

H.R. 7.

Be it enacted by The United States Congress

A Bill

To preserve decommissioned United States forts.

Rep. John Smith, for himself, with Maj. Ldr. John Hersey, and Rep. Butterson.

Section 1: Title

This act may be referred to as The Fort Preservation Act of 2021 or as H.R. 7.

Section 2: Findings

Whereas there are hundreds of decommissioned US Army and Navy forts across the US.

Whereas preserving the history of these sites is important.

Whereas monetary issues are the one of the largest factors behind the lack of preservation of these forts.

Section 3: Definitions

- a) "Fort" shall be defined here as "a former official post of the United States Army or Navy containing at least 3 permanent structures at the time of its use by the United States Army or Navy"
- b) "Owner" shall be defined here as "the government entity or private citizen with legal ownership of the original site of a fort or the site of a historical marker regarding the fort."
 - i) In any case where these two sites have different owners and both apply for the fund, the owner of the original site shall be recognized as the owner of the fort.
 - ii) Historical Societies shall be considered private citizens for the purposes of this act.

Section 4: Provisions

- a) A Fort Preservation Fund shall be created under the National Parks Service.
 - i) The fund shall be overseen by the Director of the National Parks Service.
 - ii) The contents of the fund shall be issued to the owners of decommissioned forts on an application basis for the purpose of preserving the history of that fort.
 - iii) The National Parks Service shall facilitate the application for and distribution of the fund.

- iv) No active US Military installation may apply for this fund.
- v) In the case of a government entity owning the fort, the application may be submitted by the head of the agency responsible for the fort's preservation and maintenance.
- b) The requirements to become a recipient of this fund shall be as follows:
 - i) The fort must be listed either on the National Register of Historic Places, a State Historical Register, or be compared with State and Federal records to confirm the legitimacy of the site in question.
 - 1) If a fort is not a part of the National Register of Historic Places or a State Historical Register, it shall be added to the National Register upon a successful application for this fund.
 - 2) Any applicable state and federal agencies shall be required to offer access to records for this purpose.
 - ii) The applicant must provide legal evidence of their ownership of at least 51% of the fort site.
 - 1) If no single individual or entity owns 51% of the site, multiple owners may apply jointly in order to meet that requirement with a total of 51% or more being owned between them.
 - (a) The owner with the largest portion shall be the owner of the account the money is transferred to.
 - iii) The applicant must include plans of some kind for how they intend to spend at least 2/3s of the funds they would receive. Keeping a portion in reserve for future maintenance is acceptable.
 - 1) Any portion kept for future maintenance may not be more than 1/3 of the funds they would receive.
- c) The money from the fund may be used by the recipient in the following ways:
 - i) Maintenance of remaining fort structures and/or any visitor's centers and museums related to the fort.
 - ii) The reconstruction and restoration of fort structures.
 - iii) Salary for museum staff or caretakers of the site not exceeding \$50,000 annually per staffer, this may include the recipient.
 - iv) Archeological digging and research into the fort site.
 - v) The construction of a museum or visitor's center related to the fort.
 - vi) Gathering, preservation, and display of US military and frontier artifacts from the time period of the fort and artifacts found at the fort site.
 - vii) Purchasing any section(s) of the fort site not already owned by the recipient.
 - viii) Any living history or reenactment operations related to the fort.
 - ix) Advertising in order to attract visitors.
 - x) Saving money for any unforeseen and/or future maintenance issues and expenses.

- xi) Any other costs related to the preservation of the fort and its history, to be interpreted at the discretion of the National Parks Service.
- d) The maximum annual amount of funds to be distributed to each recipient shall be as follows:
 - i) To forts owned by private citizens: \$500,000
 - ii) To forts owned by city or county governments: \$300,000
 - iii) To forts owned by state governments: \$200,000
 - iv) To forts owned by the Federal Government: \$100,000
- e) Any fort that receives this fund may still request and accept private donations along with any other applicable state or federal grants.
- f) No fort that receives payments from this fund may charge any admission fee higher than \$5 per visitor to view and tour the fort and any accompanying museums.
- g) The budget for this fund shall be \$60,000,000 annually to be drawn from the budget of the Department of the Interior.
- h) Each recipient shall have an employee from the National Parks Service inspect and confirm how the funds are being spent in line with the criteria in Section 4c) of this Act within 1 calendar year of the funds being distributed to that recipient.
 - i) This inspection shall be required to apply for the fund again.
- i) Should any recipient be found to be spending money received from the fund in a manner outside of the criteria in Section 4c) of this Act, the entire amount is to be refunded and the recipient billed for any money already spent.
 - i) The recipient shall be barred from applying for the fund again, though if a new applicant obtains ownership of the fort, they may apply.
- j) The money shall be distributed via direct transfer to any bank account owned by the recipient of their choosing.
- k) Each fort may apply once every calendar year for this fund and shall receive the full amount each time.
- l) Applicants may wish for an amount smaller than the amount they are eligible for and may receive only that amount as long as they complete requirement 4b)iii) for that smaller amount.
 - i) They may still receive the remainder or any portion of the remainder of the full amount if they request it and complete requirement 4b)iii) for the portion of the remainder in question.
 - ii) They may not request the remainder more than 1 calendar year after the initial payment but may reapply for the whole amount in line with Section 4k).

Section 5: Enactment and Severability

- a) The provisions of this act shall take effect immediately upon passage.
- b) Should any part of this Act be deemed unconstitutional, unenforceable, or otherwise unlawful, that part shall be removed and the rest shall remain intact.

c) Any law found to be in conflict with this Act is hereby declared null and void.

Authored by Representative John Smith