

TO MODIFY THE BOUNDARY OF PETERSBURG NATIONAL
BATTLEFIELD IN THE COMMONWEALTH OF VIRGINIA,
AND FOR OTHER PURPOSES

MAY 11, 2016.— Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1621]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1621) to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, 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. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) **IN GENERAL.**—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled “Petersburg National Battlefield Proposed Boundary Expansion”, numbered 325/80,080, and dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) **ACQUISITION OF PROPERTIES.**—

(1) **AUTHORITY.**—The Secretary of the Interior (referred to in this section as the “Secretary”) is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(2) **TECHNICAL AMENDMENT.**—Section 313(a) of the National Parks and Recreation Act of 1978 is amended by striking “twenty-one” and inserting “twenty-five”.

(c) **ADMINISTRATION.**—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) **ADMINISTRATIVE JURISDICTION TRANSFER.**—

(1) **IN GENERAL.**—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as “Area

to be transferred to Fort Lee Military Reservation” on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as “Area to be transferred to Petersburg National Battlefield” on the map described in paragraph (2).

(2) MAP.—The land to be exchanged is depicted on the map titled “Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction”, numbered 325/80,801A, dated March 2016. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) shall be subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer shall occur without reimbursement or consideration.

(B) MANAGEMENT.—The land transferred to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and administered as part of that park in accordance with applicable laws and regulations, and the land transferred to the Secretary of the Army shall be excluded from the boundary of the Petersburg National Battlefield.

PURPOSE OF THE BILL

The purpose of H.R. 1621 is to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia.

BACKGROUND AND NEED FOR LEGISLATION

The Petersburg campaign consisted of 26 major battles during which the Union Army attempted to capture the city of Petersburg, Virginia, during the Civil War. From June 15, 1864, to April 2, 1865, the Union and Confederate armies battled across 576 square miles to secure access to five railroads that connected Petersburg to the Confederate capital, Richmond. Petersburg served as the Confederacy’s main supply base and control of the railroads meant the Union could isolate Richmond and severely weaken the Confederacy. The eventual Union victory led General Robert E. Lee to abandon Richmond and head to Appomattox Court House where the Confederacy would surrender one week later on April 9, 1865.

H.R. 1621 authorizes the expansion of the Petersburg National Battlefield to include 7,238 new acres across 12 different battle areas. After the site’s establishment in 1926, the official boundaries only included a small portion of the battles fought during the campaign. Residential and commercial development near the Battlefield increased National Park Service (NPS) concerns that the integrity of many battle sites would be compromised in the future. After assessing the significance, integrity, and interpretability of several battle sites, NPS recommended that 12 new battle sites be included in the Battlefield’s boundaries. These battles were all either decisive or major and had a direct impact on the campaign or the Civil War.

The bill also transfers an equal amount of acreage between the Department of the Army and the Department of the Interior near the Battlefield. The Department of the Army will acquire 1.17 acres of land that includes a gated entrance to Fort Lee in exchange for transferring 1.17 acres of land historically relevant to the Battlefield to NPS. Furthermore, the bill modifies a limitation on the amount of acreage NPS can acquire at the City Point unit in Hopewell from 21 to 25 acres. This would allow NPS to acquire a complete parcel of land and potentially facilitate a land exchange

that would allow NPS to dispose of land that does not add to the Battlefield's mission or enhance interpretation of the site.

A version of this bill passed the House by unanimous consent in 2009 during the 111th Congress. A Senate companion bill, S. 718, is currently sponsored by both Virginia Senators.

COMMITTEE ACTION

H.R. 1621 was introduced on March 25, 2015, by Congressman J. Randy Forbes (R-VA). The bill was referred to the Committee on Natural Resources, and within the Committee, to the Subcommittee on Federal Lands. The bill was additionally referred to the Committee on Armed Services. The Federal Lands Subcommittee held a hearing on the bill on February 11, 2016. On March 15, 2016, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chairman Rob Bishop (R-UT) offered an amendment designated #1; it was adopted by unanimous consent. No other amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent on March 16, 2016.

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.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) 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)(2)(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. 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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 2016.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1621, a bill to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes.

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

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1621—A bill to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes.

H.R. 1621 would revise the boundary of the Petersburg National Battlefield in Virginia to include 12 additional Civil War battlefield areas over approximately 7,200 acres. The bill stipulates that the National Park Service (NPS) may acquire the additional land through a donation, with donated funds, with appropriated amounts, or through a land exchange. The bill also would exchange administrative jurisdiction over two small parcels of land between the Department of the Army and the Department of the Interior and would raise from 21 acres to 25 acres a limitation on the acreage NPS can acquire from a specific parcel.

Based on recent sales prices of comparable tracts of land and information from NPS, CBO estimates that the cost to acquire and administer the additional sites would be between \$15 million and \$30 million over the 2017–2021 period. Total costs would depend on the average price per acre which, according to land transactions data, could range from \$2,000 per acre to \$4,000 per acre.

Because enacting H.R. 1621 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 1621 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 1621 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 Marin Burnett. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of 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. The Congressional Budget Office estimates that enactment of the bill will cost between \$15 million to \$30 million over 2017–2021, subject to appropriation.

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 modify the boundary of Petersburg National battlefield in the Commonwealth of Virginia.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of Rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

This bill makes no changes to existing law.

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 STAFF DIRECTOR
 The Honorable Mac Thornberry
 Chairman
 Committee on Armed Services
 2216 Rayburn HOB
 Washington, DC 20515

U.S. House of Representatives
Committee on Natural Resources
 Washington, DC 20515

9 May 2016

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 DEMOCRATIC STAFF DIRECTOR

Dear Mr. Chairman:

On March 16, 2016, the Committee on Natural Resources ordered reported as amended H.R. 1621, to modify the boundary of the Petersburg National Battlefield in the Commonwealth of Virginia, by unanimous consent. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Armed Services.

I ask that you allow the Committee on Armed Services to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Armed Services represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record during consideration of the bill.

Thank you for your consideration of my request, and for your continued strong cooperation between our committees.

Sincerely,



Rob Bishop
 Chairman
 Committee on Natural Resources

cc: The Honorable Paul D. Ryan, Speaker
 The Honorable Kevin McCarthy, Majority Leader
 The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
 The Honorable J. Randy Forbes
 The Honorable Thomas J. Wickham, Jr., Parliamentarian

<http://naturalresources.house.gov>

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U.S. House of Representatives
 Washington, DC 20515-6035
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May 10, 2016

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ROBERT L. SIMMONS, II, STAFF DIRECTOR

The Honorable Rob Bishop
 Chairman, Committee on Natural Resources
 U.S. House of Representatives
 1324 Longworth House Office Building
 Washington, D.C. 20515

Dear Mr. Chairman:

I am writing to you concerning the bill H.R. 1621, modifying the boundary of Petersburg National Battlefield in the Commonwealth of Virginia. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Armed Services.

Because the Committee on Armed Services has already considered the substance of this legislation as part of the National Defense Authorization Act (H.R. 4909), and in the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's further consideration of H.R. 1621. I understand that you will urge the Speaker to name members of this committee to any conference committee which is named to consider this legislation.

Please place this letter into the committee report on H.R. 1621 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,



William M. "Mac" Thornberry
 Chairman