

FORT FREDERICA NATIONAL MONUMENT BOUNDARY  
EXPANSION ACT

JULY 25, 2016.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 3480]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3480) to expand the boundary of Fort Frederica National Monument in the State of Georgia, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends 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 “Fort Frederica National Monument Boundary Expansion Act”.

**SEC. 2. FORT FREDERICA NATIONAL MONUMENT, GEORGIA.**

(a) **MAXIMUM ACREAGE.**—The first section of the Act of May 26, 1936 (16 U.S.C. 433g), is amended by striking “two hundred and fifty acres” and inserting “305 acres”.

(b) **BOUNDARY EXPANSION.**—

(1) **IN GENERAL.**—The boundary of the Fort Frederica National Monument in the State of Georgia is modified to include the land generally depicted as “Proposed Acquisition Areas” on the map entitled “Fort Frederica National Monument Proposed Boundary Expansion”, numbered 369/132,469, and dated April 2016.

(2) **AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) **ACQUISITION OF LAND.**—The Secretary of the Interior may acquire the land and interests in land described in paragraph (1) by donation or purchase with donated or appropriated funds from willing sellers only.

(4) **WRITTEN CONSENT OF OWNER.**—No non-Federal property may be included in the Fort Frederica National Monument without the written consent of the owner.

(5) NO USE OF CONDEMNATION OR EMINENT DOMAIN.—The Secretary of the Interior may not acquire by condemnation or eminent domain any land or interests in land under this Act or for the purposes of this Act.

(6) NO BUFFER ZONE CREATED.—Nothing in this Act, the establishment of the Fort Frederica National Monument, or the management plan for the Fort Frederica National Monument shall be construed to create buffer zones outside of the Monument. That activities or uses can be seen, heard, or detected from areas within the Fort Frederica National Monument shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Monument.

#### PURPOSE OF THE BILL

The purpose of H.R. 3480 is to expand the boundary of Fort Frederica National Monument in the State of Georgia.

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 3480, as amended, authorizes the Secretary of the Interior to acquire, for inclusion in the boundary of Fort Frederica National Monument, approximately 21 acres by donation, or purchase with donated or appropriated funds. The parcel authorized to be acquired is owned by the St. Simons Land Trust.

Fort Frederica National Monument, on St. Simons Island, Georgia, preserves the archaeological remnants of a fort established in 1736 by James Oglethorpe. Oglethorpe built the fort to protect the southern boundary of his new colony of Georgia from the Spanish in Florida. Named for Frederick Louis, the Prince of Wales (1702–1754), Frederica consisted of a fort and town fortified by a palisade wall and earthen rampart. The fort's location on the Frederica River allowed it to control ship travel.<sup>1</sup>

Oglethorpe's foresight in establishing Fort Frederica was rewarded in 1742 when Spanish and British forces clashed on St. Simons Island. Fort Frederica's troops defeated the Spanish in the Battle of Bloody Marsh. The British victory not only confirmed that Georgia was British territory, but also signaled the end for Fort Frederica. In 1749, Fort Frederica's regiment disbanded and eventually the town fell into decline.<sup>2</sup>

On May 26, 1936, President Franklin D. Roosevelt established Fort Frederica as a National Monument. The National Park Service owns and preserves the archeological remains of Fort Frederica.

#### COMMITTEE ACTION

H.R. 3480 was introduced on September 10, 2015, by Congressman Earl L. "Buddy" Carter (R-GA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On May 24, 2016, the Subcommittee held a hearing on the bill. On June 14, 2016, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Jody B. Hice offered an amendment designated #1; it was adopted by unanimous consent. No additional amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent on June 15, 2016.

<sup>1</sup>National Park Service, "Fort Frederica: History & Culture," <https://www.nps.gov/fofr/learn/historyculture/index.htm>

<sup>2</sup>Ibid.

## 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 Natural Resources' oversight findings and recommendations are reflected in the body of this report.

## COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) 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)(2)(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. 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, July 20, 2016.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3480, the Fort Frederica National Monument Boundary Expansion Act of 2015.

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

Sincerely,

KEITH HALL.

Enclosure.

*H.R. 3480—Fort Frederica National Monument Boundary Expansion Act of 2015*

H.R. 3480 would authorize the expansion of the Fort Frederica National Monument on St. Simons Island, Georgia, by increasing the maximum acreage from 250 to 305 acres. The monument preserves the archaeological remnants of a fort established in 1736 by James Oglethorpe, the founder of the state of Georgia.

The National Park Service (NPS) would be permitted to expand the monument boundary only through donations or purchases of land made using appropriated funds. According to the NPS, the existing park boundary exceeds the current acreage cap. The legislation would expand the cap to accommodate the current size of the monument and permit the NPS to acquire about 20 additional acres. Based on information the county provided to the NPS about the value of different parcels, CBO estimates that the cost of acquiring certain properties that are adjacent to the monument would be about \$1 million.

Enacting H.R. 3480 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates

that enacting H.R. 3480 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 3480 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform act of 1974, and would impose no costs on state, local, and tribal governments.

The CBO staff contact for this estimate is Marin Burnett. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of 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 spending authority, credit authority, or an increase or decrease in revenues or tax expenditure. According to the Congressional Budget Office (CBO), acquiring the land in the expanded boundary would cost about \$1,000,000; this land may be acquired by donation or using appropriated funds. CBO estimates that the bill “would not increase net direct spending or on-budget deficits in any of the four consecutive 10 year periods beginning in 2027”.

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 expand the boundary of Fort Frederica National Monument in the State of Georgia.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandate as defined by Public Law 104-4.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any 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 (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

**ACT OF MAY 26, 1936**

(Public Law Chapter 451—74th Congress)

AN ACT To provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national-monument purposes, shall have been vested in the United States, said area not to exceed [two hundred and fifty] 350 acres shall be, and is hereby, set apart as a national monument for the benefit and inspiration of the people, and shall be called the “Fort Frederica National Monument”.

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