

HISTORICALLY WOMEN'S PUBLIC COLLEGES OR UNIVERSITIES HISTORIC BUILDING RESTORATION AND PRESERVATION ACT

SEPTEMBER 29, 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

together with

ADDITIONAL VIEWS

[To accompany H.R. 4503]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4503) to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities, 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 "Historically Women's Public Colleges or Universities Historic Building Restoration and Preservation Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORICALLY WOMEN'S PUBLIC COLLEGE OR UNIVERSITY.—The term "historically women's public college or university" means a public institution of higher education created in the United States between 1884 and 1908 to provide industrial education for women, including the institutions listed in clauses (i) through (vii) of section 3(d)(2)(A).

(2) HISTORIC BUILDING OR STRUCTURE.—The term "historic building or structure" means a building or structure listed (or eligible to be listed) on the National Register of Historic Places, designated as a National Historic Landmark, or located within a designated historic district.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. PRESERVATION AND RESTORATION GRANTS FOR HISTORIC BUILDINGS AND STRUCTURES AT HISTORICALLY WOMEN'S PUBLIC COLLEGES OR UNIVERSITIES.

(a) **AUTHORITY TO MAKE GRANTS.—**

(1) **IN GENERAL.—**From amounts made available under paragraph (2), the Secretary shall award grants in accordance with this section to historically women's public colleges or universities for the preservation and restoration of historic buildings and structures on their campuses.

(2) **SOURCE OF FUNDING.—**Grants under paragraph (1) shall be awarded from amounts appropriated to carry out the National Historic Preservation Act (16 U.S.C. 470 et seq.) for fiscal years 2001 through 2005.

(b) **GRANT CONDITIONS.—**Grants made under subsection (a) shall be subject to the condition that the grantee agree, for the period of time specified by the Secretary, that—

(1) no alteration will be made in the property with respect to which the grant is made without the concurrence of the Secretary; and

(2) reasonable public access to the property for which the grant is made will be permitted by the grantee for interpretive and educational purposes.

(c) **MATCHING REQUIREMENT FOR BUILDINGS AND STRUCTURES LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES.—**

(1) **IN GENERAL.—**Except as provided by paragraph (2), the Secretary may obligate funds made available under this section for a grant with respect to a building or structure listed on the National Register of Historic Places, designated as a National Historic Landmark, or located within a designated historic district, only if the grantee agrees to provide for activities under the grant, from funds derived from non-Federal sources, an amount equal to 50 percent of the costs of the program to be funded under the grant with the Secretary providing 50 percent of such costs under the grant.

(2) **IN-KIND CONTRIBUTIONS.—**In addition to cash outlays and payments, in-kind contributions of property or personnel services by non-Federal interests may be used for the non-Federal share of costs required by paragraph (1).

(d) **FUNDING PROVISIONS.—**

(1) **AMOUNTS TO BE MADE AVAILABLE.—**Not more than \$14,000,000 for each of the fiscal years 2001 through 2005 may be made available under this section.

(2) **ALLOCATIONS FOR FISCAL YEAR 2001.—**

(A) **IN GENERAL.—**Of the amounts made available under this section for fiscal year 2001, there shall be available only for grants under subsection

(a) \$2,000,000 for each of the following:

(i) Mississippi University for Women in Columbus, Mississippi.

(ii) Georgia College and State University in Milledgeville, Georgia.

(iii) University of North Carolina in Greensboro, North Carolina.

(iv) Winthrop University in Rock Hill, South Carolina.

(v) University of Montevallo in Montevallo, Alabama.

(vi) Texas Woman's University in Denton, Texas.

(vii) University of Science and Arts of Oklahoma in Chickasha, Oklahoma.

(B) **LESS THAN \$14,000,000 AVAILABLE.—**If less than \$14,000,000 is made available under this section for fiscal year 2001, then the amount made available to each of the institutions listed in subparagraph (A) shall be reduced by the same amount.

(3) **ALLOCATIONS FOR FISCAL YEARS 2002–2005.—**Any funds which are made available during fiscal years 2002 through 2005 under subsection (a)(2) shall be distributed by the Secretary in accordance with the provisions of subparagraphs (A) and (B) of paragraph (2) to those grantees named in paragraph (2)(A) which remain eligible and desire to participate, on a uniform basis, in such fiscal years.

(e) **REGULATIONS.—**The Secretary shall promulgate such regulations as are necessary to carry out this Act.

PURPOSE OF THE BILL

The purpose of H.R. 4503 is to provide for the preservation and restoration of historic buildings at historically women's public colleges or universities.

BACKGROUND AND NEED FOR LEGISLATION

Beginning in 1884, seven institutions became established as industrial schools for women. These institutions are the Mississippi

University for Women, the University of Montevallo in Alabama, Georgia College and State University, Winthrop University in South Carolina, the University of North Carolina at Greensboro, Texas Women's University, and the University of Science and Arts of Oklahoma. These seven institutions have remained open, providing a liberal arts education for both men and women. Despite their continued use, many of the structures located on these campuses are facing destruction or closure because preservation funds are not available.

