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SENATE

{ REPORT
113-168

GETTYSBURG NATIONAL MILITARY PARK EXPANSION ACT

MAY 22, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 782]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 782) to amend Public Law 101-377 to revise the boundaries of Gettysburg National Military Park to include the Gettysburg Train Station, 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:

Beginning on page 1, strike line 6 and all that follows through page 3, line 17, and insert the following:

SEC. 2. GETTYSBURG NATIONAL MILITARY PARK EXPANSION.

(a) BOUNDARY REVISION.—Section 1(b) of Public Law 101-377 (16 U.S.C. 430g-4(b)) is amended—

(1) by striking “include the” and insert “include—

“(1) the”;

(2) at the end of paragraph (1) (as designated by paragraph (1)), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(2) the properties depicted as ‘Proposed Addition’ on the map entitled ‘Gettysburg National Military Park Proposed Boundary Addition’, numbered 305/80,045, and dated January, 2010 (2 sheets), including—

“(A) the property commonly known as the ‘Gettysburg Train Station’; and

“(B) the property located adjacent to Plum Run in Cumberland Township.”.

(b) ACQUISITION OF LAND.—Section 2(a) of Public Law 101-377 (16 U.S.C. 430g-5(a)) is amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) AUTHORITY TO ACQUIRE LAND.—The Secretary”;

(2) in the second sentence, by striking “In acquiring” and inserting the following:

“(2) MINIMUM FEDERAL INTERESTS.—In acquiring”; and

(3) by adding at the end the following:

“(3) METHODS OF ACQUISITION FOR CERTAIN LAND.—Notwithstanding paragraph (1), the Secretary may acquire the properties added to the park by section 1(b)(2) only—
 “(A) by donation; or
 “(B) if the Secretary determines that efforts to acquire the properties without cost have been exhausted, by purchase from a willing seller.”.

PURPOSE

The purpose of S. 782 is to amend Public Law 101–377 to revise the boundaries of the Gettysburg National Military Park in Pennsylvania to include the Gettysburg Train Station and to expand the Park boundaries to include approximately 45 acres adjacent to the park.

BACKGROUND AND NEED

On July 1, 1863, a critical battle of the Civil War began in Gettysburg, Pennsylvania. Among the areas that saw some of the most intense fighting that first day was an area along a nearby railway road cut. The Battle of Gettysburg would be the bloodiest single battle of the Civil War, with over 51,000 soldiers killed, wounded, captured, or missing. The train station that was the site of some of the most intense fighting on the first day later became one of the first field hospitals of the battle.

First established as a national cemetery for the Union dead by the local residents, Soldier’s National Cemetery was dedicated by President Lincoln on November 19, 1863, with solemn words that would become known as the Gettysburg Address. In 1895, Gettysburg National Military Park was established when the property was transferred to the Federal government. In 1933, administration of the battlefield was transferred to the National Park Service.

Since its establishment, several planning documents, including the 1999 General Management Plan, have called for further expansion of cooperative efforts to protect resources closely linked to the park. Specifically addressed in the plan were the David Wills House, where President Lincoln stayed the night before giving the Gettysburg Address, and the Gettysburg Train Station. The Wills House was added to the park’s boundary in 2000 by Public Law 106–290, and is operated through a Memorandum of Understanding by Main Street Gettysburg, a non-profit organization.

Rehabilitation of the historic Gettysburg train station—the station at which President Lincoln arrived to deliver the Gettysburg Address—was completed by the Borough of Gettysburg in 2006 using funding from the Commonwealth of Pennsylvania. However, operational funds to maintain visitor information and orientation services have been lacking, leading the Borough of Gettysburg Council to formally request that the National Park Service take ownership of the site. The site is listed on the National Register of Historic Places. Much as is the case with the Wills House, a partnership with the Gettysburg Convention and Visitors Bureau is expected to provide staffing for the train station.

The additional land that the legislation would include within the park boundary is located near Big Round Top along Plum Run in Cumberland Township, Pennsylvania. It is comprised of an approximately 45-acre tract of land adjacent to the Park within the Battlefield Historic District at the southern end of the Gettysburg

Battlefield. This area witnessed cavalry skirmishes, and is significant due to the presence of wetlands and wildlife habitat. The property was donated to the Gettysburg Foundation in 2009. The Foundation has indicated its intention to donate the parcel to the National Park Service once the area is within the Park boundary.

LEGISLATIVE HISTORY

Senators Casey, King, and Toomey introduced S. 782 on April 23, 2013. The Subcommittee on National Parks held a hearing on S. 782 on July 31, 2013 (S. Hrg. 113–93). At its business meeting on November 21, 2013, the Committee ordered S. 782 favorably reported with an amendment.

