

KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK  
BOUNDARY ADJUSTMENT ACT OF 2010

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SEPTEMBER 16, 2010.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 5152]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5152) to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 5152 is to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Kennesaw Mountain Battlefield in Georgia was set aside for preservation and protection in 1917 to commemorate a Civil War battle that proved a major turning point for the Union Army and the eventual fall of Atlanta. In 1935, the National Park Service was directed to manage the park site as “an important cultural property dedicated to public inspiration and interpretation of the significant historic events that occurred here.” H.R. 5152 would authorize the Secretary of the Interior to acquire approximately eight acres of land by donation or exchange as part of the park. Acquisition of this property would allow the park to better interpret the role of the Union Army in this key battle.

The law establishing the park allows the Secretary to acquire land associated with the battle that is within the boundaries defined in its enabling legislation. The sites proposed for acquisition by H.R. 5152 lie outside of those boundaries, necessitating legislative action. This boundary adjustment will include areas associated with the historic Wallis House and Harriston Hill. Wallis House is one of the few remaining structures associated with the battle, while Harriston Hill was strategically significant as the Union signal station. Cobb County is the current owner of the eight acres of property and has expressed a desire to donate the land to the National Park Service once the park is authorized to receive it.

#### COMMITTEE ACTION

H.R. 5152 was introduced by Representative Phil Gingrey (R-GA) on April 27, 2010. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a June 10, 2010, Subcommittee hearing the bill's sponsor and a representative of Cobb County testified in support of the bill. A National Park Service representative also testified in favor of the bill.

On July 22, 2010, the Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 5152 and the full Natural Resources Committee met to consider the bill. The bill was then ordered favorably reported to the House of Representatives by unanimous consent.

#### 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 and Article IV, section 3 of the Constitution of the United States grant 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 adjust the boundary of the Kennesaw Mountain

National Battlefield Park to include the Wallis House and Harriston Hill, 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. 5152—Kennesaw Mountain National Battlefield Park Boundary Adjustment Act of 2010*

H.R. 5152 would expand the boundaries of the Kennesaw Mountain National Battlefield Park near Marietta, Georgia, by about 8 acres. The National Park Service (NPS) could acquire that acreage by purchase or donation. That land would include the Wallis House, a landmark associated with the battle.

Based on information from the NPS, CBO estimates that implementing H.R. 5152 would cost about \$1 million over the next five years, assuming appropriation of the necessary amounts. We estimate that about half of that amount would be to restore the Wallis House and that the remaining amounts would be for annual operating costs. Based on information from the current owners of the Wallis House, Cobb County, Georgia, they intend to donate the property to the NPS upon enactment of H.R. 5152. Enacting H.R. 5152 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 5152 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.

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

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 5152 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

If enacted, this bill would make no changes in existing law.