

USE OF THE CAPITOL GROUNDS FOR THE GREATER
WASHINGTON SOAP BOX DERBY

MAY 1, 2003.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H. Con. Res 53]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 53) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, having considered the same, report favorably thereon with an amendment and recommend that the concurrent resolution be agreed to.

The amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the “Association”) shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 21, 2003, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

PURPOSE OF THE LEGISLATION

The purpose of H. Con. Res. 53 is to authorize the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

BACKGROUND AND NEED FOR THE LEGISLATION

H. Con. Res. 53 was introduced by Mr. Hoyer. The resolution authorizes use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying races to be held on June 21, 2003. The race is to take place on Constitution Avenue between Delaware Avenue and Third Street, NW. Participants competing in the event range from ages 9 to 16 and come from the Washington, DC greater metropolitan area. Winners of the event will represent the Washington, DC metropolitan area in the national soapbox derby competition held in Akron, Ohio. The soapbox derby race has taken place for over 55 years and is one of the largest races in the country. The Greater Washington Soap Box Derby Association will work closely with the Capitol Police and the Architect of the Capitol to see that the event is in full compliance with the rules and regulations governing the use of the Capitol Grounds.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

No hearings were held in conjunction with ordering reported H. Con. Res. 53.

On March 19, 2003, the Subcommittee met in open session and considered H. Con. Res. 53, a resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. During consideration, the Subcommittee adopted an amendment to H. Con. Res. 53, offered by Mr. LaTourette, which changed the date in the legislation from June 22, 2003 to June 21, 2003, unanimously, by voice vote, with a quorum present. On a motion by Ms. Norton, the legislation, as amended, was ordered favorably reported to the Full Committee unanimously, by voice vote, with a quorum present.

On April 9, 2003, the Full Committee met in open session and considered H. Con. Res. 53, as amended, a resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. A motion by Mr. LaTourette to order H. Con. Res. 53 favorably reported to the House was agreed to by the Full Committee unanimously, by voice vote with a quorum present. There were no recorded votes taken during Committee consideration of H. Con. Res. 53.

SUMMARY OF THE LEGISLATION

Section 1. Authorization

This section authorizes the use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 21, 2003 or such other date as the Speaker of the House of Representatives and the Senate Rules and Administration Committee may jointly designate.

Section 2. Responsibility of Capitol Police Board

This section requires the Capitol Police Board to take such actions as may be necessary to carry out the event.

Section 3. Conditions relating to physical preparation

This section allows the Architect of the Capitol to prescribe conditions for the physical preparations for the event.

Section 4. Enforcement of restrictions

This section requires the Capitol Police Board to enforce all applicable restrictions on the use of the Capitol Grounds, including those relating to sales, advertisements, displays, and solicitations.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall 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 ordering H. Con. Res. 53, as amended, reported.

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.

COST OF LEGISLATION

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.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the resolution contains no measure that authorizes funding, so no statement of general performance and objectives for which any measure authorizes funding is required.

3. 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 following cost estimate for H. Con. Res. 53, as amended, from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 10, 2003.

Hon. DON YOUNG,
*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. 53, a concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby.

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

Sincerely,

BARRY B. ANDERSON
(For Douglas Holtz-Eakin, Director.)

Enclosure.

H. Con. Res. 53—Authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby

H. Con. Res. 53 would authorize the Greater Washington Soap Box Derby Association to use the Capitol grounds on June 21, 2003, or on such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate. Because it would require that the association assume responsibility for all expenses and liabilities associated with the event, CBO estimates that passage of H. Con. Res. 53 would result in no significant cost to the federal government.

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

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES 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. 53, as amended, 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 were created by this legislation.

APPLICABILITY TO THE 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).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 53, as amended, makes no changes to existing law.