

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL
PEACE OFFICERS MEMORIAL SERVICE AND THE NATIONAL HONOR
GUARD AND PIPE BAND EXHIBITION

APRIL 6, 2017.—Referred to the House Calendar and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H. Con. Res. 35]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the concurrent resolution (H. Con. Res. 35) author-
izing the use of the Capitol Grounds for the National Peace Officers
Memorial Service and the National Honor Guard and Pipe Band
Exhibition, having considered the same, report favorably thereon
without amendment and recommend that the concurrent resolution
be agreed to.

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PURPOSE OF LEGISLATION

H. Con. Res. 35 authorizes the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

BACKGROUND AND NEED FOR LEGISLATION

In 1962, President John F. Kennedy signed a proclamation which designated May 15th as Peace Officers' Memorial Day and the week in which that date falls as "Police Week." Today, tens of thousands of law enforcement officers from around the world come to Washington, D.C. to participate in events during that week to honor the men and woman of law enforcement who have made the ultimate sacrifice.

Among the events during Police Week are the National Peace Officers' Memorial Service and the National Honor Guard and Pipe Band Exhibition.

The Grand Lodge of the Fraternal Order of Police will sponsor a public event on May 15, 2017, the 36th Annual National Peace Officers' Memorial Service on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty. Over 234 fallen federal, state, and local law enforcement officers will be honored during the ceremony for their sacrifice. Among the fallen officers that will be honored in 2017 include 144 killed in 2016, 70 officers who died from 9–11 related cancers, and 30 officers who died in prior years who were not previously honored.

In addition, the Fraternal Order of Police National Honor Guard and Pipe Band Exhibition will utilize the area surrounding the Grant Statue on the East side of the Capitol Reflection Pool on May 14, 2017, to provide for law enforcement from around the country to exhibit their ability to demonstrate Honor Guard programs and for a separate Big Pipe Band exhibition.

HEARINGS

No hearings were held on H. Con. Res. 35.

LEGISLATIVE HISTORY AND CONSIDERATION

On March 20, 2017, Congressman Lou Barletta (R-PA), along with Congressman Henry C. "Hank" Johnson, Jr. (D-GA) introduced H. Con. Res. 35 authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

On March 29, 2017, the Committee on Transportation and Infrastructure met in open session. The Committee ordered the bill reported favorably to the House by voice vote with a quorum present.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record 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 consideration of H. Con. Res. 35.

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.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

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.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

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 enclosed cost estimate for H. Con. Res. 35 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 4, 2017.

Hon. BILL SHUSTER,
*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. 35, a concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

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. Con. Res. 35—A concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition

H. Con. Res. 35 would authorize the Grand Lodge of the Fraternal Order of Police and its auxiliary to use the Capitol grounds on May 15, 2017, or on such dates as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate. Preparation could begin on May 11, 2016, and any changes to the grounds would need the approval of the Architect of the Capitol. All event structures and equipment would be removed by May 16, 2017. Because the legislation would require that the sponsors assume responsibility for all expenses and liabilities associated with the event, CBO estimates that passage of H. Con. Res. 35 would result in no significant cost to the federal government.

Because final passage of the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

CBO estimates that H. Con. Res. 35 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

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

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to authorize the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H. Con. Res. 35 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(i) of H. Res. 5, 115th Cong. (2017), the Committee finds that enacting H. Con. Res. 35 does not direct the completion of a specific rule making within the meaning of section 551 of title 5, United States Code.

FEDERAL MANDATE 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. 35 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 are created by this legislation.

APPLICABILITY OF 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).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Use of the Capitol Grounds for National Peace Officers' Memorial Service

Section 1 authorizes the Grand Lodge of the Fraternal Order of Police and its auxiliary to sponsor a public event, the 36th Annual National Peace Officers' Memorial Service, on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2016 on May 15, 2017, or on such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate, with preparation for the event to begin on May 11, 2017.

Section 2. Use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition

Section 2 authorizes the Grand Lodge of the Fraternal Order of Police and its auxiliary to sponsor a public event, the National Honor Guard and Pipe Band Exhibition, on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bagpipe exhibition on May 14, 2017, or on such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate.

Section 3. Terms and conditions

Section 3 requires the event to be free of admission charge and open to the public and arranged to not interfere with the needs of Congress. This section also makes clear the sponsor of the event shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

Section 4. Event preparations

Section 4 authorizes the sponsor, subject to the approval of the Architect of the Capitol, to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

Section 5. Enforcement of restrictions

Section 5 requires the Capitol Police Board to enforce all of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 35 makes no changes in existing law.