In the 112th Congress, the Committee considered a similar bill, S. 1897, also introduced by Senator Casey. The Subcommittee on National Parks held a hearing on S. 1897 on June 27, 2012 (S. Hrg. 112–578).

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on November 21, 2013, by a voice vote of a quorum present, recommends that the Senate pass S. 782, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 782, the Committee adopted an amendment amending section 2 of the bill to update the map reference and to clarify the parcels authorized for addition to the park may be acquired only by donation, or if the Secretary of the Interior determines that efforts to acquire the properties without cost have been exhausted, by purchase from a willing seller.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title, the “Gettysburg National Military Park Expansion Act.”

Section 2(a) of the bill amends section 1 of the Act entitled “An Act to revise the boundary of the Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes” (Public Law 101–377; 16 U.S.C. 430g–4), to expand the boundary of Gettysburg National Military Park in Pennsylvania to include the Gettysburg Train Station (including land located in close proximity to the Gettysburg Train Station) and the property that is adjacent to the Park along Plum Run in Cumberland Township, as depicted on the referenced map.

Subsection (b) amends section 2(a) of Public Law 101–377 (16 U.S.C. 430g–5) to authorize the Secretary of the Interior, with respect to the Gettysburg Train Station, to acquire the land either through donation or from a willing seller, but only after the Secretary determines that efforts to acquire the land without cost to the federal government have been exhausted.

COST AND BUDGETARY CONSIDERATIONS

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

S. 782—Gettysburg National Military Park Expansion Act

S. 782 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 accept the donation of a small parcel of land containing the newly refurbished Gettysburg Train Station and a 45-acre tract of land along Plum Run in Cumberland Township.

Based on information provided by NPS, CBO estimates that implementing S. 782 would have no significant impact on the federal budget. Under the legislation, the additional properties could only be purchased when the Secretary has exhausted efforts to acquire the properties through donation. CBO assumes that the properties would be donated to the NPS. However, if the NPS purchases the train station, CBO estimates that the cost to the NPS would be about \$1 million. We estimate that annual costs to operate and maintain the new properties 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 S. 782 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 782 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

On July 30, 2013, CBO transmitted a cost estimate for H.R. 1513, a bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station and certain land along Plum Run in Cumberland Township, to limit the means by which property within such revised boundaries may be acquired, and for other purposes, as ordered reported by the House Committee on Natural Resources, on July 24, 2013. The two pieces of legislation are similar, and the CBO cost estimates are the same.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Theresa Gullo, 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. 782.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic 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. 782, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 782, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the National Park Service at the July 31, 2013, Subcommittee on National Parks hearing on S. 782 follows:

STATEMENT OF STEPHANIE TOOTHMAN, ASSOCIATE DIRECTOR, CULTURAL RESOURCES, PARTNERSHIPS, AND SCIENCE, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, members of the subcommittee, thank you for the opportunity to present the views of the Department of the Interior on S. 782, a bill to amend Public Law 101-377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes.

The Department supports S. 782 with amendments described later in this statement. This legislation would revise the boundary of Gettysburg National Military Park to include two distinct sites: the historic Gettysburg Train Station, and 45 acres of an environmentally important tract of land at the base of Big Round Top.

Gettysburg National Military Park protects major portions of the site of the largest battle waged during this nation's Civil War. Fought in the first three days of July 1863, the Battle of Gettysburg resulted in a victory for Union forces and successfully ended the second invasion of the North by Confederate forces commanded by General Robert E. Lee. Historians have referred to the battle as a major turning point in the war—the “High Water Mark of the Confederacy.” It was also the Civil War's bloodiest single battle, resulting in over 51,000 soldiers killed, wounded, captured, or missing.

The Soldiers' National Cemetery within the park was dedicated on November 19, 1863, when President Abraham Lincoln delivered his immortal Gettysburg Address. The cemetery contains more than 7,000 interments including over 3,500 from the Civil War. The park currently includes nearly 6,000 acres, with 26 miles of park roads and over 1,400 monuments, markers, and memorials.

Gettysburg's Lincoln Train Station was built in 1858 and is listed on the National Register of Historic Places. The station served as a hospital during the Battle of Gettysburg, and the wounded and the dead were transported from Gettysburg through this station in the aftermath of battle. President Abraham Lincoln arrived at this station when he visited to give the Gettysburg Address.

Gettysburg National Military Park's 1999 General Management Plan called for expanding cooperative relationships and partnerships with the Borough of Gettysburg and other sites “to ensure that resources closely linked to the park, the battle, and the non-combatant civilian involvement in the battle and its aftermath are appropriately protected and used.” In particular, the plan stated that the National Park Service would initiate “cooperation

agreements with willing owners, and seek the assistance of the Borough of Gettysburg and other appropriate entities to preserve, operate and manage the Wills House and Lincoln Train Station.”

