

STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL
STUDY ACT OF 1999

—————
JUNE 17, 1999.—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

REPORT

[To accompany H.R. 791]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 791) to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system, 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 out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Star-Spangled Banner National Historic Trail Study Act of 1999”.

SEC. 2. FINDINGS.

Congress finds that—

(1) the British invasion of Maryland and Washington, District of Columbia, during the War of 1812 marks a defining period in the history of our Nation, the only occasion on which the United States of America has been invaded by a foreign power;

(2) the Star-Spangled Banner National Historic Trail traces the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary’s County, Maryland, the landing of British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point in Prince George’s County and Anne Arundel County, Maryland, the American defeat at the Battle of Bladensburg, the siege of the Nation’s Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk’s Field in Kent County, Maryland, the route of the American troops from Washington through George-

town, the Maryland Counties of Montgomery, Howard, and Baltimore, and the city of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814, where a distinguished Maryland lawyer and poet, Francis Scott Key, wrote the words that captured the essence of our national struggle for independence, words that now serve as our national anthem, the Star-Spangled Banner; and

(3) the designation of this route as a national historic trail—

(A) would serve as a reminder of the importance of the concept of liberty to all who experience the Star-Spangled Banner National Historic Trail; and

(B) would give long overdue recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

SEC. 3. DESIGNATION OF TRAIL FOR STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended—

(1) by redesignating paragraph (36) (as added by section 3 of the El Camino Real Para Los Texas Study Act of 1993 (107 Stat. 1497)) as paragraph (37) and in subparagraph (C) by striking “determine” and inserting “determine”;

(2) by designating the paragraphs relating to the Old Spanish Trail and the Great Western Scenic Trail as paragraphs (38) and (39), respectively; and

(3) by adding at the end the following:

“(40) STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The Star-Spangled Banner National Historic Trail, tracing the War of 1812 route from the arrival of the British fleet in the Patuxent River in Calvert County and St. Mary’s County, Maryland, the landing of the British forces at Benedict, the sinking of the Chesapeake Flotilla at Pig Point, the American defeat at the Battle of Bladensburg, the siege of the Nation’s Capital, Washington, District of Columbia (including the burning of the United States Capitol and the White House), the British naval diversions in the upper Chesapeake Bay leading to the Battle of Caulk’s Field in Kent County, Maryland, the route of the American troops from Washington through Georgetown, the Maryland Counties of Montgomery, Howard, and Baltimore, and the city of Baltimore, Maryland, to the Battle of North Point, and the ultimate victory of the Americans at Fort McHenry on September 14, 1814.

“(B) AFFECTED AREAS.—The trail crosses 8 counties within the boundaries of the State of Maryland, the city of Baltimore, Maryland, and Washington, District of Columbia.

“(C) COORDINATION WITH OTHER CONGRESSIONALLY MANDATED ACTIVITIES.—The study under this paragraph shall be undertaken in coordination with the study authorized under section 603 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 1a-5 note; 110 Stat. 4172) and the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961). Such coordination shall extend to any research needed to complete the studies and any findings and implementation actions that result from the studies and shall use available resources to the greatest extent possible to avoid unnecessary duplication of effort.

“(D) DEADLINE FOR STUDY.—Not later than 2 years after funds are made available for the study under this paragraph, the study shall be completed and transmitted with final recommendations to the Committee on Resources in the House of Representatives and the Committee on Energy and Natural Resources in the Senate.”.

PURPOSE OF THE BILL

The purpose of H.R. 791 is to amend the National Trails System Act to designate the route of the War of 1812 British invasion of Maryland and Washington, District of Columbia, and the route of the American defense, for study for potential addition to the national trails system.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 791 would authorize a study to designate, as a National Historic Trail, the route of the War of 1812 British invasion of

Maryland and Washington, D.C., along with the route of the American defense. The proposed trail would go through six Maryland counties, Washington D.C., and the City of Baltimore, Maryland. The trail would begin in Calvert County, Maryland, where British forces made a combined naval and land attack in August 1814. It then would proceed to the U.S. Capitol (burned by the British in this campaign), the White House, and the Battle of Bladensburg in Prince George's County where the American troops were defeated by the British. It also would include British naval invasions of the Upper Chesapeake Bay in Cecil County and the battle of Caulk's Field in Kent County. The trail would ultimately lead to Fort McHenry, where, on September 14, 1814, American forces bravely defeated and turned back the British invasion of Baltimore. It was during the siege of Fort McHenry that Francis Scott Key was inspired to write our national anthem, "The Star-Spangled Banner."

