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HOUSE OF REPRESENTATIVES
REPORT
108–467

NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

APRIL 22, 2004.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H. Con. Res. 388]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 388) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to.

PURPOSE OF LEGISLATION

The purpose of H. Con. Res. 388 is to authorize the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

BACKGROUND AND NEED FOR THE LEGISLATION

H. Con. Res. 388 was introduced by Mr. LaTourette and Ms. Norton on March 17, 2004. The resolution authorizes use of the Capitol Grounds for the Annual National Peace Officers' Memorial Service to be held on May 15, 2004. The memorial service will honor Federal, State and local law enforcement officers killed in the line of duty in 2003. The Grand Lodge of the Fraternal Order of Police and its Auxiliary will work closely with the Capitol Police and the Architect of the Capitol to see that the event is in full compliance with the rules and regulations governing the use of the Capitol Grounds.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

No hearings were held in conjunction with ordering reported H. Con. Res. 388.

On March 24, 2004, the Full Committee met in open session and considered H. Con. Res. 388. A unanimous consent request by Chairman Young to approve and favorably report to the House H. Con. Res. 388 was agreed to by the Full Committee with a quorum present. There were no recorded votes taken during Committee consideration of H. Con. Res. 388.

SUMMARY OF THE LEGISLATION

Section 1. Authorization

This section authorizes the use of the Capitol Grounds for the National Peace Officers' Memorial Service on May 15, 2004 or such other date as the Speaker of the House of Representatives and the Senate Rules and Administration Committee may jointly designate.

Section 2. Terms and conditions

This section requires the event to be free of charge and open to the public. Moreover, the Grand Lodge and its Auxiliary assume full responsibility for all expenses and liabilities associated with the event.

Section 3. Event preparations

This section allows the sponsor of the event to erect such stage, sound amplification, and other related devices as necessary subject to the approval of the Architect of the Capitol.

Section 4. Enforcement of restrictions

This section requires the Capitol Police Board to enforce all applicable restrictions on the use of the Capitol Grounds, including those relating to sales, advertisements, displays, and solicitations.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H. Con. Res. 388 favorably reported.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the resolution contains no measure that authorizes funding, so no statement of general performance and objectives for any measure that authorizes funding is required.

3. With respect to the requirement 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 received the following cost estimate for H. Con. Res. 388 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 25, 2004.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H. Con. Res. 388, a concurrent resolution authorizing the use of the Capitol grounds for the National Peace Officers' Memorial Service.

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

Sincerely,

ELIZABETH ROBINSON
(For Douglas Holtz-Eakin, Director).

Enclosure.

H. Con. Res. 388—Authorizing the use of the Capitol grounds for the National Peace Officers' Memorial Service

H. Con. Res. 388 would authorize the National Fraternal Order of Police to use the Capitol grounds on May 15, 2004, or on such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate. Because it would require that the sponsors assume responsibility for all expenses and liabilities associated with the event, CBO estimates that passage of H. Con. Res. 388 would result in no significant cost to the Federal Government.

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

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursu-

ant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act. (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local or tribal law. The Committee states that H. Con. Res. 388 does not preempt any State, local or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE 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. (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 388 makes no changes to existing law.

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