

TO PROVIDE FOR THE BOUNDARY OF THE PALO ALTO BATTLEFIELD NATIONAL HISTORIC PARK TO BE ADJUSTED, TO AUTHORIZE THE DONATION OF LAND TO THE UNITED STATES FOR ADDITION TO THAT HISTORIC PARK, AND FOR OTHER PURPOSES

MARCH 9, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 268]

The Committee on Natural Resources, to whom was referred the bill (H.R. 268) to provide for the boundary of the Palo Alto Battlefield National Historic Park to be adjusted, to authorize the donation of land to the United States for addition to that historic park, 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:

Strike all after the enacting clause and insert the following:

SECTION 1. BOUNDARY; LEGAL DESCRIPTION.

(a) BOUNDARY.—Section 3(b)(2) of the Palo Alto Battlefield National Historic Site Act of 1991 (16 U.S.C. 410nnn–1(b)(2)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—

“(i) In addition to the land described in paragraph (1), the historical park shall consist of—

“(I) the approximately 34 acres of land, as generally depicted on the map entitled ‘Palo Alto Battlefield NHS Proposed Boundary Expansion’, numbered 469/80,012, and dated May 21, 2008; and

“(II) on the date that such land is donated to the United States, the approximately 166.44 acres of land generally depicted on the map entitled ‘PALO ALTO BATTLEFIELD NATIONAL HISTORICAL PARK Proposed Boundary Addition, Fort Brown Unit’, numbered 469/143,589, and dated April 2018.

“(ii) Before accepting any donated land described in this subparagraph, the Secretary shall complete a boundary study analyzing the feasibility of adding the land to the national historical park.

“(iii) If a boundary study completed under clause (ii) finds that acceptance of the donated land is feasible and appropriate, the Secretary may accept such land and administer the land as part of the historical park after providing notice of such finding to Congress.”; and

(2) in subparagraph (B)—

(A) in the heading, by striking “MAP” and inserting “MAPS”; and

(B) by striking “map” and inserting “maps”.

(b) LEGAL DESCRIPTION.—Section 3(b)(3) of the Palo Alto Battlefield National Historic Site Act of 1991 (16 U.S.C. 410nnn–1(b)(3)) is amended by striking “after” and all that follows through “Secretary of the Interior” and inserting “after the addition of lands to the historic park boundary, the Secretary of the Interior”.

PURPOSE OF THE BILL

The purpose of H.R. 268 is to provide for the boundary of the Palo Alto Battlefield National Historic Park to be adjusted and to authorize the donation of land to the United States for addition to that historic park.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 268 would expand the boundary of Palo Alto Battlefield National Historical Park to include approximately 166 acres of land upon donation of that land to the Department of the Interior. The bill authorizes the transfer of property from the International Boundary and Water Commission to the National Park Service (NPS) to be part of the Palo Alto Battlefield National Historical Park. The identified land was the site of Fort Brown, a crucial outpost during the conflict and which remains the last standing physical structure associated with the Mexican-American War.¹

Palo Alto Battlefield was designated as a National Historic Landmark in 1960, a National Historic Site in 1978, and a National Historical Park in 2009. Today, the Palo Alto Battlefield National Historical Park is the only unit of the NPS focused on the Mexican-American War.

COMMITTEE ACTION

H.R. 268 was introduced on January 11, 2021, by Representative Filemon Vela (D–TX). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On November 9, 2021, the Subcommittee held a hearing on the bill. On January 19, 2022, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D–AZ) offered an amendment in the nature of a substitute. The Grijalva amendment in the nature of a substitute was agreed to by unanimous consent. No additional amendments were offered. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House Rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on National Parks, Forests, and Public Lands held on November 9, 2021.

¹For additional background, see H.R. REP. NO. 116–641, at 1–2 (2020), <https://www.congress.gov/116/crpt/hrpt641/CRPT-116hrpt641.pdf>.

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 AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of 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 and with respect to requirements of clause(3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

Congressional Budget Office staff have informed the Committee on a preliminary, informal, nonbinding basis that the bill will likely have no direct spending or revenue effects.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to provide for the boundary of the Palo Alto Battlefield National Historic Park to be adjusted and to authorize the donation of land to the United States for addition to that historic park.

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.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing 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 (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**PALO ALTO BATTLEFIELD NATIONAL HISTORIC SITE
ACT OF 1991**

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SEC. 3. PALO ALTO BATTLEFIELD NATIONAL HISTORICAL PARK.

(a) **ESTABLISHMENT.**—In order to preserve for the education, benefit, and inspiration of present and future generations the nationally significant site of the first battle of the Mexican-American War, and to provide for its interpretation in such manner as to portray the battle and the Mexican-American War and its related political, diplomatic, military and social causes and consequences, there is hereby established the Palo Alto Battlefield National Historical Park in the State of Texas (hereafter in this Act referred to as the “historical park”).

(b) **BOUNDARY.**—

(1) **IN GENERAL.**—The historical park shall consist of approximately 3,400 acres as generally depicted on the map entitled “Palo Alto Battlefield National Historical Park”, numbered 469-80,002, and dated March 1991. The map shall be on file and available for public inspection in the offices of the Director of the National Park Service, Department of the Interior

(2) **ADDITIONAL LAND.**—

[(A) IN GENERAL.—In addition to the land described in paragraph (1), the historical park shall consist of approximately 34 acres of land, as generally depicted on the map entitled “Palo Alto Battlefield NHS Proposed Boundary Expansion”, numbered 469/80,012, and dated May 21, 2008.]

(A) IN GENERAL.—

(i) In addition to the land described in paragraph (1), the historical park shall consist of—

(I) the approximately 34 acres of land, as generally depicted on the map entitled "Palo Alto Battlefield NHS Proposed Boundary Expansion", numbered 469/80,012, and dated May 21, 2008; and

(II) on the date that such land is donated to the United States, the approximately 166.44 acres of land generally depicted on the map entitled "PALO ALTO BATTLEFIELD NATIONAL HISTORICAL PARK Proposed Boundary Addition, Fort Brown Unit", numbered 469/143,589, and dated April 2018.

(ii) Before accepting any donated land described in this subparagraph, the Secretary shall complete a boundary study analyzing the feasibility of adding the land to the national historical park.

(iii) If a boundary study completed under clause (ii) finds that acceptance of the donated land is feasible and appropriate, the Secretary may accept such land and administer the land as part of the historical park after providing notice of such finding to Congress.

(B) AVAILABILITY OF [MAP] MAPS.—The [map] maps described in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) LEGAL DESCRIPTION.—Not later than 6 months [after the date of enactment of this Act, the Secretary of the Interior] after the addition of lands to the historic park boundary, the Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall file a legal description of the historical park with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographic errors in such legal description and in the maps referred to in paragraphs (1) and (2). The legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may, from time to time, make minor revisions in the boundary of the historical park.

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SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.