

LOWER MISSISSIPPI RIVER AREA STUDY ACT

DECEMBER 22, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany S. 311]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (S. 311) to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, 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 S. 311 is to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River area in the State of Louisiana as a unit of the National Park System.

BACKGROUND AND NEED FOR LEGISLATION

The Lower Mississippi River area of Plaquemines Parish, Louisiana, has been home to ten different fortifications, including Fort St. Philip and Fort Jackson. Fort St. Philip was built by the French in 1746 and rebuilt by the Spanish in 1791. President Andrew Jackson repaired the fort in anticipation of a British attack during the War of 1812. Fort Jackson, named after Andrew Jackson, was completed in 1832 to provide further protection for New Orleans.

Fort St. Philip and Fort Jackson were heavily fortified during the Civil War. The Confederates felt that the presence of these two forts made passage up the Mississippi River impossible. Union leadership determined that the forts were not impenetrable and that opening the river to Union navigation was necessary for the

war effort. Eight days of heavy bombardment led to the bloodless surrender of both forts, giving the North control of the river.

Fort St. Philip was not regularly garrisoned after 1871 and was later sold at public auction and remains in private ownership. Fort Jackson was badly damaged by the Civil War bombardment. It was repaired and used as a prison, then later a minor training base during the Spanish-American War and World War I, and then sold as surplus. The buyers donated the 82-acre site to the Parish of Plaquemines where it was converted into a historical park and recreation area.

The Lower Mississippi region is home to the longest continuous river road and levee system in the United States. The land in Plaquemines Parish was created about 700 years ago when a natural levee eroded and the river changed course. In this area, there are also two National Wildlife Refuges, Delta and Breton, which together encompass nearly 56,000 acres.

S. 311 authorizes the National Park Service to evaluate the suitability and feasibility of designating Fort St. Philip, Fort Jackson and the Head of Passes as unit of the National Park System. To better calculate the level of local public support, S. 311 requires the Secretary to use only non-Federal funds for the cost of conducting the study.

COMMITTEE ACTION

S. 311 was introduced on February 13, 2013, by Senator Mary Landrieu (D-LA). On July 9, 2014, the bill passed the Senate by unanimous consent with amendments. The bill was then referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On July 29, 2014, the Subcommittee held a hearing on the bill. On July 30, 2014, the Natural Resources Committee met to consider S. 311. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered and the bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

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 Com-

mittee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

S. 311—Lower Mississippi River Area Study Act

S. 311 would direct the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating specified sites along the Lower Mississippi River in the state of Louisiana as a unit of the National Park System. Based on information provided by the National Park Service and assuming the availability of appropriated funds, CBO estimates that carrying out the proposed study would cost about \$400,000 over the next three years. Enacting S. 311 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 311 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 March 25, 2013, CBO transmitted a cost estimate for S. 311 as ordered reported by the Senate Committee on Energy and Natural Resources on March 14, 2013. The two versions of the legislation are similar, and the CBO cost estimates are the same.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Peter H. Fontaine, 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 budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. CBO estimates that carrying out the proposed study would cost about \$400,000 over the next three years, although the bill requires that this amount be first donated to the United States or the costs are borne by the state, local government or other non-federal entity.

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 direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System.

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. 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

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

