

ESTABLISHMENT OF NEW HAMPSHIRE MEMORIAL  
ANTIETAM NATIONAL BATTLEFIELD, MARYLAND

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JUNE 8, 2005.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. POMBO, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 1084]

(Including cost estimate of the Congressional Budget Office)

The Committee on Resources, to whom was referred the bill (H.R. 1084) to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1084 is to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Regiments from New Hampshire fought heroically in the Battle of Antietam and history notes their support of the Maryland 2nd as they charged what became known as Burnside's Bridge.

H.R. 1084 authorizes the Secretary of the Interior to establish a memorial at Antietam National Battlefield to certain New Hampshire Volunteer Infantry Regiments and the New Hampshire Light Artillery Battery. The bill directs the Secretary to select persons re-

sponsible for the establishment of the memorial and prohibits the use of federal funds in the design, acquisition, preparation and installing of the memorial. Additionally, the Secretary must approve the size, design and inscriptions placed on the monument. Once the memorial is in place, the Secretary will accept responsibility for maintenance, but will be permitted to accept donations into a specific account for the New Hampshire memorial.

#### COMMITTEE ACTION

H.R. 1084 was introduced on March 3, 2005, by Congressman Jeb Bradley (R-NH). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks. On May 12, 2005, the Subcommittee on National Parks held a hearing on the bill. On May 18, 2005, the Resources Committee met to consider the bill, at which time the Subcommittee was discharged from further consideration of the bill by unanimous consent. No amendments were offered and H.R. 1084 was 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 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, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill "could result in a negligible increase in revenues from private donations and in the direct spending of such amounts to pay for some of the costs of maintenance."

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

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. 1084—A bill to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862*

H.R. 1084 would require the National Park Service (NPS) to allow a memorial to be built at the Antietam National Battlefield in honor of certain forces that fought in the Battle of Antietam. The memorial would be designed and constructed without the use of federal funds by an entity selected by the NPS. The agency would be responsible for maintenance of the memorial and would be authorized to accept and use private contributions for that purpose.

CBO estimates that enacting H.R. 1084 would have no significant impact on the federal budget. The only financial responsibility that the NPS would have for the memorial would be the payment of maintenance expenses, which are likely to be negligible. Enacting the bill also could result in a negligible increase in revenues from private donations and in the direct spending of such amounts to pay for some of the costs of maintenance.

H.R. 1084 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.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### 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.