As ordered reported by the Committee on Resources, H.R. 4503 would provide funding for the preservation of historic buildings at the seven historically identified women's public colleges or universities identified above. Funding would originate from the National Historic Preservation Fund and would be distributed in equal amounts to the seven institutions. The bill also requires a 50 percent matching contribution from non-federal sources and assures that alterations in properties using the funds are subject to approval from the Secretary of the Interior and reasonable public access for interpretive and educational purposes. In addition, in-kind contributions of property or personnel services by non-federal sources may be considered as a share of the matching requirement.

COMMITTEE ACTION

H.R. 4503 was introduced by Congressman Charles (Chip) Pickering (R-MS) on May 19, 2000. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On September 7, 2000, the Subcommittee held a hearing on the bill. On September 20, 2000, the Full Committee met to consider the bill. The Subcommittee on National Parks and Public Lands was discharged from further consideration of the bill by unanimous consent. Congressman James V. Hansen (R-UT) offered an amendment in the nature of a substitute which was adopted by voice vote. 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 Resources' 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 pre-

pared 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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 27, 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. 4503, the Historically Women's Public Colleges or Universities Historic Building Restoration and Preservation Act.

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

Sincerely,

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

*H.R. 4503—Historically Women's Public Colleges or Universities
Historic Building Restoration and Preservation Act*

Summary: H.R. 4503 would authorize the appropriation of \$14 million annually over the 2001–2005 period for matching grants to seven colleges and universities. Those institutions, which were created to provide education for women, would each be eligible to receive \$2 million annually from the Historic Preservation Fund (HPF) for one-half of the cost of restoring historic buildings on their campuses. CBO estimates that appropriation of the authorized amounts would result in outlays of \$53 million over the 2001–2005 period.

The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 4503 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments might incur some costs to match the federal funds authorized by this bill, but any such costs would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4503 is shown in the following table. The costs

of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2000	2001	2002	2003	2004	2005
SPENDING SUBJECT TO APPROPRIATION						
HPF Spending Under Current Law:						
Budget Authority ¹	75	77	78	79	80	82
Estimated Outlays	72	75	78	77	79	80
Proposed Changes:						
Authorization Level	0	14	14	14	14	14
Estimated Outlays	0	4	8	13	14	14
Spending Under H.R. 4503:						
Authorization Level	75	91	91	93	94	96
Estimated Outlays	72	79	86	90	93	94

¹The 2000 level is the amount appropriated for that year from the Historic Preservation Fund. For fiscal years 2001–2005, the amounts shown are equal to the CBO baseline for this account, assuming annual adjustments for anticipated inflation.

Basis of estimate: Assuming appropriation of the authorized amounts and the availability of nonfederal funds to match federal grants, CBO estimates that the National Park Service would obligate a total of \$14 million a year to the seven eligible schools in fiscal years 2001 through 2005. Estimated outlays are based on spending patterns for other grants from the HPF. For this estimate, we assume that these grants would be in addition to other amounts appropriated from that fund.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 4503 contains no intergovernmental or private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Deborah Reis. Impact on State, Local, and Tribal Governments: Marjorie Miller. Impact on the Private Sector: Lauren Marks.

Estimate approved by: Robert A. Sunshine, 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

If enacted, this bill would make no changes in existing law.

ADDITIONAL VIEWS

H.R. 4503 earmarks up to \$70 million over five years from the Historic Preservation Fund for grants to 7 public colleges and universities, most located in the Southeast, which were originally founded to serve women. The grantees would be required to provide a 50% match and the funds could be used to restore historic buildings and structures. The schools would divide the money equally. We fully support historic preservation in general, and could support aid to historically women's colleges and universities for the preservation of historic structures on their campuses. However, we have serious concerns regarding the approach taken in this legislation.

Under current law, the Secretary of the Interior is authorized to make grants from the Historic Preservation Fund, based on statutory criteria, to states or local governments to preserve the precise sites or buildings that would receive funding under this legislation. Since these sites are eligible under current law, the effect of H.R. 4503 is to single out these 7 specific schools, all located in a particular part of the country, and move them up to the front of the line by fencing off \$14 million a year that must bypass the Secretary and go directly to these schools. The bill sets out no criteria for why these schools need these funds and makes no distinction between the schools themselves.

Furthermore, while we are considering legislation to earmark \$14 million for these schools from the Historic Preservation Fund, the House-passed version of the FY 2001 Interior Appropriations bill contains just \$41.3 million total for historic preservation. If the House funding level were to become law, these seven schools would receive roughly one third of all historic preservation funds nationwide.

Finally, this legislation includes no standards which explain how these seven schools were selected. There are nearly 80 women's colleges and universities in the United States and it is unclear why these seven schools are deserving of this earmarked funding and the other women's schools are not.

If the historic sites on these campuses are deserving of historic preservation funding, the relevant state or locality should apply for such funding under the current system. The kind of earmarks contained in this legislation undermine our historic preservation efforts and work to benefit a small group of schools unfairly.

GEORGE MILLER.
CARLOS ROMERO-BARCELO.
DALE E. KILDEE.
OWEN PICKETT.
CAL DOOLEY.
RUSH HOLT.