The designation of this route as a National Historic Trail would serve as a reminder of the importance of the concept of liberty to all who experience it, and give long overdue recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

COMMITTEE ACTION

H.R. 791 was introduced on February 23, 1999, by Congressman Wayne Gilchrest (R-MD). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On April 20, 1999, a hearing was held where Denis Galvin, Deputy Director of the National Park Service, testified in favor of the legislation with minor amendments. On April 29, 1999, the Subcommittee met to consider the bill. Congressman James V. Hansen (R-UT) offered an amendment which would coordinate the study authorized by this bill with other Congressionally-mandated studies, as well as set a two-year deadline for the study's completion. The amendment was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the Full Committee by voice vote. On June 9, 1999, the Full Resources Committee met to consider the bill. No further amendments were offered and the bill, as amended, was 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 prepared 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 Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 16, 1999.

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. 791, the Star-Spangled Banner National Historic Trail Study Act of 1999.

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).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 791—Star-Spangled Banner National Historic Trail Study Act of 1999

H.R. 791 would provide for the study of two routes for potential inclusion in the National Trails System. The National Park Service (NPS) would coordinate the study of the route of the British invasion of Maryland and Washington, DC, in the War of 1812 and the route of the American defense with ongoing studies of the War of 1812 and other related projects. Based on information provided by the NPS and assuming appropriation of the necessary amounts, CBO estimates that the trail study would cost the federal government around \$250,000 over the next two years.

The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 791 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local or tribal governments.

On May 26, 1999, CBO prepared a cost estimate for S. 441, the Star-Spangled Banner National Historic Trail Study Act of 1999, as ordered reported by the Senate Committee on Energy and Natural Resources on May 19, 1999. S. 441 and H.R. 791 are identical, as are the two estimates.

The CBO staff contact is Deborah Reis. This estimate was approved by Paul N. Van de Water, 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 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, existing law in which no change is proposed is shown in roman):

SECTION 5 OF THE NATIONAL TRAILS SYSTEM ACT

NATIONAL SCENIC AND NATIONAL HISTORICAL TRAILS

SEC. 5. (a) * * *

* * * * *

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

(1) * * *

* * * * *

[(36)] (37)(A) El Camino Real Para Los Texas, the approximate series of routes from Saltillo, Monclova, and Guerrero, Mexico across Texas through San Antonio and Nacogdoches, to the vicinity of Los Adaes, Louisiana, together with the evolving routes later known as the San Antonio Road.

* * * * *

(C) The Secretary of the Interior is authorized to work in cooperation with the government of Mexico (including, but not limited to providing technical assistance) to **[determine]** *determine* the suitability and feasibility of establishing an international historic trail along the El Camino Real Para Los Texas.

* * * * *

[()] (38) The Old Spanish Trail, beginning in Santa Fe, New Mexico, proceeding through Colorado and Utah, and ending in Los Angeles, California, and the Northern Branch of the Old Spanish

Trail, beginning near Espanola, New Mexico, proceeding through Colorado, and ending near Crescent Junction, Utah.

[()] (39) The Great Western Scenic Trail, a system of trails to accommodate a variety of travel users in a corridor of approximately 3,100 miles in length extending from the Arizona-Mexico border to the Idaho-Montana-Canada border, following the approximate route depicted on the map identified as "Great Western Trail Corridor, 1988", which shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture. The trail study shall be conducted by the Secretary of Agriculture, in consultation with the Secretary of the Interior, in accordance with subsection (b) and shall include—

(A) the current status of land ownership and current and potential use along the designated route;

(B) the estimated cost of acquisition of lands or interests in lands, if any; and

(C) an examination of the appropriateness of motorized trail use along the trail.

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