

NATIONAL VETERANS MEMORIAL AND MUSEUM ACT

NOVEMBER 7, 2017.—Referred to the House Calendar and ordered to be printed

Mr. ROE of Tennessee, from the Committee on Veterans' Affairs,
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 1900]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 1900) to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
Amendment	2
Purpose and Summary	2
Background and Need for Legislation	2
Hearings	3
Subcommittee Consideration	3
Committee Consideration	4
Committee Votes	4
Committee Correspondence	5
Committee Oversight Findings	7
Statement of General Performance Goals and Objectives	7
New Budget Authority, Entitlement Authority, and Tax Expenditures	7
Earmarks and Tax and Tariff Benefits	7
Committee Cost Estimate	7
Congressional Budget Office Estimate	7
Federal Mandates Statement	8
Advisory Committee Statement	8
Constitutional Authority Statement	8
Applicability to Legislative Branch	8

Statement on Duplication of Federal Programs	8
Disclosure of Directed Rulemaking	9
Section-by-Section Analysis of the Legislation	9
Changes in Existing Law Made by the Bill as Reported	9
Minority Views	10

AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Veterans Memorial and Museum Act”.

SEC. 2. DESIGNATION OF NATIONAL VETERANS MEMORIAL AND MUSEUM.

(a) DESIGNATION.—Subject to the condition described in subsection (b), the memorial and museum that is, as of the date of the enactment of this Act, being constructed on an approximately 7-acre area on West Broad Street, Columbus, Ohio, bounded by the Scioto River and the Scioto Greenway, shall be designated as the “National Veterans Memorial and Museum”.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—As a condition of the designation under subsection (a), the director of the memorial and museum described in that subsection shall submit to Congress a report on the memorial and museum by not later than the date specified in paragraph (2). Such report shall include each of the following:

(A) The projected budget for the memorial and museum for the five-year period beginning on the date the memorial and museum is expected to open to the public.

(B) A description of the outreach conducted by the memorial and museum to veterans across the United States to receive input about the design and contents of the memorial and museum.

(C) A description of the process by which decisions are made about the contents of the exhibits displayed at the memorial and museum.

(D) A description of the organizational structure of the memorial and museum.

(E) A copy of the bylaws and rules of the memorial and museum.

(F) A list of any organizations or entities that have accredited the memorial and museum.

(2) DEADLINE FOR REPORT.—The date specified in this paragraph is the earlier of the following dates:

(A) The date that is 90 days after the date of the enactment of this Act.

(B) The date that is 30 days before the date on which the memorial and museum is first open to the public.

(c) EFFECT OF DESIGNATION.—The national memorial and museum designated by subsection (a) is not a unit of the National Park System, and the designation of the national memorial and museum shall not be construed to require Federal funds to be expended for any purpose related to the national memorial and museum.

PURPOSE AND SUMMARY

H.R. 1900, as amended, the Veterans Memorial and Museum Act, would designate the Veterans Memorial and Museum located in Columbus, Ohio, as the “National Veterans Memorial and Museum.”

BACKGROUND AND NEED FOR LEGISLATION

The purpose of the Veterans Memorial and Museum, which is currently under construction in Columbus, Ohio, is to honor, connect, inspire, and educate United States citizens about the service and sacrifice of our nation’s veterans. The Veterans Memorial and Museum will be dedicated to honor the service and sacrifice of all veterans, past and present. Accordingly, H.R. 1900, as amended, provides that such memorial and museum should be recognized as the National Veterans Memorial and Museum.

On September 13, 2017, the Subcommittee on Disability Assistance and Memorial Affairs held a legislative hearing, which included H.R. 1900 on the agenda. During the hearing, representatives from The American Legion, the Paralyzed Veterans of America, and the Veterans of Foreign Wars of the United States, testified in support of the bill.

Because the museum is not yet open, the Committee amended H.R. 1900 to establish that the “national” designation would attach on the day the museum opens. Additionally, H.R. 1900, as amended, would require the museum to submit a report to Congress that would provide certain information, including a description of how the museum will approve exhibits, as well as facts regarding the memorial and museum’s organizational structures and financial projections. Moreover, H.R. 1900, as amended, would clarify that the memorial and museum would not become a unit of the National Park system. Furthermore, H.R. 1900, as amended, would not obligate or authorize federal funds for the memorial and museum.

HEARINGS

On September 13, 2017, the Committee on Veterans’ Affairs, Subcommittee on Disability Assistance and Memorial Affairs held a legislative hearing on H.R. 1900.

