

AUTHORIZING THE AMERICAN FRIENDS OF THE CZECH REPUBLIC TO ESTABLISH A MEMORIAL TO HONOR TOMAS G. MASARYK IN THE DISTRICT OF COLUMBIA

SEPTEMBER 28, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany H.R. 1161]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1161) to authorize the American Friends of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.

(a) **IN GENERAL.**—The Government of the Czech Republic is authorized to establish a memorial to honor Tomas G. Masaryk on the Federal land in the District of Columbia.

(b) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.**—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.), except that sections 2(c), 6(b), and 10(c) of that Act shall not apply with respect to the memorial.

(c) **LIMITATION ON PAYMENT OF EXPENSES.**—The United States Government shall not pay any expense for the establishment of the memorial or its maintenance.

Amend the title so as to read:

A bill to authorize the Government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

PURPOSE OF THE BILL

The purpose of H.R. 1161, as ordered reported, is to authorize the Government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

BACKGROUND AND NEED FOR LEGISLATION

Thomas Garrigue Masaryk (1850–1937), the first president of Czechoslovakia, embodies the close ties between the government of the United States and Czechoslovakia. He was well acquainted with the United States from the personal experience he derived from repeated trips to this country over the course of four decades as a philosopher, scholar and teacher. He taught at major universities in the United States and married a native of Brooklyn, New York, named Charlotte Garrigue, whose surname he adopted. President Masaryk's close personal relationship with many notable Americans, including president Woodrow Wilson, ultimately led to the recognition by the United States of a free Czechoslovakia in 1918. For six months, President Masaryk traveled throughout the United States writing the Joint Declaration of Independence from Austria which was signed in Philadelphia and issued in Washington on October 18, 1918, where he was declared the President of Czechoslovakia.

As introduced, H.R. 1161 stated that the federal land upon which the memorial would be constructed is located across the street from the International Monetary Fund and the World Bank. Although the National Park Service (NPS) is responsible for maintenance and upkeep of the small plot of land where the memorial would be located, the World Bank and the NPS executed a voluntary Maintenance Agreement in 1998 specifying that the World Bank would assume primary responsibility for maintenance of the park for a period of five years, including installation and maintenance of pavement, benches, trash receptacles and plant material in accordance with NPS regulations. The park is very close to the location of the former Hotel Powhattan where President Masaryk once resided and frequently met with officials of the Woodrow Wilson Administration. As ordered reported, the bill removes the requirement for a specific location for the memorial apart from federal land in the District of Columbia.

The adoption of this bill would not result in any expense to the federal government. As noted by the Congressional Budget Office, enactment of H.R. 1161 would require the federal government to collect 10 percent of the cost of the Memorial from the Czech Government under the Commemorative Works Act (CWA) to provide an emergency fund for long-term maintenance of the Memorial. However, because the legislation prohibits the federal government from spending any funds on maintenance, it is the intention of the Committee that this CWA requirement be waived. The Committee will pursue this clarifying amendment when the bill is considered by the House of Representatives.

COMMITTEE ACTION

H.R. 1161 was introduced on March 22, 2001, by Congressman Benjamin Gilman (R-NY). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on

National Parks, Recreation and Public Lands. On May 8, 2001, the Subcommittee held a hearing on the bill. On May 17, 2001, the Subcommittee met to mark up the bill. Congressman Joel Hefley (R-CO) offered an amendment in the nature of a substitute to address three concerns. First, the amendment specified that the proposed memorial would come from the Government of the Czech Republic rather than from the American Friends of the Czech Republic. Second, the amendment deleted all language in the original bill that specified the exact location of the memorial in Washington, DC. The new language merely specified that the memorial would be established on federal land in the District of Columbia. Finally, the amendment specified that the United States Government would pay no expenses associated with the establishment or maintenance of the memorial. The original bill was silent on the obligation of the federal government to maintain the memorial. The Bush Administration recommended all of these changes to make the bill consistent with the Commemorative Works Act. The amendment in the nature of a substitute was adopted by voice vote. The bill was then ordered favorably reported to the Full Committee. On September 12, 2001, the Full Resources Committee met to consider the bill. No further amendments were offered and the bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

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 of the Constitution of the United States grants 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 the 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, spending authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of H.R. 1161 would require the federal government to collect 10 percent of the cost of the Memorial from the Czech Government under the Commemorative Works Act (CWA) to provide an emergency fund for long-term maintenance of the Memorial. However, this would have "no significant impact on the federal budget."

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 21, 2001.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1161, a bill to authorize the government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1161—A bill to authorize the government of the Czech Republic to establish a memorial to honor Tomas G. Masaryk in the District of Columbia

H.R. 1161 would authorize the Czech Republic to establish a memorial honoring Tomas G. Masaryk on federal land in Washington, D.C. The memorial would be constructed without the use of federal funds and in accordance with the Commemorative Works Act, which requires that any entity that receives a permit to build a memorial in the District must deposit an amount equal to 10 percent of the estimated construction cost in the U.S. Treasury.

CBO estimates that enacting H.R. 1161 would have no significant impact on the federal budget. Pay-as-you-go procedures would apply to the bill because implementing it would require the federal government to collect 10 percent of the memorial's cost from the builder. We estimate, however, that such collections (probably in fiscal year 2002) would be negligible. H.R. 1161 contains no inter-governmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no impact on 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.

