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OFFICE OF PUBLIC BUILDINGS AND PUBLIC PARKS OF  
THE NATIONAL CAPITAL

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MAY 24, 1926.—Committed to the Committee of the Whole House on the state  
of the Union and ordered to be printed

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MR. RATHBONE, from the Committee on the District of Columbia,  
submitted the following

REPORT

[To accompany S. 2042]

The Committee on the District of Columbia, to whom was referred the bill (S. 2042) relating to the office of Public Buildings and Public Parks of the National Capital, having considered the same, report favorably thereon with the recommendation that the bill do pass, and for a report your committee adopts as its own the Senate report on S. 2042, Calendar No. 392, a copy of which is hereto attached.

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[Senate Report No. 391, Sixty-ninth Congress, first session]

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Under the present law the number of privates on the United States park police force is limited to 54. Section 1 of the bill hereby reported strikes out such limitation and permits the employment of "such others as the Director of Public Buildings and Public Parks of the National Capital deems necessary and are appropriated for by Congress." At the present time, there is need for six additional members of the force in order to permit relief from duty one day a week of each member of the park police. The authority sought is similar to that given the District Commissioners under existing law whereby they may add to the Metropolitan police force such additional men "as the commissioners \* \* \* may deem necessary within the appropriations made by Congress." Even when the bill hereby reported is passed, however, it will not be possible to add men to the park police force until Congress makes appropriation therefor. Such appropriation can not be made, though deemed advisable, until enlargement of the force is authorized by this bill. As stated, Congress will still retain full control over the number of men employed as park police, through control over appropriations therefor.

Furthermore, under existing law, it is not possible to add to the park police force even when new park reservations are acquired and need for additional park police posts arises. Enactment of this bill will permit addition of necessary personnel by mere increase in the appropriation for the park police force without amendment of the basic law every time need arises for another park policeman.

Section 2 of the bill, as amended, will place members of the park police and Metropolitan police of the District of Columbia on an equality with reference to annual leave and sick leave. At present the park police are allowed 30 days' annual leave; the Metropolitan police but 20. The amended bill reduces the annual leave of the park police to not exceeding 20 days with pay.

The members of both forces are now allowed 30 days' sick leave per year, with a further provision, in the case of the Metropolitan police only, for such additional sick leave with full pay as may be recommended by members of the Board of Police and Fire Surgeons in case of sickness or injury incurred in actual performance of duty. The amended bill corrects the present inequality as to sickness or injury incurred in line of duty, for the reason that the park police have the same risks and the same chances of injury in their work, and it seems only just to permit them also to continue on a pay status while recovering from injury or illness incurred in protecting the lives and property of others.

Section 3 of the bill amends the traffic regulation act of the District of Columbia by striking out the clause authorizing the Chief of Engineers to regulate traffic in the park system and public grounds of the District of Columbia, substituting the Director of Public Buildings and Public Parks of the National Capital.

The act establishing the office of the Director of Public Buildings and Public Parks transferred to him the authority previously exercised by the Chief of Engineers of the Army with respect to regulation of vehicular traffic. This was not in effect, however, when the District of Columbia traffic bill was drafted, and that bill was passed without notice being taken of the fact that while it provided for control of park traffic by the Chief of Engineers, that official had been divested of such authority just a few days previously by the act creating the office of Director of Public Buildings and Public Parks. There is therefore a discrepancy between the two acts, which this bill corrects, placing the responsibility for traffic regulation in the parks and public grounds on the Director of Public Buildings and Public Parks as Congress intended in establishing that office.

Appended hereto and made a part of this report are a favorable report by the District Commissioners and two explanatory letters from the Director of Public Buildings and Public Parks of the National Capital, as well as approving letter of the Director of the Bureau of the Budget.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,  
Washington, January 22, 1926.

HON. ARTHUR CAPPER,  
Chairman Committee on the District of Columbia,  
United States Senate, Washington, D. C.

SIR: The Commissioners of the District of Columbia have the honor to recommend favorable action on Senate bill 2042, Sixty-ninth Congress, first session, entitled "A bill relating to the office of Public Buildings and Public Parks of the National Capital," which you referred to them for report as to the merits of the bill and the propriety of its passage.

The object of the bill is to amend the existing law affecting the members of the United States park police, and to substitute the director of Public Buildings and Public Parks of the National Capital in lieu of the Chief of Engineers of the United States Army so far as it affects the regulation of motor-vehicle traffic in the parks under control of the United States.

