

VIETNAM VETERANS DONOR ACKNOWLEDGMENT ACT OF
2013

APRIL 9, 2013.—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.R. 588]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 588 is to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center.

BACKGROUND AND NEED FOR LEGISLATION

Public Law 108-126 authorized the Vietnam Veterans Memorial Fund to establish a visitor center underground, but near the Vietnam Veterans Memorial.

The facility will be 35,000 square feet and cost an estimated \$95 million, all of which is required to be non-federal. However, the Commemorative Works Act (40 U.S.C. Chapter 89), which governs the placement of monuments and memorials on land administered by the National Park Service in Washington, D.C., prohibits donor recognition at monuments and memorials authorized under the Act. Consequently, proponents of the visitor center have explained that this has put an undue burden on the fund, making it ex-

tremely challenging to collect large donations that will provide the necessary funds to commence with construction.

H.R. 588 would grant an exemption to the Commemorative Works Act to facilitate the completion of fundraising efforts by allowing donor recognition. Any recognition program would have to be approved by the Secretary of the Interior and the legislation allows only “short, discrete, and unobtrusive acknowledgments or credits” and will not “permit any advertising slogans or company logos.”

COMMITTEE ACTION

H.R. 588 was introduced on February 6, 2013, by Congressman Don Young (R-AK). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On March 14, 2013, the Subcommittee held a hearing on the bill. On March 20, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered to the bill, and 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.R. 588—Vietnam Veterans Donor Acknowledgement Act of 2013

H.R. 588 would authorize the Vietnam Veterans Memorial Fund to acknowledge donor contributions to the visitor center at the Vietnam Veterans Memorial through a display in the visitor center. Based on information provided by the National Park Service, CBO estimates that the legislation would have no significant impact on the federal budget. Enacting H.R. 588 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 588 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. Based on information provided by the National Park Service, CBO estimates that the legislation would have no significant impact on 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 provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center.

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 MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 96-297

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SEC. 6. VISITOR CENTER.

(a) * * *

(b) COMPLIANCE WITH STANDARDS APPLICABLE TO COMMEMORATIVE WORKS.—Chapter 89 of title 40, United States Code, shall apply, including provisions related to the siting, design, construction, and maintenance of the visitor center, and the visitor center shall be considered a commemorative work for the purposes of that Act, except that—

(1) * * *

* * * * *

(4) the visitor center shall be constructed and landscaped in a manner harmonious with the site of the Vietnam Veterans Memorial, consistent with the special nature and sanctity of the Mall; **[and]**

(5) any reference in section 8903(e) of title 40, United States Code, to the expiration at the end of or extension beyond a seven-year period shall be considered to be a reference to an expiration on or extension beyond November 17, 2014~~].~~; and

(6) *notwithstanding section 8905(b)(7) of title 40, United States Code—*

(A) the Secretary of the Interior shall allow the Vietnam Veterans Memorial Fund, Inc. to acknowledge donor contributions to the visitor center by displaying, inside the visitor center, an appropriate statement or credit acknowledging the contribution;

(B) donor contribution acknowledgments shall be displayed in a form approved by the Secretary of the Interior and for a period of time commensurate with the level of the contribution and the life of the facility;

(C) the Vietnam Veterans Memorial Fund shall bear all expenses related to the display of donor acknowledgments;

(D) prior to the display of donor acknowledgments, the Vietnam Veterans Memorial Fund, Inc. shall submit to the Secretary for approval, its plan for displaying donor acknowledgments;

(E) such plan shall include the sample text and types of the acknowledgments or credits to be displayed and the form and location of all displays;

(F) the Secretary shall approve the plan, if the Secretary determines that the plan—

(i) allows only short, discrete, and unobtrusive acknowledgments or credits;

(ii) does not permit any advertising slogans or company logos; and

(iii) conforms to applicable National Park Service guidelines for indoor donor recognition; and

(G) if the Secretary of the Interior determines that the proposed plan submitted under this paragraph, does not meet the requirements of this paragraph, the Secretary shall—

(i) advise the Vietnam Veterans Memorial Fund, Inc. not later than 30 days after receipt of the proposed plan of the reasons that such plan does not meet the requirements; and

*(ii) allow the Vietnam Veterans Memorial Fund, Inc.
to submit a revised donor recognition plan.*

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