The following witnesses testified:

The Honorable David Rouzer, U.S. House of Representatives; the Honorable Steve Stivers, U.S. House of Representatives; the Honorable Joyce Beatty, U.S. House of Representatives; the Honorable Matt Cartwright, U.S. House of Representatives; the Honorable Jim Banks, U.S. House of Representatives; the Honorable Chellie Pingree, U.S. House of Representatives; Mr. Matthew T. Sullivan, Deputy Under Secretary for Finance and Planning and Chief Financial Officer, National Cemetery Administration, U.S. Department of Veterans Affairs; accompanied by Ms. Roberta Lowe, Director, Office of Internal Controls, Acting Director, Debt Management Center, Office of Management, U.S. Department of Veterans Affairs; and Ms. Cheryl Rawls, Director, Pension & Fiduciary Service, Veterans Benefits Administration, U.S. Department of Veterans Affairs; Ms. Elizabeth H. Curda, Director, Education, Workforce, and Income Security Team, U.S. Government Accountability Office; Mr. Alex Zhang, Assistant Director, National Veterans Affairs and Rehabilitation Division, The American Legion; Mr. LeRoy Acosta, Assistant National Legislative Director, Disabled American Veterans; Mr. Blake Ortner, Deputy Government Relations Director, Paralyzed Veterans of America; Ms. Kathleen Moakler, Director, Survivor Advocacy, Tragedy Assistance Program for Survivors; and, Mr. John Towles, Deputy Director, National Legislative Service, Veterans of Foreign Wars of the United States.

SUBCOMMITTEE CONSIDERATION

H.R. 1900 was not considered before the Subcommittee.

COMMITTEE CONSIDERATION

On November 2, 2017, the Full Committee met in an open mark-up session, a quorum being present, and ordered H.R. 1900, as amended, favorably reported to the House of Representatives by voice vote. During consideration of the bill, the following amendments to H.R. 1900 were considered:

An amendment in the nature of a substitute offered by Mr. Roe of Tennessee that would, as a condition of the “national” designation, require the museum to provide a report to Congress, which would explain how exhibits would be approved and detailing the museum’s organizational and financial projections. The amendment in the nature of a substitute would also remove the findings and sense of Congress. Additionally, the amendment in the nature of a substitute would clarify that the Ohio museum would not become a unit of the National Park system, and would not obligate or authorize federal funds for the museum was agreed to by voice vote.

A substitute to the amendment in the nature of a substitute offered by Representative Tim Walz of Minnesota to H.R. 1900 which would have required that both Houses of Congress vote a second time once certain criteria are met to affirmatively designate the Veterans Memorial and Museum under construction in Columbus, Ohio, as the National Veterans Memorial and Museum. Congress would have been required to vote on the designation after the memorial and museum received accreditation from the American Alliance of Museums, and not later than 180 days after the director of the memorial and museum would have submitted a report to Congress. Such report would have included extensive detailed information regarding museum’s operations, financial matters, and governance and non-profit status. Additionally, the Substitute would have clarified that the memorial and museum is not a unit of the National Park System, and the designation of the national memorial and museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the national memorial and museum. The Substitute to the Amendment in the Nature of a Substitute was not agreed to by a voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, there were no recorded votes taken on amendments or in connection with ordering H.R. 1900, as amended reported to the House. A motion by Representative Gus M. Bilirakis of Florida to favorably report H.R. 1900, as amended, to the House of Representatives was agreed to by voice vote.

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U.S. House of Representatives

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ONE HUNDRED FIFTEENTH CONGRESS

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WASHINGTON, DC 20515

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RAY KELLEY
 DEMOCRATIC STAFF DIRECTOR

November 2, 2017

The Honorable Rob Bishop
 Chairman
 Committee on Natural Resources
 1324 Longworth House Office Building
 Washington, DC 20515

Dear Mr. Chairman:

I write to confirm our mutual understanding regarding H.R. 1900, as amended.

I appreciate the House Natural Resources Committee's waiver of consideration of provisions under its jurisdiction and its subject matter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 1900, as amended, and does not in any way waive or diminish the House Natural Resources Committee's jurisdictional interests over this legislation or similar legislation. I will support a request from the House Committee on Natural Resources for appointment to any House-Senate conference on H.R. 1900, as amended. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Again, thank you for your assistance with these matters.

Sincerely,



David P. Roe, M.D.
 Chairman

DPR/cd

cc: The Honorable Paul D. Ryan, Speaker of the House
 The Honorable Raul Grijalva, Ranking Member, House Natural Resources Committee
 The Honorable Timothy J. Walz, Ranking Member, House Veterans' Affairs Committee
 Mr. Thomas J. Wickham Jr., Parliamentarian

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DEMOCRATIC STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

November 3, 2017

The Honorable Phil Roe, M.D.
Chairman
Committee on Veterans' Affairs
335 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

I write concerning H.R. 1900, the National Veterans Memorial and Museum Act, which was additionally referred to the Committee on Natural Resources.

In the interest of permitting you to proceed expeditiously to floor consideration, I will allow the Committee on Natural Resources to be discharged from further consideration of the bill. I do so with the understanding that the Committee does not waive any jurisdictional claim over the subject matter contained in the bill that fall within its Rule X jurisdiction. I also request that you support my request to name members of the Committee on Natural Resources to any conference committee to consider such provisions. Finally, please include this letter in the report on the bill and into the Congressional Record during consideration of the measure on the House floor.

