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SENATE

{ REPORT
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GEORGE WASHINGTON BIRTHPLACE NATIONAL MONUMENT

SEPTEMBER 11, 2002.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany S. 1943]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1943) to expand the boundary of the George Washington Birthplace National Monument, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

On page 2, strike lines 4 through 15 and insert the following:

“The Secretary of the Interior (in this Act referred to as the ‘Secretary’) is authorized to acquire the lands, or interests therein, referenced in section 1 by purchase, donation, or exchange, except that lands or interests therein may be acquired only with the consent of the owner thereof.

“SEC. 3. ADMINISTRATION.

“Upon the acquisition of the lands, or interests therein, referenced in section 1, the Secretary shall administer them in accordance with laws generally applicable to the National Monument and units of the National Park System, including the Act approved August 25, 1916 (16 U.S.C. 1, 2–4) and the Act approved August 21, 1935 (16 U.S.C. 461 et seq.).

“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated such sums as may be necessary to carry out this Act.”.

PURPOSE

The purpose of S. 1943 is to expand the boundary of the George Washington Birthplace National Monument in Virginia to include the Muse Farm, approximately 115 acres of land, adjacent to the monument boundary.

BACKGROUND AND NEED

George Washington Birthplace National Monument was established in 1930 and today encompasses 550 acres in northern Virginia, approximately 70 miles south of Washington, D.C. At the time of Washington’s birth in 1732, the site was known as the Pope’s Creek Plantation, and was owned by Washington’s father, Augustine Washington. George Washington lived at the plantation for the first three years of his life and returned periodically thereafter. The original home, known as Wakefield, burned in 1779, leaving only the foundation. In addition to the foundation, the park also includes the archaeological remains of several outbuildings, a commemorative colonial revival plantation, and the family burial grounds.

S. 1943 would authorize the inclusion of a 115-acre adjacent tract known as the Muse property. The tract has been farmed by the Muse family since 1668, and the family’s ancestors were contemporaries of the Washingtons. According to the National Park Service, acquisition of the Muse property is essential to the integrity of the monument and would prevent likely new development that could degrade the pastoral setting and significant natural and cultural resources.

LEGISLATIVE HISTORY

S. 1943 was introduced by Senators Warner and Allen on February 13, 2002. The Subcommittee on National Parks held a hearing on S. 1943 on July 18, 2002. At the business meeting on July 31, 2002, the Committee on Energy and Natural Resources ordered S. 1943, as amended, favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on July 31, 2002, by a voice vote of a quorum present, recommends that the Senate pass S. 943, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 1943, the Committee on Energy and Natural Resources adopted a clarifying amendment. This amendment clarifies that the 115-acre Muse farm may be acquired on a willing seller basis and, upon its acquisition, shall be managed in accordance with the laws applicable to National Monuments and units of the National Parks System. The amendment also adds standard authorization of appropriations language. The amend-

ment deletes section 3 in the bill, which contained management language that is already applicable.

SECTION-BY-SECTION ANALYSIS

Section 1 modifies the boundaries of the George Washington Birthplace National Monument to include an area comprising approximately 115 acres.

Section 2 authorizes the Secretary of the Interior to acquire lands, or interests therein, within the boundaries of the National Monument, from willing owners of donation, purchase with donated money or approximated funds, or exchange.

Section 3 requires the Secretary to the Interior to preserve and interpret the history and resources associated with George Washington, the generations of the Washington family who lived in the vicinity and their contemporaries, and 18th century plantation life and society.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 15, 2002.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1943, a bill to expand the boundary of the George Washington Birthplace National Monument, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ROBERT A. SUNSHINE
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1943—A bill to expand the boundary of the George Washington Birthplace National Monument, and for other purposes

S. 1943 would expand the boundary of the George Washington Birthplace National Monument in Virginia to include an adjacent 115-acre parcel of land. The National Park Service (NPS) would be authorized to acquire the parcel by donation, purchase, or exchange.

Based on information provided by the NPS and the property's owners and assuming appropriation of the necessary amounts, CBO estimates that it would cost between \$1 million and \$2 million over the next year or two to purchase the added parcel. We estimate that additional costs to develop and operate the expanded national monument would not be significant.

