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HOUSE OF REPRESENTATIVES
REPORT
114–664

TO PERMIT THE UNITED STATES CAPITOL POLICE TO ACCEPT CERTAIN PROPERTY FROM OTHER FEDERAL AGENCIES AND TO DISPOSE OF CERTAIN PROPERTY IN ITS POSSESSION

JULY 5, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mrs. MILLER of Michigan, from the Committee on House Administration, submitted the following

R E P O R T

[To accompany H.R. 4733]

[Including cost estimate of the Congressional Budget Office]

The Committee on House Administration, to whom was referred the bill (H.R. 4733) to permit the United States Capitol Police to accept certain property from other Federal agencies and to dispose of certain property in its possession, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE AND SUMMARY

H.R. 4733 (Brady of Pennsylvania)—To permit the United States Capitol Police to accept certain property from other Federal agencies and to dispose of certain property in its possession.

This bill would allow the U.S. Capitol Police (USCP) to dispose of property they acquire through forfeiture, voluntary abandonment, or simply being unclaimed rather than absorb infrastructure and space costs related to storing them. Further, the USCP would be allowed to accept certain types of surplus equipment from other government and federal agencies, similar to other equipment donation programs currently in place throughout the Executive Branch of government.

BACKGROUND AND NEED FOR THE LEGISLATION

Currently the U.S. Capitol Police (USCP) is authorized to dispose of only its own surplus or obsolete property. The USCP stores any property and items that are left in public spaces of the Capitol and Congressional buildings. These types of items can include electronics, jewelry, bikes, etc. Current legislation does not provide USCP with the authority to dispose or remove these items from

their possession, so all materials remain in storage. This bill would allow them to dispose of assets they acquire through disposal, forfeiture, voluntary abandonment, or simply being unclaimed rather than absorb infrastructure and space costs related to storing them. The USCP would model its disposal program after the Executive Branch property regulations, which are managed by the General Services Administration. Specific mechanisms could include interagency transfer, donation, sale by an auctioneer, trade-in, or other appropriate methods. It is important to note that H.R. 4733 would not be applicable to narcotics and weapons, as these types of items remain in the possession of the USCP during investigations. Once investigations are completed, property is disposed of through the Metropolitan Police Department of the District of Columbia.

In addition, the legislation would allow the USCP to accept surplus or obsolete property from other Federal agencies and offices upon notifying the House and Senate Committee on Appropriations. This type of program is widespread among federal, state, and local law enforcement agencies, as GSA administers a number of similar types of efforts. Donation of surplus equipment could potentially be a cost-efficient option for USCP to add value in certain areas of need if there is a functional use or purpose to the property.

CONCLUSION

This legislation would put the U.S. Capitol Police on similar standing to other federal, state, and local law enforcement agencies. Allowing USCP to dispose of property currently taking up storage space and other resources is a needed measure to ensure that these items are not held indefinitely. The USCP will be able to follow established laws, regulations and programs implemented in the Executive Branch to handle surplus equipment and donations, and amending the current law allows USCP to better utilize, organize, and manage resources.

INTRODUCTION AND REFERRAL

On March 14, 2016, Rep. Robert Brady (PA–1) introduced H.R. 4733, which was referred to the Committee on House Administration.

HEARINGS

There were no legislative hearings held on H.R. 4733.

COMMITTEE CONSIDERATION

On May 17, 2016, the Committee on House Administration met to consider H.R. 4733. The Committee ordered the bill reported favorably to the House without amendment by voice vote with a quorum present.

COMMITTEE RECORD VOTES

In compliance with House Rule XIII, clause 3(b), requiring the results of each record vote on an amendment or motion to report, together with the names of those voting for and against, to be printed in the Committee report, the Committee states that there

were no record votes during the Committee's consideration of H.R. 4733.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with House Rule XIII, clause 3(c)(1), the Committee states that the findings and recommendations of the Committee, based on oversight activities under House Rule X, clause 2(b)(1), are incorporated into the general discussion section of this report.

STATEMENT OF BUDGET AUTHORITY AND RELATED ITEMS

The bill does not provide new budget authority, new spending authority, new credit authority, or an increase or decrease in revenues or tax expenditures and a statement under House Rule XIII, clause 3(c)(2), and section 308(a)(1) of the Congressional Budget Act of 1974 is not required.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, H.R. 4733 does not provide any new spending or savings.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 13, 2016.

Hon. CANDICE MILLER,
Chairman, Committee on House Administration,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4733, a bill to permit the United States Capitol Police to accept certain property from other Federal agencies and to dispose of certain property in its possession.

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

Sincerely,

KEITH HALL.

Enclosure.

H.R. 4733—A bill to permit the United States Capitol Police to accept certain property from other Federal agencies and to dispose of certain property in its possession

Under current law, the U.S. Capitol Police (USCP) cannot dispose of personal property that has been abandoned, forfeited, or unclaimed by the public (such as jewelry, bikes, and electronics) and is recovered by the USCP in the course of police activities. H.R. 4733 would permit the USCP to dispose of such property. In addition, the legislation would permit the USCP to accept surplus or obsolete personal property (including items such as furniture, office supplies, and construction equipment) offered by other federal agencies.

Based on information from the USCP and the General Services Administration about the current federal program for donating surplus or obsolete personal property and the amount of such property

that USCP would dispose of, CBO estimates that implementing the legislation would have no significant effect on the federal budget. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 4733 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 4733 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 Matthew Pickford. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

In compliance with House Rule XIII, clause 3(c)(4), the Committee states that the general discussion section of this report includes a statement of the general performance goals and objectives, including outcome-related goals and objectives.

DUPLICATION OF FEDERAL PROGRAMS

In compliance with Sec. 3(g)(2) of H. Res. 5 (114th Congress), the Committee states that no provision of the bill establishes or reauthorizes: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Pub. L. No. 95–220, as amended by Pub. L. No. 98–169).

DISCLOSURE OF DIRECTED RULE MAKINGS

In compliance with Sec. 3(i) of H. Res. 5 (114th Congress), the following statement is made concerning directed rule makings: The Committee estimates that the bill requires no directed rule makings within the meaning of such section.

INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104–4). The Committee has determined that the bill contains no unfunded mandate on the private sector, nor does it impose a Federal intergovernmental mandate on State, local, or tribal governments.

CONSTITUTIONAL AUTHORITY STATEMENT

Congress has the power to enact this legislation pursuant to Article 1, Section 8 of the U.S. Constitution granting Congress the authority to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States.

ADVISORY ON EARMARKS

In accordance with House Rule XXI, clause 9, the Committee states that H.R. 4733 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

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 italics, and existing law in which no change is proposed is shown in roman):

SECTION 1003 OF THE LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2003

SEC. 1003. DISPOSAL OF SURPLUS PROPERTY. (a) IN GENERAL.—Within the limits of available appropriations, the Capitol Police may dispose of [surplus or obsolete property of the Capitol Police] *surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed,* by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) AMOUNTS RECEIVED.—Any amounts received by the Capitol Police from the disposition of property under subsection (a) shall be credited to the account established for the general expenses of the Capitol Police, and shall be available to carry out the purposes of such account during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

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