Thank you again for the very cooperative spirit in which you and your staff have worked regarding many issues of shared interest over the Congress.

Sincerely,



Rob Bishop
Chairman

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Kevin McCarthy, Majority Leader
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Thomas J. Wickham, Jr., Parliamentarian

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goal and objective is to designate the Veterans Memorial and Museum as the National Veterans Memorial and Museum.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 1900, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 1900, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 1900, as amended, provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 6, 2017.

Hon. PHIL ROE, M.D.,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1900, the National Veterans Memorial and Museum Act.

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

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 1900—National Veterans Memorial and Museum Act

H.R. 1900 would designate a memorial and museum, currently being constructed by a non-profit organization in Columbus, Ohio, as the National Veterans Memorial and Museum. The bill would require the director of the new museum to submit a report to the Congress on the memorial and museum's progress and operation. H.R. 1900 would clarify that neither part of the facility would be a unit of the National Park System and that the designation under the bill would not require federal funds to be expended. Thus, CBO estimates that H.R. 1900 would have no effect on the federal budget.

Enacting H.R. 1900 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 1900 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1900 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Logan Smith. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 1900, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 1900, as amended.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, H.R. 1900, as amended, is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 1900, as amended, 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.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1900, as amended, establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULEMAKING

Pursuant to section 3(i) of H. Res. 5, 115th Cong. (2017), the Committee estimates that H.R. 1900, as amended, contains no directed rule making that would require the Secretary to prescribe regulations.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Sec. 1. Short title

Section 1 would establish the short title of the Act.

Sec. 2. Designation of National Veterans Memorial and Museum

Section 2(a) would designate the Veterans Memorial and Museum as the National Veterans Memorial and Museum subject to certain conditions describe in subsection 3(b).

Section 2(b) would require the director of the Veterans Memorial and Museum to submit a report to Congress. Such report would include the projected budget for such memorial and museum for the five-year period beginning on the date the memorial and museum is expected to open to the public; a description of the outreach conducted by the Veterans Memorial and Museum to veterans across the United States to receive input about the design and contents of such memorial and museum; a description of the process by which decisions are made about the contents of the exhibits displayed at the memorial and museum; a description of the organizational structure of the memorial and museum; a copy of the bylaws and rules of the memorial and museum; and, a list of any organizations or entities that have accredited the memorial and museums. Such report must be submitted to Congress on the earlier of the following dates: the date that is 90 days after the date of the enactment of this Act or the date that is 30 days before the date on which the memorial and museum is first open to the public.

Section 2(c) would clarify that the National Veterans Memorial and Museum is not a unit of the National Park System, and the designation of such memorial and museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the memorial and museum.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

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

MINORITY VIEWS

The Minority commends the efforts of the Columbus Downtown Development Corporation (CDDC) to establish a museum and memorial to U.S. veterans of all eras in Columbus, Ohio. The materials provided Members of the Veterans Affairs Committee clearly demonstrate the intent to create an architecturally stunning, state-of-the-art institution in the heart of the country that honors veterans and educates the public about their sacrifices.

Because the planners in Columbus wish to have this museum and memorial designated by Congress as “The National Veterans Museum and Memorial,” the Minority has taken extremely seriously the Committee’s responsibility to ensure that it be established and operated to the highest possible standards, in perpetuity, as are the cemeteries and memorials under its jurisdiction run by the National Cemetery Administration and the American Battle Monuments Commission.

In the view of the Minority, the information the Committee received in testimony at the Disability Assistance and Memorial Affairs Subcommittee hearing on September 13, 2017 did not provide the detail necessary to be assured that this museum will meet that high standard. Many questions were left unanswered about how the museum’s governance structure will work and how the museum will be funded. Therefore, the Minority greatly appreciates the efforts of the Chairman and the museum’s proponents to include a new provision in the Act to require a report to Congress 90 days after the date of enactment. This report must address the issues of budget, governance, operations, vision and veteran outreach.

Another matter of concern to the Minority is the precedent being set in H.R. 1900 to confer a “national” designation on an effort to honor and memorialize veterans. The Minority feels it is important to emphasize that clear guardrails should be in place to guide future efforts to receive this designation. Therefore, at the Full Committee mark up on November 2, 2017, the Ranking Member offered an alternative which required much greater specificity in the required report. This alternative failed. Therefore, the Minority further appreciates that the Chairman has agreed to add additional language in a manager’s amendment as the legislation moves to the House Floor which allows Congress to remove the designation should it find the information in the report to be insufficient.

The Minority believes that with the addition of this provision, the Committee will have done its due diligence before recommending to the House that it confer this national designation, and that it has put in place the necessary guardrails to ensure that the museum and memorial being built in Columbus, Ohio will truly be The National Veterans Museum and Memorial.

TIMOTHY J. WALZ.

