

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR
A CELEBRATION OF CITIZENSHIP DAY

SEPTEMBER 8, 2009.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H. Con. Res. 136]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 136) authorizing the use of the Capitol Grounds for a celebration of Citizenship Day, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution be agreed to.

PURPOSE OF THE LEGISLATION

The purpose of House Concurrent Resolution 136 is to authorize the use of the Capitol Grounds for a celebration of Citizenship Day.

BACKGROUND AND NEED FOR LEGISLATION

September 17th marks the anniversary of the ratification of the U.S. Constitution and is commemorated as Constitution Day and Citizenship Day. Constitution Day and Citizenship Day was authorized by the Consolidated Appropriations Act, 2005 (P.L. 108-447). It designates a time to honor the Constitution of America and learn more about this famous piece of legislation. September 17, 2009 marks the 222nd anniversary of the signing of the document created at the Constitutional Convention in Philadelphia.

Constitution Day and Citizenship Day also recognizes “all those who, whether by coming of age or by naturalization, have become citizens.” The day is intended to encourage “the complete instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the State and locality in which they reside.”

H. Con. Res. 136 authorizes the National Korean American Service and Education Consortium to sponsor a free public event on the Capitol Grounds to celebrate Citizenship Day on September 17, 2009.

SUMMARY OF THE LEGISLATION

Section 1. Use of Capitol Grounds to Celebrate Citizenship Day

Section 1 states that the National Korean American Service and Education Consortium shall be permitted to sponsor a public event on the Capitol Grounds to celebrate Citizenship Day on September 17, 2009, or such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate.

Sec. 2. Terms and conditions

Section 2 states that, under conditions prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be free of charge and arranged not to interfere with the needs of Congress. This section also states that the sponsor will be responsible for all expenses and liabilities for activities associated with the event.

Sec. 3. Event preparations

Section 3 states that subject to the approval of the Architect of the Capitol, the sponsor of the event is authorized to erect upon the Capitol Grounds physical structures and equipment for the event.

Sec. 4. Enforcement of restrictions

Section 4 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.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On May 21, 2009, Representative Diane E. Watson introduced H. Con. Res. 136. This bill has not been introduced in a previous Congress. On July 30, 2009, the Committee on Transportation and Infrastructure met in open session, and ordered the resolution reported favorably to the House by voice vote with a quorum present.

RECORD 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 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. 136 or ordering the resolution reported. A motion to order H. Con. Res. 136 reported favorably to the House was agreed to by voice vote with a quorum present.

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 pre-

pared 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 section 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to authorize the use of the Capitol Grounds for a celebration of Citizenship Day.

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 enclosed cost estimate for H. Con. Res. 136 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 3, 2009.

Hon. JAMES L. OBERSTAR,
*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. 136, a concurrent resolution authorizing the use of the Capitol grounds for a celebration of Citizenship Day.

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

Sincerely,

DOUGLAS W. ELMENDORF, *Director.*

Enclosure.

H. Con. Res. 136—A concurrent resolution authorizing the use of the Capitol grounds for a celebration of Citizenship Day

H. Con. Res. 136 would authorize the National Korean American Service and Education Consortium to use the Capitol grounds on September 17, 2009, or on such a date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate. Because the legislation would require the sponsors to assume responsibility for all expenses and liabilities associated with the event, CBO estimates that passage of H. Con. Res. 136 would result in no significant cost to the federal government.

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

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H. Con. Res. 136 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

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 (P.L. 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. 136 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 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 (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 136 makes no changes in existing law.