The Borough of Gettysburg Interpretive Plan called for the Lincoln Train Station to be used as a downtown information and orientation center for visitors—where all park visitors would arrive after coming downtown—to receive information and orientation to downtown historic attractions, including the David Wills House. This is the house where Lincoln stayed the night before delivering the Gettysburg Address. The Interpretive Plan also called for rehabilitation of the Wills House, which was added to the park’s boundary through Public Law 106–290 in October 2000, and is now a historic house museum in the borough and an official site within Gettysburg National Military Park. The David Wills House is currently operated jointly by the Gettysburg Foundation and the National Park Service.

The Lincoln Train Station is next to the downtown terminus of Freedom Transit, Gettysburg’s shuttle system, which started operations in July 2009 with a grant from the Federal Transit Administration in the Department of Transportation.

In 2006, the Borough of Gettysburg completed rehabilitation of the Lincoln Train Station with funds from a Commonwealth of Pennsylvania grant. Due to a lack of funds, however, the borough has been unable to operate a visitor information and orientation center there. Through formal vote of the Borough Council, the Borough of Gettysburg has asked the National Park Service to take over the ownership and operations of the train station. While the borough originally intended to sell the train station to the National Park Service, the Gettysburg Foundation is currently in negotiations to acquire the property, which would in turn be donated from the Foundation to the National Park Service.

The park has a preliminary commitment from the Gettysburg Convention and Visitor Bureau (CVB) to provide all staffing requirements for operations of an information and orientation center in the train station, thereby avoiding staff costs for the park. Anticipated National Park Service operating costs for the train station are limited to utilities; the rest would be paid by the Gettysburg CVB. In the event that the Gettysburg CVB is unable to provide staffing and funding for operations, the National Park Service would seek another park partner to cover these costs and requirements.

This legislation would also add 45 acres near Big Round Top along Plum Run in Cumberland Township, Pennsylvania, to the boundary of the park. The 45-acre tract of land is adjacent to the Gettysburg National Military Park and is within the Battlefield Historic District. The land is at the southern base of Big Round Top at the southern end of the Gettysburg battlefield. There were cavalry skir-

mishes in this area during the Battle of Gettysburg in July 1863, but the real significance is environmental. The tract contains critical wetlands and wildlife habitat related to Plum Run. Wayne and Susan Hill donated it to the Gettysburg Foundation in April 2009. The Gettysburg Foundation plans to donate fee title interest in the parcel to the National Park Service once it is within the park boundary. It abuts land already owned by the National Park Service.

We recommend that the committee amend S. 782 to reference an updated map of the two properties proposed for inclusion in the park boundary. In addition, we would recommend providing the usual language requiring that the map referenced in the bill be on file and available for inspection in the appropriate offices of the National Park Service. We would be happy to provide the committee with recommended language for these amendments.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or members of the committee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 782, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION

(Public Law 101–377, as amended by Public Law 106–290)

[16 U.S.C. 430g–4]

An Act to revise the boundary of the Gettysburg National Military Park in the Commonwealth of Pennsylvania, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GETTYSBURG NATIONAL MILITARY PARK BOUNDARY REVISION.

* * * * *

(b) ADDITIONAL LAND.—In addition to the land identified in subsection (a), the park shall also ~~include the~~ *include*—

(1) *the property commonly known as the Wills House located in the Borough of Gettysburg and identified as Tract P02–1 on the map entitled “Gettysburg National Military Park” numbered MARO 305/80,011 Segment 2, and dated April 1981, revised May 14, 1999*~~;~~*;* and

(2) *the properties depicted as “Proposed Addition” on the map entitled “Gettysburg National Military Park Proposed Boundary Addition”, numbered 305/80,045, and dated January, 2010 (2 sheets), including—*

(A) the property commonly known as the “Gettysburg Train Station”; and

(B) the property located adjacent to Plum Run in Cumberland Township.

* * * * *

SEC. 2. ACQUISITION AND DISPOSAL OF LANDS.

(a) GENERAL AUTHORITY.—**[The Secretary]**

(1) *AUTHORITY TO ACQUIRE LAND.*—*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]**

(2) *MINIMUM FEDERAL INTEREST.*—*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.

(3) *METHODS OF ACQUISITION FOR CERTAIN LAND.*—*Notwithstanding paragraph (1), the Secretary may acquire the properties added to the park by section 1(b)(2) only—*

(A) by donation; or

(B) if the Secretary determines that efforts to acquire the properties without cost have been exhausted, by purchase from a willing seller.

* * * * *