

ROBERT E. LEE STATUE REMOVAL ACT

DECEMBER 2, 2020.—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. 970]

The Committee on Natural Resources, to whom was referred the bill (H.R. 970) to direct the Secretary of the Interior to develop a plan for the removal of the monument to Robert E. Lee at the Antietam National Battlefield, 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. SHORT TITLE.

This Act may be cited as the “Robert E. Lee Statue Removal Act”.

SEC. 2. REMOVAL AND DISPOSAL OF MONUMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall remove and appropriately dispose of the Monument to General Robert E. Lee at the Antietam National Battlefield.

PURPOSE OF THE BILL

The purpose of H.R. 970 is to direct the Secretary of the Interior to remove and properly dispose of the Monument to Robert E. Lee at the Antietam National Battlefield.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 970, as reported, directs the Secretary of the Interior, acting through the Director of the National Park Service (NPS), to remove and appropriately dispose of the monument to Confederate General Robert E. Lee at the Antietam National Battlefield (Antietam) in Sharpsburg, Maryland, within 180 days of enactment of the legislation.

The 24-foot statue of Lee at Antietam was dedicated in 2003, 138 years after the end of the Civil War. Though the statue was commissioned and placed by a private citizen on private land, the NPS acquired the property in 2005, making the plot the statue rests on federally owned land.¹ In addition to the significant local backlash arising from the statue’s unofficial commissioning, the statue itself is also historically inaccurate. For example, the statue depicts Lee on horseback although it is known that he traveled to Sharpsburg via ambulance due to a broken wrist. The statue also claims that Lee was “personally against secession and slavery” despite the fact that Lee led the secessionist forces and was a slaveowner who fought for states that each explicitly mentioned slavery as their justification for secession.

COMMITTEE ACTION

H.R. 970 was introduced on February 5, 2019, by Representative Anthony G. Brown (D–MD). 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 July 21, 2020, the Subcommittee held a hearing on the bill. On September 30, 2020, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Representative Brown offered an amendment designated Brown #1. The amendment was agreed to by voice vote. No additional amendments were offered, and the bill, as amended, was adopted and ordered favorably reported to the House of Representatives by voice vote.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 970: legislative hearing by the Subcommittee on National Parks, Forests, and Public Lands held on July 21, 2020.

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 Com-

¹ See Press Release, Office of Anthony Brown, U.S. Representative (Md.), Congressman Brown Introduces Legislation to Remove Statue of Robert E. Lee on Antietam National Battlefield (Sept. 15, 2017), <https://anthonybrown.house.gov/news/documentsingle.aspx?DocumentID=332>, of which the above text is largely excerpts.

mittee 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 has 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 direct the Secretary of the Interior to remove and properly dispose of the Monument to Robert E. Lee at the Antietam National Battlefield.

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.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS
None.

