

TO REVISE THE BOUNDARIES OF THE GETTYSBURG
NATIONAL MILITARY PARK TO INCLUDE THE GETTYS-
BURG TRAIN STATION, AND FOR OTHER PURPOSES

MARCH 11, 2010.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 4395]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4395) to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes, 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 all after the enacting clause and insert the following:

SECTION 1. GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION.

Section 1 of the Act titled “An Act to revise the boundary of the Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes”, approved August 17, 1990 (16 U.S.C. 430g-4), is amended by adding at the end the following:

“(d) **ADDITIONAL LAND.**—In addition to the land identified in subsections (a) and (b), the park shall also include the following, as depicted on the map titled ‘Gettysburg National Military Park Proposed Boundary Addition’, numbered 305/80,045 and dated January 2010:

“(1) The land and interests in land commonly known as the ‘Gettysburg Train Station’ and its immediate surroundings in the Borough of Gettysburg.

“(2) The land and interests in land located along Plum Run in Cumberland Township.”.

SEC. 2. ACQUISITION AND DISPOSAL OF LAND.

Section 2 of that Act (16 U.S.C. 430g-5) is amended by adding at the end of subsection (a) the following: “The Secretary is also authorized to acquire publicly owned property within the area defined in section 1(d)(1) by purchase, from willing sellers only, if efforts to acquire that property without cost have been exhausted. The Sec-

retary may not acquire property within the area defined in section 1(d) by eminent domain.”.

PURPOSE OF THE BILL

The purpose of H.R. 4395 is to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The critical Civil War battle at Gettysburg began on July 1, 1863. Some of the most intense fighting of that first day occurred along a nearby railway road cut. Later, the Gettysburg train station was pressed into use as one of the first field hospitals.

After the battle ended, local residents established a national cemetery for the Union dead. President Lincoln arrived by train at the station on November 18, 1863, and the next day, during the ceremony to dedicate that Soldier’s National Cemetery, delivered what has become one of the best known and loved speeches in American history. In 1895, Gettysburg National Military Park was established when the property was transferred to the federal government. In 1933, administration of the site was transferred to the Department of the Interior and the National Park Service.

H.R. 4395 would expand the boundary of Gettysburg National Military Park in Pennsylvania to include the train station at which President Abraham Lincoln arrived to deliver the Gettysburg Address. The railway station, built just four years before the battle, is now owned by the Borough of Gettysburg and operated by the National Trust for Historic Gettysburg. The building is listed on the National Register of Historic Places.

The National Park Service would acquire the train station property from the Borough. H.R. 4395 authorizes the Secretary of the Interior to purchase the property from a willing seller only after all other efforts to acquire the land without cost to the government have been exhausted. It is expected that local community partners including the Gettysburg Convention and Visitors Bureau will provide staffing for the site while the National Park Service will be limited to covering utility costs.

The bill would also expand the boundaries to include 45 acres in Cumberland Township which the owner has expressed a willingness to sell to the National Park Service. This parcel is adjacent to the current park boundary, along the southern base of Big Round Top and part of the Battlefield Historic District. It was the site of cavalry skirmishes associated with the Battle of Gettysburg. The area is also a fragile riparian zone with critical wetlands and wildlife habitat related to Plum Run.

COMMITTEE ACTION

H.R. 4395 was introduced on December 16, 2009 by Representative Todd Russell Platts (R-PA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On January 21, 2010, the Subcommittee held a hearing on the bill. A representative from the Department of the Interior testified in favor of the legislation.

On February 24, 2010, the Subcommittee was discharged from further consideration of H.R. 4395 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva (D-AZ) offered an amendment to clarify a typographical error on maps provided by the National Park Service. The amendment was adopted by voice vote. The bill, as amended, was then 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 Natural 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. **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 revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes.

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:

H.R. 4395—A bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station

H.R. 4395 would expand the boundaries of the Gettysburg National Military Park in Pennsylvania to include two nearby properties. CBO expects that the National Park Service (NPS), which administers the park, would probably purchase a small parcel of land containing the newly refurbished Gettysburg Train Station and would accept (from the Gettysburg Foundation) the donation of a 45-acre tract of land along Plum Run in Cumberland Township.

Based on information provided by NPS, we estimate that implementing H.R. 4395 would cost about \$1 million over the next year or two, assuming the availability of appropriated funds, to purchase the train station and conduct minor development projects at the added sites. We estimate that annual costs to operate and maintain the new properties after that time would be minimal because the train station would continue to be operated by local or nonprofit organizations, and the Plum Run acreage would be left undeveloped. Enacting H.R. 4395 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

The bill 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. If enacted, the bill would benefit the Borough of Gettysburg, Pennsylvania.

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

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 4395 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any 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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

ACT OF AUGUST 17, 1990

AN ACT To revise the boundary of Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes.

SECTION 1. GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION.

(a) * * *

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(d) *ADDITIONAL LAND.*—*In addition to the land identified in subsections (a) and (b), the park shall also include the following, as depicted on the map titled “Gettysburg National Military Park Proposed Boundary Addition”, numbered 305/80,045 and dated January 2010:*

(1) *The land and interests in land commonly known as the “Gettysburg Train Station” and its immediate surroundings in the Borough of Gettysburg.*

(2) *The land and interests in land located along Plum Run in Cumberland Township.*

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SEC. 2. ACQUISITION AND DISPOSAL OF LANDS.

(a) GENERAL AUTHORITY.—The Secretary is authorized to acquire lands and interests in lands within the park by donation, purchase with donated or appropriated funds, exchange, or otherwise. In acquiring lands and interests in lands under this Act, the Secretary shall acquire the minimum Federal interests necessary to achieve the objectives identified for specific areas and the park. *The Secretary is also authorized to acquire publicly owned property within the area defined in section 1(d)(1) by purchase, from willing sellers only, if efforts to acquire that property without cost have been exhausted. The Secretary may not acquire property within the area defined in section 1(d) by eminent domain.*

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