

APPROVING THE LOCATION OF A MEMORIAL TO COMMEMORATE THE  
MORE THAN 5,000 SLAVES AND FREE BLACK PERSONS WHO FOUGHT  
FOR INDEPENDENCE IN THE AMERICAN REVOLUTION

SEPTEMBER 8, 2014.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural  
Resources, submitted the following

R E P O R T

[To accompany H.J. Res. 120]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the joint resolution (H.J. Res. 120) approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

PURPOSE OF THE BILL

The purpose of H.J. Res. 120 is to approve the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

BACKGROUND AND NEED FOR LEGISLATION

Public Law 112-239, the National Defense Authorization Act for Fiscal Year 2013, authorized The National Mall Liberty Fund to establish a memorial on eligible federal land to honor the more than 5,000 courageous slaves and free Black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution.

Under the Commemorative Works Act (CWA), which details a process for placement of memorials and monuments in Washington, D.C., memorials must be recommended by the Government Services Administration (GSA) or the Department of the Interior for placement within what is known as Area I, as defined by the CWA. Area I is generally the locations around the National Mall, but not on the Mall itself. A recommendation is made if the Administrator

finds that the proposed memorial is of “of preeminence and lasting significance.”

On June 3, 2014 the GSA Administrator notified the Natural Resources Committee that he has found the proposed National Liberty Memorial to be “of preeminence and lasting significance.” Under the requirements of the CWA, upon this notification, Congress has 150 days (until Oct. 31, 2014) to concur with the finding with a joint resolution, which legally clears the memorial to be placed within Area I.

H.J. Res 120 provides Congressional approval of the recommendation made by the GSA Administrator to locate the memorial authorized by Public Law 112-239 in Area I. The memorial will be privately funded.

#### COMMITTEE ACTION

H.J. Res. 120 was introduced on July 23, 2014, by Congressman G.K. Butterfield (D-NC), and was referred to the Committee on Natural Resources. On July 30, 2014, the Natural Resources Committee met to consider the bill. The bill was adopted and 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.

#### 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:

*H.J. Res. 120—A joint resolution approving the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution*

H.J. Res. 120 would approve the selection of a site to commemorate and honor African-Americans who fought in the Revolutionary War. In 2013, the National Mall Liberty Fund, a non-profit organization, was authorized to establish the commemorative work on federal land in Washington, DC, or its environs without the use of federal funds. CBO estimates that implementing H.J. Res. 120 would not affect the federal budget. Because enacting H.J. Res. 120

would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

H.J. Res. 120 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 Martin von Gnechten. The estimate was approved by Theresa Gullo, 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. CBO estimates that implementing H.J. Res. 120 would not affect the federal budget.

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 approve the location of a memorial to commemorate the more than 5,000 slaves and free Black persons who fought for independence in the American Revolution.

#### 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

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