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107TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 107–719

AUTHORIZING THE PYRAMID OF REMEMBRANCE FOUNDATION TO ESTABLISH A MEMORIAL IN THE DISTRICT OF COLUMBIA OR ITS ENVIRONS TO SOLDIERS WHO HAVE LOST THEIR LIVES DURING PEACEKEEPING OPERATIONS, HUMANITARIAN EFFORTS, TRAINING, TERRORIST ATTACKS, OR COVERT OPERATIONS

OCTOBER 3, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources, submitted the following

REPORT

[To accompany H.R. 282]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 282) to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations, 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. AUTHORITY TO ESTABLISH MEMORIAL.

(a) IN GENERAL.—The Pyramid of Remembrance Foundation is authorized to establish a memorial on Federal land within the area designated as "Area II" on the map referred to in section 2(e) of the Commemorative Works Act (40 U.S.C. 1002(e)), to honor members of the Armed Forces of the United States who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The Pyramid of Remembrance Foundation shall establish the memorial authorized by this Act in accordance with the Commemorative Works Act (40 U.S.C. 1001, et seq.), except that subsection (b) and (c) of section 3 of that Act shall not apply.

SEC. 2. FUNDS FOR MEMORIAL.

(a) USE OF FEDERAL FUNDS PROHIBITED.—Except as provided by the Commemorative Works Act, no Federal funds may be used to pay any expense of the establishment of the memorial.

(b) DEPOSIT OF EXCESS FUNDS.—If—

(1) upon payment of all expenses of the establishment of the memorial, including payment to the Treasury of the maintenance and preservation amount required by section 8(b) of the Commemorative Works Act; or

(2) upon expiration of the authority for the memorial under section 10(b) of the Commemorative Works Act,

there remains a balance of funds received for the establishment of the memorial, the Pyramid of Remembrance Foundation shall transmit that balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of the Commemorative Works Act.

PURPOSE OF THE BILL

The purpose of H.R. 282 is to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

BACKGROUND AND NEED FOR LEGISLATION

Following the horrifying image of a U.S. soldier being dragged through the streets of Mogadishu, Somalia, students from Riverside High School in Painesville, Ohio, began a campaign to have a monument—"a pyramid of remembrance"—constructed in Washington, DC, to commemorate those whose heroism has been overlooked—those who died in peacekeeping operations, humanitarian missions, terrorists attacks, and training exercises.

Since the time the monument idea was conceived, the Pyramid of Remembrance Foundation, a 501 (c)(3) tax-exempt, non-profit organization, has been established to manage the fund-raising, design, and construction for the memorial. The Foundation is a coalition of students, educators, business people and community leaders.

Now that the Pyramid of Remembrance Foundation has been established, H.R. 282 was introduced to authorize the Foundation to work with the Department of Interior to establish the memorial in the District of Columbia and its environs.

COMMITTEE ACTION

H.R. 282 was introduced on January 30, 2001, by Congressman Steven LaTourette (R–OH). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On September 5, 2002, the Subcommittee held a hearing on the bill. September 12, 2002, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Recreation, and Public Lands was discharged from further consideration of H.R. 282 by unanimous consent. Congressman George Radanovich (R–CA) offered an amendment that authorizes the placement of the memorial in Area 2 in the District of Columbia or its environs as described by the Commemorative Works Act. It was agreed to by unanimous consent. The bill, as amended, was then 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 Re-

sources' 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, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of H.R. 282 would require the federal government to collect 10 percent of the cost of the memorial under the Commemorative Works Act to provide for maintenance and preservation. However, the net budgetary impact of such collections and spending would be negligible over several years.

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 authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

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, October 1, 2002.

Hon. JAMES V. HANSEN,
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. 282, a bill to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations.

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

Sincerely,

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

Enclosure.

H.R. 282—A bill to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations

CBO estimates that enacting H.R. 282 would have no significant impact on the federal budget. The bill 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. Enacting the bill would effect direct spending and revenues, but we estimate that those effects would not be significant.

H.R. 282 would authorize the Pyramid of Remembrance Foundation to establish a memorial in accordance with the Commemorative Works Act (CSA) without the use of federal funds. Under the CWA, any association that receives a permit to construct a memorial in the District of Columbia or its environs must deposit an amount equal to 10 percent of the memorial's estimated construction cost in the U.S. Treasury. The funds deposited are then available without further appropriation for maintenance and preservation of the memorial.

Based on information provided by the foundation and the National Park Service, CBO estimates that the federal government would collect a deposit from the foundation of less than $500,000 once the memorial has been built. Based on the history of similar commemorative projects, CBO expects that no amounts would be received or spent by the federal government for several years after the bill is enacted. In any case, the net budgetary impact of such collections and spending would be negligible over several years.

The CBO staff contact is Deborah Reis. 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 any State, local or tribal law.

CHANGES IN EXISTING LAW

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

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