

FREE VETERANS FROM FEES ACT

APRIL 27, 2018.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 3997]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3997) to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on Federal land, 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. SHORT TITLE.

This Act may be cited as the “Free Veterans from Fees Act”.

SEC. 2. WAIVER OF SPECIAL USE PERMIT APPLICATION FEE FOR VETERANS DEMONSTRATIONS AND SPECIAL EVENTS.

(a) WAIVER.—The application fee for any special use permit solely for a veterans demonstration or special event at war memorials on Federal land shall be waived.

(b) DEFINITIONS.—In this section:

(1) DEMONSTRATION; SPECIAL EVENT.—The terms “demonstration” and “special event” have the meaning given those terms in section 7.96 of title 36, Code of Federal Regulations.

(2) VETERAN.—The term “veteran” has the meaning given that term in section 101(2) of title 38, United States Code.

(3) VETERANS DEMONSTRATION OR SPECIAL EVENT.—The term “veterans demonstration or special event” means a demonstration or special event whose primary purpose is to commemorate, or honor either a group of people because of their service as veterans or immediate family members of veterans.

(4) WAR MEMORIAL.—The term “war memorial” means any tangible object which has been erected or dedicated to commemorate—

(A) war, conflict, victory, or peace;

(B) casualties who served in, were affected by, or killed as a result of war, conflict, or peacekeeping; or

(C) those who died as a result of accident or disease while engaged in military service.

(c) APPLICABILITY.—This section shall apply to any special use permit application submitted after the date of the enactment of this Act.

(d) APPLICABILITY OF EXISTING LAWS.—Permit applicants remain subject to all other laws, regulations, and policies regarding the application, issuance and execution of special use permits for a veterans demonstration or special event at war memorials on Federal land.

PURPOSE OF THE BILL

The purpose of H.R. 3997 is to waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on federal land.

BACKGROUND AND NEED FOR LEGISLATION

Special use permits are required by the National Park Service (NPS) for activities that provide a benefit to an individual, group, or organization, and for activities that require the use of a designated park location for a specific purpose and length of time.¹ According to NPS, special use permits can be used for reoccurring events like sports activities, picnics, weddings and family celebrations.² Other types of special use permits are used for special events including entertainment, charity events, races, tournaments, educational activities and demonstrations.³ The final type of special use permits are for construction, research and utilities that benefit the surrounding communities and often involve access, infrastructure or research.⁴ Special use permits are only issued by NPS for activities which are appropriate for the purpose for which the park was established and activities that can be sustained without causing unacceptable impacts to the valuable resources of the park.⁵

All applications for special use permits must be accompanied by a payment for initial processing, unless determined to be a First Amendment activity. Application fees vary widely. Currently, NPS charges \$120 for public gatherings and special events applications and \$90 for special use applications on the National Mall in Washington, D.C.⁶ These application fees do not preclude the recovery of other costs associated with issuance of the permit.

In recognition of the significant sacrifices veterans have made for our country, H.R. 3997 would waive the application fee associated with special use permits for any veteran demonstration or special event at war memorials on federal land.

COMMITTEE ACTION

H.R. 3997 was introduced on October 10, 2017, by Congressman Keith J. Rothfus (R-PA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On April 11, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Rob Bishop (R-

¹ National Park Service, Special Use Permits, <https://www.nps.gov/nace/planyourvisit/special-use-permits.htm>.

² Ibid.

³ Ibid 2

⁴ Ibid 2

⁵ Ibid 2

⁶ National Park Service, Permits & Reservations <https://www.nps.gov/nama/planyourvisit/permitsandreservations.htm>.

UT) offered an amendment designated #1; it was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was 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.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 2018.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3997, the Free Veterans from Fees Act.

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

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 3997—Free Veterans from Fees Act

H.R. 3997 would waive application fees for permits to hold certain veterans' events at war memorials on federal land.

CBO is aware of two agencies that operate such war memorials: the National Park Service (NPS) and the Department of Defense (DoD). Current law authorizes the NPS to recover the costs of providing necessary services at events held on NPS lands. Permit application fees, which average \$75 each, may be applied toward that cost recovery. Those fees and any other cost recovery payments are recorded as discretionary offsetting collections. According to the NPS, however, the agency already waives permit application fees for most veterans' events that would be covered under the bill. According to DoD, veterans typically have access to war memorials on military bases, and it does not collect application fees for the type of permits that would be covered under the bill. As a result, CBO estimates that implementing H.R. 3997 would affect a small number of permit applications and would increase net discretionary spending by an insignificant amount.

Enacting H.R. 3997 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 3997 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 3997 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contacts for this estimate are Janani Shankaran (for the NPS) and David Newman (for DoD). The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 waive the application fee for any special use permit for veterans demonstrations and special events at war memorials on federal land.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

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 to existing law.