

Calendar No. 589

118TH CONGRESS
2D SESSION**S. 2742**

To establish the Fort Ontario National Monument in the State of New York as a unit of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2023

Mrs. GILLIBRAND (for herself and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To establish the Fort Ontario National Monument in the State of New York as a unit of the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fort Ontario National
5 Monument Establishment Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) NATIONAL MONUMENT.—The term “Na-
4 tional Monument” means the Fort Ontario National
5 Monument established by section 3(a)(1).

6 (2) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 (3) STATE.—The term “State” means the State
9 of New York.

10 **SEC. 3. ESTABLISHMENT OF FORT ONTARIO NATIONAL**
11 **MONUMENT.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—Subject to paragraph (3),
14 there is established in the State as a unit of the Na-
15 tional Park System the Fort Ontario National
16 Monument.

17 (2) PURPOSE.—The purpose of the National
18 Monument is to preserve, protect, and interpret for
19 the benefit of present and future generations re-
20 sources associated with—

21 (A) acknowledging, documenting, and hon-
22 oring the history of Indigenous people who once
23 inhabited the land on which Fort Ontario is lo-
24 cated;

25 (B) Fort Ontario and the history of the 3
26 previous fortifications at the site of Fort On-

tario, at which 3 battles of the French and Indian War and 2 battles of the War of 1812 occurred; and

(C) memorializing the stories of the 982 refugees from World War II who were housed at Fort Ontario from August of 1944 until February of 1946.

(3) CONDITIONS OF ESTABLISHMENT.—

(A) DETERMINATION BY THE SECRETARY.—The National Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(B) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under subparagraph (A), the Secretary shall publish in the Federal Register notice of the establishment of the National Monument.

(4) MAP; BOUNDARY.—

(A) MAP.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary, in consultation with the

1 State and the city of Oswego, New York,
 2 shall prepare a map of the National Monu-
 3 ment.

4 (ii) AVAILABILITY.—The map pre-
 5 pared under clause (i) shall be on file and
 6 available for public inspection in the appro-
 7 priate offices of the National Park Service.

8 (B) BOUNDARY.—The boundary of the
 9 National Monument shall be as generally de-
 10 picted on the map prepared under subpara-
 11 graph (A)(i).

12 ~~(b) ADMINISTRATION.—~~

13 ~~(1) IN GENERAL.—The Secretary shall admin-~~
 14 ~~ister the National Monument in accordance with—~~

15 ~~(A) this section; and~~

16 ~~(B) the laws generally applicable to units~~
 17 ~~of the National Park System, including—~~

18 ~~(i) section 100101(a), chapter 1003,~~
 19 ~~and sections 100751(a), 100752, 100753,~~
 20 ~~and 102101 of title 54, United States~~
 21 ~~Code; and~~

22 ~~(ii) chapter 3201 of title 54, United~~
 23 ~~States Code.~~

24 ~~(2) COOPERATIVE AGREEMENTS.—~~

1 (A) IN GENERAL.—The Secretary may
 2 enter into cooperative agreements with the
 3 State or other public and private entities—

4 (i) to provide interpretive and edu-
 5 cational services within the National
 6 Monument; and

7 (ii) to identify, interpret, and provide
 8 assistance for the maintenance of—

9 (I) non-Federal land within the
 10 boundary of the National Monument;
 11 and

12 (II) sites in close proximity to
 13 the National Monument that are lo-
 14 cated outside the boundary of the Na-
 15 tional Monument.

16 (B) PUBLIC ACCESS.—Any cooperative
 17 agreement entered into under subparagraph (A)
 18 to provide assistance to non-Federal land shall
 19 provide for reasonable public access to the non-
 20 Federal land.

21 (3) ACQUISITION OF LAND.—

22 (A) IN GENERAL.—Subject to subpara-
 23 graph (B), the Secretary may acquire land and
 24 interests in land located within the boundary of
 25 the National Monument by—

- 1 (i) donation;
- 2 (ii) purchase with donated or appro-
- 3 priated funds; or
- 4 (iii) exchange.

5 (B) LIMITATION.—Any land owned by the
 6 State or a political subdivision of the State may
 7 be acquired for inclusion in the National Monu-
 8 ment only by donation.

9 (4) TECHNICAL AND ASSISTANCE.—The Sec-
 10 retary may provide public interpretation and tech-
 11 nical assistance relating to the National Monument
 12 within the boundaries of the National Monument.

13 (5) MANAGEMENT PLAN.—Not later than 3 fis-
 14 cal years after the date on which funds are first
 15 made available to carry out this section, the Sec-
 16 retary, in consultation with the State, shall complete
 17 a general management plan for the National Monu-
 18 ment in accordance with—

19 (A) section 100502 of title 54, United
 20 States Code; and

21 (B) any other applicable laws.

22 (6) ACCESS TO CERTAIN ATHLETIC FACILI-
 23 TIES.—The establishment of the National Monument
 24 shall not affect the use of, or public access to, any
 25 athletic facilities within the boundary of the Na-

1 tional Monument with respect to which the use or
 2 public access is authorized as of the date of enact-
 3 ment of this Act.