The legislation 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 August 14, 2002, CBO transmitted a cost estimate for H.R. 3449, a bill to revise the boundaries of the George Washington Birthplace National Monument, as ordered reported by the House Committee on Resources on July 24, 2002. H.R. 3449 and S. 1943 are very similar, and the estimated costs of the two bills are identical.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1943. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1943.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth Executive agency recommendations relating to S. 1943 is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, July 26, 2002.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This letter sets forth the views of the Department of the Interior on S. 1943, a bill to expand the boundary of George Washington Birthplace National Monument. The Department supports the enactment of this bill.

This bill would authorize the addition of approximately 115 acres to the National Monument (Muse property). It also authorizes the Secretary of the Interior to acquire lands or interests in lands within the boundary from willing sellers by donation, by purchase with donated money or appropriated funds or by exchange. Finally, it directs the Secretary to preserve and interpret the history and resources associated with George Washington, and the generations of the Washington family who lived in the vicinity, as well as their contemporaries, along with 17th and 18th century plantation life and society. Land acquisition costs are estimated to be \$700,000. Operational costs are estimated to be \$20,000 per year.

The Department remains committed to the President's Initiative to reduce the maintenance backlog of the National Park Service. While the Department recognizes that this legislation may divert funds from this effort, the acquisition of the Muse property is essential to the viability of this nationally significant resource.

George Washington Birthplace National Monument was established as a unit of the National Park System in 1930 to preserve the grounds and structures associated with the birthplace of George Washington. It was here, along the lower reaches of the Potomac River that the man who was to become our Nation's first president was born in 1732. At that time, this site was known as Popes Creek Plantation, owned and operated by George Washington's father, Augustine Washington. The park is part of a cultural landscape that has remained rural 270 years after George Washington's birth. Located in Westmoreland County, Virginia, the National Monument includes a memorial mansion with a kitchen, farm buildings, various outbuildings, an 18th Century working farm, and a visitor's center. The park also contains woodlands, wetlands, and agricultural fields. Even today, descendants of the Washington family continue to live in the area.

This proposed legislation would include within the park boundary a privately owned parcel of land comprised of approximately 115 acres, known as the Muse tract, which is completely surrounded by the park, the Potomac River, and Popes Creek. Park roads provide the only access to this neighbor's land. This tract has been farmed by the Muse family since 1668, was contemporary with the Washington Family farm (Popes Creek Plantation), and is historically significant since it is directly connected with the plantation. Acquisition of this tract is vital to the integrity of the park and would prevent development that could degrade the park's pastoral setting and significant natural and cultural resources. The park's 1968 Master Plan contained a land acquisition plan showing fee acquisition of this privately owned tract and indicated that the Muse property could be used for historic farming or could be planted to retain the appearance of a cultural landscape.

The boundaries of the National Monument have been modified numerous times since the first memorial was erected at the site in 1896. The park presently contains about 550 acres. For generations, the surrounding community has been a partner to the National Park service in the protection of George Washington's birthplace. Many of the landowners, such as the Muse Family, come from families that have for generations farmed the fertile soils of Virginia's Northern Neck. It is only in the recent past that the area has started to change. Recreational use, vacations homes, and commuters to Washington, DC, and Richmond have increased the local population significantly creating development pressure that is beginning to encroach on the park. If the Muse tract is not acquired there is potential for commercial development that would directly threaten park values since the tract is surrounded by parklands. The Muse family has indicated their willingness to be included within the park boundary for eventual acquisition by the National Park service or a park partner. The demand for land in the surrounding area is so significant that there is little doubt that the peaceful setting, the pastoral charm, and the quiet dignity of the tombs of several generations of Washingtons would be destroyed by the intrusion of modern development within the park without this legislation. Recently, a one-acre parcel of land that was proposed to be included within the park was sold.

The National Monument also contains significant natural resources. The Muse tract includes half of the Digwood Swamp (a

known bald eagle habitat and nesting area), extensive grasslands, riparian and upland forests, marshes, beaches, and cliffs (most likely with significant archaeological artifacts from the Woodland and Colonial periods as well as paleontological resources) and shares the shores of Popes Creek with the park. All are relatively pristine in nature and intact ecologically. These habitats are important to wildlife found within the park that use surrounding areas as conveyances to and from feeding, resting, and breeding areas. The preservation of this national treasure can only be accomplished by including the Muse tract within the boundary of the park.

The proposal to add the Muse property to the National Monument is supported by the Westmoreland County Board of Supervisors, the Chantilly Chapter of the Daughters of the American Revolution, the National Parks Mid-Atlantic Council, the George Washington Birthplace National Memorial Association, and most importantly the owners of the property.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CRAIG MANSON,

Assistant Secretary for Fish and Wildlife and Parks.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 1943.

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