

AUTHORIZING THE PEACE CORPS COMMEMORATIVE FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES

SEPTEMBER 16, 2010.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 4195]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4195) to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, 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. MEMORIAL TO COMMEMORATE THE ESTABLISHMENT OF THE PEACE CORPS AND TO HONOR THE IDEALS UPON WHICH IT WAS FOUNDED.

(a) **AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.**—The Peace Corps Commemorative Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the formation of the Peace Corps and to honor the ideals upon which the Peace Corps was founded.

(b) **COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.**—The establishment of the commemorative work shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”).

(c) **USE OF FEDERAL FUNDS PROHIBITED.**—Federal funds may not be used to pay any expense of the establishment of the commemorative work. The Peace Corps Commemorative Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work.

(d) **DEPOSIT OF EXCESS FUNDS.**—If, upon payment of all expenses for the establishment of the commemorative work (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Peace Corps Commemorative Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

PURPOSE OF THE BILL

The purpose of H.R. 4195 is to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4195 would authorize the Peace Corps Commemorative Foundation to establish a memorial to “honor the preeminent historical and lasting significance of the establishment of the Peace Corps . . . and the American ideals and values upon which it was founded.”

The Peace Corps traces its roots and mission to 1960, when then-Senator John F. Kennedy, during an impromptu speech to students at the University of Michigan, challenged those young adults to give two years of their lives to help people in countries of the developing world. Five months later, President Kennedy signed an executive order, establishing the Peace Corps as a federal agency devoted to world peace and friendship.

Since that time, nearly 200,000 Peace Corps Volunteers have served in 139 host countries to train local people in technologies and issues including agricultural production, water quality improvement, basic education, AIDS education, information technology and environmental preservation.

The Foundation envisions that the memorial will be “an experiential landscape in which to stroll, gather, rest and meditate,” rather than a statue or building, and is seeking a “small, little-used, yet visible site near Washington’s Monumental Core.” H.R. 4195 requires that the monument comply with the Commemorative Works Act (P.L. 102–216) and would forbid the use of federal funds for establishment of the monument.

COMMITTEE ACTION

H.R. 4195 was introduced by Representative Sam Farr (D–CA) on December 3, 2009. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a June 24, 2010, hearing before the Subcommittee, a representative of the Department of the Interior testified that the Department supports the bill if amended to describe more clearly the ideals being commemorated and set an appropriate and high threshold for future commemorations of “ideals.”

On July 22, 2010, the Subcommittee was discharged from further consideration of H.R. 4195 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva (D–AZ) offered a package of en bloc amendments making three technical corrections. The amendments were adopted 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

Natural Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant 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, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

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 Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs.

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:

H.R. 4195—A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes

H.R. 4195 would authorize a nonprofit organization to establish a commemorative work on federal lands in the District of Columbia. The bill would affect direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that the net effect on the budget of enacting the legislation would be insignificant in any year.

H.R. 4195 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 legislation would authorize the Peace Corps Commemorative Foundation to establish a memorial to honor the Peace Corps. The memorial project, which would be completed without the use of federal funds, would be subject to the requirements of the Commemorative Works Act. Under that act, any entity that receives a permit to construct a memorial in the District of Columbia or its environs must donate to the National Park Foundation (a nonprofit organization) an amount equal to 10 percent of the memorial's estimated construction cost. That amount, as well as any project funds remaining after construction of the memorial, would be available in future years for maintenance of the memorial.

Based on the experience of similar commemorative projects, CBO expects that any amounts received by the federal government would not be received for several years and would be offset by a transfer to the National Park Foundation soon thereafter.

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

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 4195 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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.