

TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ACQUIRE CERTAIN
PROPERTY RELATED TO THE FORT SCOTT NATIONAL HISTORIC SITE IN
FORT SCOTT, KANSAS, AND FOR OTHER PURPOSES

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JULY 11, 2017.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 1541]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1541) to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1541 is to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas.

BACKGROUND AND NEED FOR LEGISLATION

Established in 1842, Fort Scott initially served in a line of forts created to establish a “Permanent Indian Frontier.”¹ After an influx of white settlements forced several tribes to relocate west of the Mississippi, the government guaranteed certain lands to tribes as off-limits to white settlement. The Army created a line of forts stretching from Minnesota to Louisiana to maintain peace between the newly relocated tribes and the white settlers in Missouri and Arkansas, as well as prevent conflicts between the tribes themselves.² In the 1850s, a variety of factors including the Gold Rush resulted in the continued Western expansion, and a desire to estab-

¹ <https://www.nps.gov/fosc/learn/historyculture/pif.htm>

² *Ibid.*

lish a transcontinental railroad caused the concept of the Permanent Indian Frontier to fall apart. The Army closed Fort Scott.³

During the Civil War, the Union Army returned to Fort Scott and erected four blockhouses, including Lunette Blair, to protect the Southern portion of the town from Confederate invasion.⁴ Fort Scott served as a strategic point to protect Kansas from Confederate control as well as “a major supply depot for Union armies in the West, a general hospital for soldiers in the region and a haven for people fleeing the war—displaced Indians, escaped slaves, and white farmers.”⁵ Following the Civil War, the Army auctioned off the Lunette Blair blockhouse to a private citizen who used the site as a carpentry shop for 40 years. Despite relocating six times and various transfers in ownership over the next 150 years, Lunette Blair remains the only intact blockhouse from the Civil War in Fort Scott today.

H.R. 1541 removes a statutory prohibition preventing the Secretary of the Interior from acquiring the Lunette Blair blockhouse and includes the structure in the boundary of the Fort Scott National Historic Site (NHS). Congress initially deemed the Lunette Blair blockhouse anachronistic and excluded the structure from the boundaries of Fort Scott NHS. The National Park Service (NPS) now wants to add the blockhouse to expand the interpretation of Fort Scott and demonstrate its different roles throughout American history. The current private citizens maintaining the blockhouse asked NPS to acquire the structure due to their aging and challenges raising the necessary funds for renovations. Both the City of Fort Scott and the Historic Preservation Association, the owners of the property, support NPS acquiring the site. NPS believes the 16-square foot site requires very little repair and that its maintenance can fit within the existing park budget.

COMMITTEE ACTION

H.R. 1541 was introduced on March 15, 2017, by Congresswoman Lynn Jenkins (R-KS). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On June 22, 2017, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent on June 27, 2017.

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.

³ Ibid.

⁴ Schofield, Arnold W. “Battlefield Dispatches No. 345: Lunettes and Fortifications.” 11/30/12 <http://www.fstribune.com/story/1918152.html>

⁵ <https://www.nps.gov/fosc/learn/historyculture/index.htm>

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET
ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 10, 2017.

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. 1541, a bill to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO Staff contact is Janani Shankaran.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1541—A bill to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes

H.R. 1541 would authorize the National Park Service (NPS) to acquire, by donation only, the Civil War-era structure known as the “Lunette Blair” blockhouse and to incorporate the structure into the Fort Scott National Historic Site in Bourbon County, Kansas. The bill also would modify the boundary of the site to include this property.

Based on analysis of information provided by the NPS, CBO estimates that implementing H.R. 1541 would have no significant effect on the federal budget. Under the legislation, the blockhouse could only be acquired through donation. CBO estimates that costs to operate and maintain the new property over the next five years would be less than \$500,000 because the NPS does not anticipate the need for significant additional resources to manage the property once it is acquired.

Enacting H.R. 1541 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1541 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1541 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

On April 7, 2017, CBO transmitted a cost estimate for S. 189, the Fort Scott National Historic Site Boundary Modification Act, as ordered reported by the Senate Committee on Energy and National Resources on March 30, 2017. S. 189 would authorize the NPS to

acquire 4 acres of private land and facilities adjacent to the block-house historic site using appropriated funds or through a land exchange. CBO's estimated cost for S. 189 is greater than for H.R. 1541 because of that difference.

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

2. 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 authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas.

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 mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

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):

PUBLIC LAW 95-484

AN ACT An Act to authorize establishment of the Fort Scott National Historic Site, Kansas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to commemorate the significant role played by Fort Scott in the opening of the West, as well as the Civil War and the strife in the State

of Kansas that preceded it, the Secretary of the Interior may acquire by donation *only* the land and interests in land, together with buildings and improvements thereon, known as Fort Scott, located in the city of Fort Scott, Bourbon County, Kansas[*: Provided*, that the buildings so acquired shall not include the structure known as “Lunette Blair”].

SEC. 2. (a) When the site of Fort Scott has been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area as the Fort Scott National Historic Site, by publication of notice and boundary map thereof in the Federal Register.

(b) *The boundary of the Fort Scott National Historic Site established under subsection (a) is modified as generally depicted on the map referred to as “Fort Scott National Historic Site Proposed Boundary Modification”, numbered 471/80,057C, and dated February 2017.*

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