPOSE OF THE BILL

The purpose of H.R. 2919 is to promote preservation and public awareness of the history of the Underground Railroad by providing financial assistance to the Freedom Center in Cincinnati, Ohio.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2919 provides financial assistance to the Freedom Center in Cincinnati, Ohio, to promote preservation and public awareness of the history of the Underground Railroad. From the end of the 18th century to the end of the Civil War, the Underground Railroad flourished, symbolizing the ideal of freedom. In 1995, the National Underground Railroad Freedom Center was founded in Cincinnati, Ohio, to interpret the history of the Underground Railroad by bringing together exhibits that link different Underground Railroad sites. The National Park Service has chosen the Freedom Center for the first public/private partnership under the National Underground Railroad Network to Freedom Act (NURNFA, 16 U.S.C. 4691) to coordinate the sites and activities.

H.R. 2919 provides no more than twenty percent of the total funding for construction of the museum and research center and development of programs and exhibits. As a public/private partnership, the Freedom Center is required to raise the remaining funds from other sources. H.R. 2919 authorizes no more than \$16 million total over four years to be appropriated. Furthermore, the federal share would not be disbursed until the Freedom Center has commitments for at least fifty percent of the non-federal share.

COMMITTEE ACTION

H.R. 2919 was introduced by Congressman Rob Portman (R-OH) on September 22, 1999. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On March 30, 2000, the Subcommittee held a hearing on the bill. On May 18, 2000, the Subcommittee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the Full Committee by voice vote. On June 20, 2000, the Resources Committee met to consider the bill. Congressman Joseph Crowley (D-NY) offered an amendment which provided additional conditions for grants under the bill and amended the NURNFA to authorize funding to preserve historic sites or structures associated with the Underground Railroad. The amendment was adopted by voice vote. No further amendments were offered and the bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

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 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. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

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, June 28, 2000.

Hon. DON YOUNG,
*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. 2919, the National Underground Railroad Freedom Center Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis and Ali Aslam (for federal costs), and Majorie Miller (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2919—National Underground Railroad Freedom Center Act

H.R. 2919 would direct the Secretary of the Interior to provide financial assistance to the National Underground Railroad Freedom Center in Cincinnati, Ohio. The bill would authorize the ap-

appropriation of \$16 million through fiscal year 2003 to finance 20 percent of the costs of the center's activities, primarily constructing a facility and developing related programs and exhibits. H.R. 2919 also would authorize the appropriation of \$2.5 million annually beginning in fiscal year 2001 for grants to preserve and restore historic structures associated with the Underground Railroad.

Assuming appropriation of the authorized amounts, CBO estimates that the National Park Service would spend \$27.5 million over the 2001–2005 period, including \$15 million for the Freedom Center facility and \$2.5 million for each of the five years for historic preservation grants. (The center received an appropriation of \$1 million in fiscal year 2000.) H.R. 2919 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State and local governments might incur some costs to match federal funds authorized by the bill, but these costs would be voluntary.

The CBO staff contacts are Deborah Reis and Ali Aslam (for federal costs), and Majorie Miller (for the state and local impact). 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 State, local, or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

SECTION 4 OF THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998

SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.

(a) *AUTHORITY TO MAKE GRANTS.*—*The Secretary of the Interior may make grants, in accordance with this section, to historic sites or structures associated with the Underground Railroad for the preservation and restoration of buildings or structures listed on, or eligible for listing on, the National Register of Historic Places.*

(b) *GRANT CONDITIONS.*—*Any grant made under this section shall provide that—*

(1) *no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;*

(2) *the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and*

(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.