

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

MARCH 10, 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. 37]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the concurrent resolution (H. Con. Res. 37) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, 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 37 is to authorize the use of the Capitol Grounds for the 2009 Greater Washington Soap Box Derby.

BACKGROUND AND NEED FOR LEGISLATION

The All-American Soap Box Derby is one of the largest competitive youth events in the country. Since 1934, the Soap Box Derby organizing committee has run a national program for children ages 9 through 17. The World Championship finals are held each August at Derby Downs in Akron, Ohio. There are three racing divisions based on age in most locals and at the All-American competition.

The 2009 Greater Washington Soap Box Derby will take place on Constitution Avenue between Delaware Avenue and Second Street, NW, Washington, DC, on June 20, 2009. The Greater Washington Soap Box Derby has been held on the U.S. Capitol Grounds since 1991. It has attracted more than 60 youth participants in each of those years. The D.C. Metropolitan race winners from each of the

Stock, Super Stock, and Masters Division Soap Box Derby races throughout the world will compete in Akron, Ohio, for scholarships and other prizes in the All-American Soap Box Derby. The All-American Derby youth program is administered by International Soap Box Derby, Inc., an Akron-based, non-profit corporation.

SUMMARY OF THE LEGISLATION

Section 1. Authorization of soap box derby races on Capitol grounds

Section 1 authorizes the use of the Capitol Grounds for the Greater Washington Soap Box Derby on June 20, 2009, or such other date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration may jointly designate.

Section 2. Conditions

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

Section 3. Structures and equipment

Section 3 allows the Architect of the Capitol to prescribe conditions for the physical preparations for the event.

Section 4. Additional arrangements

Section 4 authorizes the Architect of the Capitol and the Capitol Police Board to make any additional arrangements that may be required to carry out the event.

Section 5. Enforcement of restrictions

Section 5 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 February 4, 2009, Majority Leader Hoyer introduced H. Con. Res. 37.

On February 12, 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 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. 37 or ordering the resolution reported. A motion to order H. Con. Res. 37 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 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 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 the Greater Washington Soap Box Derby.

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. 37 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 17, 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. 37, a concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby.

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. 37—A concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby

H. Con. Res. 37 would authorize the Greater Washington Soap Box Derby Association to use the Capitol grounds on June 20, 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 it would require that the sponsors assume responsibility for all expenses and liabilities associated with

the event, CBO estimates that passage of H. Con. Res. 37 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. 37 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 (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. 37 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 (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Con. Res. 37 makes no changes in existing law.