

118TH CONGRESS  
1ST 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.

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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

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## 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”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

4 (2) SECRETARY.—The term “Secretary” means  
5 the Secretary of the Interior.

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

8 **SEC. 3. ESTABLISHMENT OF FORT ONTARIO NATIONAL**  
9 **MONUMENT.**

10 (a) ESTABLISHMENT.—

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

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

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

23 (B) Fort Ontario and the history of the 3  
24 previous fortifications at the site of Fort On-  
25 tario, at which 3 battles of the French and In-

1           dian War and 2 battles of the War of 1812 oc-  
2           curred; and

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

7           (3) CONDITIONS OF ESTABLISHMENT.—

8           (A) DETERMINATION BY THE SEC-  
9           RETARY.—The National Monument shall not be  
10          established until the date on which the Sec-  
11          retary determines that a sufficient quantity of  
12          land or interests in land has been acquired to  
13          constitute a manageable park unit.

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

20          (4) MAP; BOUNDARY.—

21                (A) MAP.—

22                   (i) IN GENERAL.—As soon as prac-  
23                   ticable after the date of enactment of this  
24                   Act, the Secretary, in consultation with the  
25                   State and the city of Oswego, New York,

1 shall prepare a map of the National Monu-  
2 ment.

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

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

11 (b) ADMINISTRATION.—

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

14 (A) this section; and

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

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

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

23 (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.

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