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “Fort Ontario Holocaust*
 6 *Refugee Shelter National Historical Park Establishment*
 7 *Act”.*

8 **SEC. 2. DEFINITIONS.**

9 *In this Act:*

10 (1) *MAP.*—*The term “map” means the map enti-*
 11 *tled “Fort Ontario Holocaust Refugee Shelter Na-*
 12 *tional Historical Park Proposed Boundary”, num-*
 13 *bered 962/194,681, and dated September 2024.*

14 (2) *NATIONAL HISTORICAL PARK.*—*The term*
 15 *“National Historical Park” means the Fort Ontario*
 16 *Holocaust Refugee Shelter National Historical Park*
 17 *established by section 3(a)(1).*

18 (3) *SECRETARY.*—*The term “Secretary” means*
 19 *the Secretary of the Interior.*

20 (4) *STATE.*—*The term “State” means the State*
 21 *of New York.*

22 **SEC. 3. ESTABLISHMENT OF FORT ONTARIO HOLOCAUST**
 23 **REFUGEE SHELTER NATIONAL HISTORICAL**
 24 **PARK.**

25 (a) *ESTABLISHMENT.*—

1 (1) *IN GENERAL.*—Subject to paragraph (3),
 2 there is established in the State as a unit of the Na-
 3 tional Park System the Fort Ontario Holocaust Ref-
 4 ugee Shelter National Historical Park.

5 (2) *PURPOSE.*—The purpose of the National His-
 6 torical Park is to preserve, protect, and interpret for
 7 the benefit of present and future generations resources
 8 associated with the stories of the 982 refugees from
 9 World War II who were housed at Fort Ontario from
 10 August of 1944 until February of 1946.

11 (3) *CONDITIONS OF ESTABLISHMENT.*—

12 (A) *DETERMINATION BY THE SECRETARY.*—
 13 The National Historical Park shall not be estab-
 14 lished until the date on which the Secretary de-
 15 termines that a sufficient quantity of land or in-
 16 terests in land has been acquired from land iden-
 17 tified as “Proposed Boundary” on the map to
 18 constitute a manageable park unit.

19 (B) *NOTICE.*—Not later than 30 days after
 20 the date on which the Secretary makes a deter-
 21 mination under subparagraph (A), the Secretary
 22 shall publish in the Federal Register notice of the
 23 establishment of the National Historical Park.

1 (4) *MAP.*—*The map shall be on file and avail-*
 2 *able for public inspection in the appropriate offices of*
 3 *the National Park Service.*

4 (5) *BOUNDARY.*—*The boundary of the National*
 5 *Historical Park shall include any land or interests in*
 6 *land acquired by the Secretary under this section.*

7 (b) *ADMINISTRATION.*—

8 (1) *IN GENERAL.*—*The Secretary shall admin-*
 9 *ister the National Historical Park in accordance*
 10 *with—*

11 (A) *this section; and*

12 (B) *the laws generally applicable to units of*
 13 *the National Park System, including—*

14 (i) *sections 100101(a), 100751(a),*
 15 *100752, 100753, and 102101 of title 54,*
 16 *United States Code; and*

17 (ii) *chapters 1003 and 3201 of title 54,*
 18 *United States Code.*

19 (2) *AGREEMENTS.*—

20 (A) *COOPERATIVE AGREEMENTS.*—*In ac-*
 21 *cordance with section 101702 of title 54, United*
 22 *States Code, the Secretary may enter into coop-*
 23 *erative agreements with the State or other public*
 24 *and private entities to provide interpretive and*

1 *educational services within the National Histor-*
 2 *ical Park.*

3 (B) *INTERPRETATION AND RESTORATION*
 4 *AGREEMENTS.—The Secretary may enter into*
 5 *agreements to identify, interpret, and restore na-*
 6 *tionally significant historic or cultural resources*
 7 *located on non-Federal land within the boundary*
 8 *of, or in close proximity to, the National Histor-*
 9 *ical Park.*

10 (C) *PUBLIC ACCESS.—Any cooperative*
 11 *agreement entered into under subparagraph (B)*
 12 *to provide assistance to non-Federal land shall*
 13 *provide for reasonable public access to the non-*
 14 *Federal land.*

15 (3) *ACQUISITION OF LAND.—*

16 (A) *IN GENERAL.—Subject to subparagraph*
 17 *(B), the Secretary may acquire land and inter-*
 18 *ests in land located within the boundary of the*
 19 *National Historical Park by—*

20 (i) *donation;*

21 (ii) *purchase with donated or appro-*
 22 *priated funds; or*

23 (iii) *exchange.*

24 (B) *LIMITATION.—Any land owned by the*
 25 *State or a political subdivision of the State may*

1 *be acquired for inclusion in the National Histor-*
2 *ical Park only by donation.*

3 (4) *MANAGEMENT PLAN.*—*Not later than 3 fiscal*
4 *years after the date on which funds are made avail-*
5 *able to carry out this section, the Secretary, in con-*
6 *sultation with the State, shall complete a general*
7 *management plan for the National Historical Park in*
8 *accordance with—*

9 (A) *section 100502 of title 54, United States*
10 *Code; and*

11 (B) *any other applicable laws.*

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