

NATIONAL LAW ENFORCEMENT MUSEUM ACT

SEPTEMBER 29, 2000.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 2710]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2710) to establish the National Law Enforcement Museum on Federal land in the District of Columbia, having considered the same, report favorably thereon with an amendment and recommend 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 “National Law Enforcement Museum Act”.

SEC. 2. FINDING.

Congress finds that there should be established a National Law Enforcement Museum to honor and commemorate the service and sacrifice of law enforcement officers in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) **MEMORIAL FUND.**—The term “Memorial Fund” means the National Law Enforcement Officers Memorial Fund, Inc.

(2) **MUSEUM.**—The term “Museum” means the National Law Enforcement Museum established under section 4(a).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 4. NATIONAL LAW ENFORCEMENT MUSEUM.

(a) **ESTABLISHMENT.**—The Memorial Fund may construct a National Law Enforcement Museum on Federal land located on United States Reservation #7, on the property directly south of the National Law Enforcement Officers Memorial, bounded by—

- (1) E Street, NW., on the north;
 - (2) 5th Street, NW., on the west;
 - (3) 4th Street, NW., on the east; and
 - (4) Indiana Avenue, NW., on the south.
- (b) DESIGN AND PLANS.—
- (1) IN GENERAL.—In carrying out subsection (a), the Memorial Fund shall be responsible for preparation of the design and plans for the Museum.
 - (2) APPROVAL.—The design and plans for the Museum shall be subject to the approval of—
 - (A) the Secretary;
 - (B) the Commission of Fine Arts; and
 - (C) the National Capital Planning Commission.
 - (3) DESIGN REQUIREMENT.—The Museum shall be designed so that not more than 35 percent of the volume of the structure is above the floor elevation at the north rear entry of Court Building D, also known as “Old City Hall”.
- (c) OPERATION.—The Memorial Fund shall own, operate, and maintain the Museum after completion of construction.
- (d) FEDERAL SHARE.—The United States shall pay no expense incurred in the establishment or construction of the Museum.
- (e) FUNDING VERIFICATION.—The Secretary shall not permit construction of the Museum to begin unless the Secretary determines that sufficient amounts are available to complete construction of the Museum in accordance with the design and plans approved under subsection (b).
- (f) FAILURE TO CONSTRUCT.—If the Memorial Fund fails to begin construction on the Museum by the date that is 10 years after the date of enactment of this Act, the authority to construct the Museum shall terminate on that date.

PURPOSE OF THE BILL

The purpose of H.R. 2710 is to establish the National Law Enforcement Museum on federal land in the District of Columbia.

BACKGROUND AND NEED FOR LEGISLATION

As reported, H.R. 2710 would establish a National Law Enforcement Museum adjacent to the National Law Enforcement Officers Memorial in the District of Columbia. The proposed site for the museum lies on federally-owned property located on E Street, between 4th and 5th Streets, NW. The proposed museum would be the most comprehensive law enforcement museum and research facility in the world. The purpose of the National Law Enforcement Museum would be to help increase the public’s understanding of the law enforcement profession as well as increase public awareness and appreciation for the great personal risks law enforcement officers encounter on the job.

All funds to construct the museum would come from private donations and be the responsibility of the National Law Enforcement Officers Memorial Fund, Inc. The projected 70,000 square foot building, the majority of which will be underneath the ground, is estimated to cost \$25 million. H.R. 2710 would prohibit the construction of the museum from commencing until the Secretary of the Interior had determined that adequate funds to build and operate the museum had been raised. Furthermore, the design and plans for the Museum are subject to the approval of the Commission on Fine Arts and the National Capitol Planning Commission.

COMMITTEE ACTION

H.R. 2710 was introduced by Congressman Joel Hefley (R-CO) on August 4, 1999. The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On September 20, 2000, the Resources Committee met to consider H.R. 2710. The Subcommittee

on National Parks and Public Lands was discharged from further consideration of the bill by unanimous consent. Congressman Joel Hefley offered an amendment in the nature of a substitute to conform the bill to the language of the companion Senate bill, S. 1438. The amendment was adopted by voice vote. 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 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, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

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 26, 2000.

Hon. DON YOUNG,
*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. 2710, the National Law Enforcement Museum Act.

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

Sincerely,

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

Enclosure.

H.R. 2710—National Law Enforcement Museum Act

H.R. 2710 would authorize the National Law Enforcement Officers Memorial Fund, Inc., to construct on federal land a museum honoring law enforcement officers. The museum would be located in the District of Columbia across the street from the National Law Enforcement Officers Memorial. Because the Memorial Fund would be responsible for all costs associated with constructing, operating, and maintaining the museum, CBO estimates that implementing H.R. 2710 would have no significant impact on the federal budget.

The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 2710 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not impose significant costs on state, local, or tribal governments.

On June 13, 2000, CBO transmitted a cost estimate for S. 1438, the National Law Enforcement Museum Act, as ordered reported by the Senate Committee on Energy and National Resources on June 7, 2000. The two bills are identical, as are our cost estimates.

The CBO staff contact is John R. Righter. 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 State, local, or tribal law.

CHANGES IN EXISTING LAW

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

DISSENTING VIEWS

No one would minimize the sacrifices made by the men and women who serve in law enforcement. The National Law Enforcement Officer's Memorial is a powerful and poignant reminder of the importance of their service and the risks a career in law enforcement entails. In addition, if a private entity wishes to raise the funds and construct a museum in honor of law enforcement officers, the Congress should provide appropriate assistance. However, we have serious concerns regarding the specific approach taken in H.R. 2710.

The bill would authorize a private entity known as the National Law Enforcement Officer's Memorial Fund to construct a National Law Enforcement Museum on federal land located near the existing National Law Enforcement Officer's Memorial. Currently, the land is part of the District of Columbia Superior Court complex, however, ownership of the property has yet to be determined precisely. It is our understanding that the parcel in question was once owned by the National Park Service and was ceded over to the District of Columbia in the early 1970's but the details of that transaction have yet to be established. Clear title to the parcel in question, and this legislation's effects on that title, must be established before we move forward with this proposal.

Once we have established clear title, we could then explore how the property is to be transferred. Since the bill is silent on the issue of valuation, it would appear that proponents of H.R. 2710 support simply giving this land to the Fund free of charge. While this might be appropriate in some instances, transferring half a city block in the heart of downtown Washington to a private entity without any compensation to the City is inequitable and unwise.

A variety of other important questions have been raised including the effects of the new building on the historic area in which it will sit. The Administration, as well as the Delegate from the District of Columbia, have expressed strong reservations regarding this bill based on these and other concerns. Unfortunately, no hearings were held on H.R. 2710 during which these concerns might have been addressed. We would urge our colleagues to oppose H.R. 2710 in its current form and seek to work with the sponsor to craft legislation once we have gathered additional information.

GEORGE MILLER.
CARLOS ROMERO-BARCELO.

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