

TO AUTHORIZE THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL FOUNDATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES

MAY 11, 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. 1037]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1037) to authorize the National Emergency Medical Services Memorial 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. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.

(a) **IN GENERAL.**—The National Emergency Medical Services Memorial Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the commitment and service represented by emergency medical services.

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

(c) **PROHIBITION ON THE USE OF FEDERAL FUNDS.**—

(1) **IN GENERAL.**—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) **RESPONSIBILITY OF NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL FOUNDATION.**—The National Emergency Medical Services Memorial Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) **DEPOSIT OF EXCESS FUNDS.**—

(1) **IN GENERAL.**—If upon payment of all expenses for the establishment of the memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the 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.

(2) ON EXPIRATION OF AUTHORITY.—If 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 Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or Administrator (as appropriate) following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under 8906(b)(2) or (3) of title 40, United States Code.

#### PURPOSE OF THE BILL

The purpose of H.R. 1037 is to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs.

#### BACKGROUND AND NEED FOR LEGISLATION

The men and women of the Emergency Medical Services (EMS) profession face daily risk and danger to help their neighbors in crisis and to save lives. EMS practitioners serve on the frontlines of medicine, safeguarding the health, safety, and well-being of the nation's communities. While their first-responder peers in law enforcement and firefighting have been honored with national memorials, EMS providers have not.<sup>1</sup>

EMS providers are critical to the nation's safety. They respond to incidents ranging from a single person's medical emergency to natural and man-made disasters, including terrorist attacks. The EMS, along with those in law enforcement and firefighters, are a vital part of the country's homeland and national security efforts.

Each year, 850,000 EMS providers answer more than 30 million calls to serve 22 million patients in need of care at a moment's notice.<sup>2</sup> According to data from the Department of Labor and the National Highway Safety Administration, Emergency Medical Technicians and paramedics have a rate of injury that is about three times the national average for all occupations.<sup>3</sup>

H.R. 1037 would authorize the National Emergency Medical Services Memorial Foundation, a 501(c)3 organization, to place a commemorative work on federal land in the District of Columbia to commemorate the commitment and service represented by the EMS community. The establishment of a commemorative work must comply with the Commemorative Works Act of 1986 (40 U.S.C. § 8901 et seq.); no federal funds may be used to pay for the commemorative work, and the Foundation will be solely responsible for funding the project.

On August 1, 2017, Senator Christopher A. Coons (D–DE) introduced a companion bill, S. 1692. The Senate Energy and Natural Resources Committee ordered S. 1692 favorably reported on March 8, 2018.

<sup>1</sup>The National Law Enforcement Officers Memorial is located at 400 E Street NW, Washington, DC. The National Fallen Firefighters Memorial is located on South Seton Ave, Emmitsburg, MD.

<sup>2</sup>2011 National EMS Assessment. Federal Interagency Committee on Emergency Medical Services. US DOT, National Highway Safety Administration. <https://www.ems.gov/pdf/research/Studies-and-Reports/National-EMS-Assessment-2011.pdf>

<sup>3</sup>Maguire BJ, Smith S. Injuries and fatalities among emergency medical technicians and paramedics in the United States. *Prehospital Disaster Medicine*. 2013, Aug; 28 (4): 376–382.

## COMMITTEE ACTION

H.R. 1037 was introduced on February 14, 2017, by Congressman Stephen F. Lynch (D-MA). 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 Subcommittee held a hearing on the legislation. On April 18, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Rob Bishop (R-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, May 4, 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. 1037, a bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

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. 1037—A bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes*

H.R. 1037 would authorize the National Emergency Medical Services Memorial Foundation (a nonprofit organization) to establish a memorial in or near the District of Columbia to commemo-

rate the commitment and service of first responders in medical emergencies.

Because H.R. 1037 would prohibit the use of federal funds to establish the memorial, CBO estimates that implementing the bill would have no effect on spending subject to appropriation.

The project would be subject to the requirements of the Commemorative Works Act. That act directs any entity that receives a permit to construct a memorial to donate to the National Park Foundation (a nonprofit organization whose subsequent donations to the National Park Service are recorded on the budget) an amount equal to 10 percent of the memorial's estimated construction costs. That donation and any project funds remaining after construction would be available for maintenance of the memorial without the need for appropriations.

Based on the experience of similar commemorative projects, CBO expects that any amounts collected by the federal government for maintenance of the memorial would not be received for several years and would be offset by an expenditure soon thereafter. Thus, on net, CBO estimates that the effect on direct spending would be insignificant.

Because enacting H.R. 1037 would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 1037 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 1037 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On March 20, 2018, CBO transmitted a cost estimate for S. 1692, the National Emergency Medical Services Commemorative Work Act, as ordered reported by the Senate Committee on Energy and Natural Resources on March 8, 2018. The two bills are similar, and CBO's estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Janani Shankaran. 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 authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs.

#### 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.