The first section of the bill proposes to extend to the director of Public Buildings and Public Parks an authority similar to that now vested by law in the commissioners, of determining the number of officers and men in the park police force from time to time, subject to appropriations to be made by Congress. At present section 4 of the basic law of May 27, 1924, fixes the number of positions of officers and privates constituting this force, whereas the same act which covers the Metropolitan police force merely enumerates the positions, but does not fix the number.

Section 2 of the bill provides for amending the act of May 7, 1924, by authorizing leave of absence on account of disability incurred by reason of injury in the line of duty. The legislation as proposed contains the same adequate safeguards against any abuse of the privilege as now applicable to the Metropolitan police force.

Section 3 of the bill simply provides for substituting in section 16 of the traffic act of the District of Columbia the Director of Public Buildings and Public Parks of the National Capital in lieu of the Chief of Engineers of the United States Army in the enforcement of traffic regulations covering the park system

of the District of Columbia. This proposed change is in accordance with the act of Congress of February 26, 1925, which turned over to said director certain authority which theretofore had been vested in the Chief of Engineers of the United States Army.

The commissioners are advised that the legislation proposed in this bill has been considered by the Director of the Budget and that he has advised that its provisions are not in conflict with the financial program of the President.

Very respectfully,

J. F. BELL,

*Acting President, Board of Commissioners of the District of Columbia.*

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OFFICE OF PUBLIC BUILDINGS AND PUBLIC  
PARKS OF THE NATIONAL CAPITAL,  
December 29, 1925.

HON. ARTHUR CAPPER,  
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: I inclose herewith the prepared bill relating to the Office of Public Buildings and Public Parks of the National Capital, making certain provisions relative to officers and members of the United States park police force, granting additional disability pay in cases where the disability is in direct consequence of injury in the performance of duty, and correcting a statute approved March 3, 1925, so as to correctly designate this office.

Section 1 of the bill is recommended for the reason that the law at present (43 Stat. 175) limits the number of privates on said force to 54. There is at present a need of six additional members of the force in order to permit relief from duty one day off in seven, as now permitted to the Metropolitan police force of the District of Columbia. The law now fixing the number of Metropolitan police contains the clause at the end:

"\* \* \* and such others as the Commissioners of the District of Columbia may deem necessary within the appropriations made by Congress."

It is submitted that authority should be given for the appointment of such additional park police as the Director of Public Buildings and Public Parks deems necessary and are appropriated for by Congress. Under existing law new reservations are acquired from time to time, and as these accretions accumulate sufficiently to require the establishment of an additional police post it should be possible to obtain the added necessary personnel by mere increase in the appropriation without amendment of the basic law every time.

Section 2 of the proposed act is recommended for the reason that it occasionally happens that a member of the park police is so disabled by an injury incurred in the actual performance of duty that he is wholly unable to resume his duties at the end of the maximum period of 30 days sick leave now allowed. I therefore recommend that in case of an injury of this kind, incurred in performing duty, three-fourths pay may be granted in the discretion of the director, for a time not exceeding one year, the disability to be certified to by the police and fire department surgeons.

This is similar to the existing provisions for the Metropolitan police, except that the latter may receive full pay under the same circumstances. As the park police have the same risks and the same chances of injury in line of duty, it seems only just to permit them also to continue on a pay status while recovering from injury incurred in protecting the lives and property of others.

Section 3 of the proposed bill is proposed to correct an error in legislation. The act establishing the Office of the Director of Public Buildings and Public Parks and transferring to that officer the authority previously exercised by the Chief of Engineers of the Army with respect to regulations of vehicles and traffic within the public grounds in the District of Columbia was approved on February 25, 1925. A few days later—namely, on March 3, 1925—a traffic act was passed which provided, in paragraph (b) of section 16, as follows:

"\* \* \* nothing contained in this act shall be construed to interfere with the exclusive charge and control heretofore committed to the Chief of Engineers over the park system of the District of Columbia, and he is hereby authorized and empowered to make and enforce all regulations for the control of vehicles and traffic, and limiting the speed thereof on roads, highways, and bridges within the public grounds in the District of Columbia, under his control, subject to the penalties prescribed in this act."

The control therefore committed to the Chief of Engineers over the park system has been, a few days before the passage of this act, transferred to the Director of Public Buildings and Public Parks. To properly locate the authority for establishing the regulations in question, therefore, the amendment proposed in section 3 of the bill is submitted as necessary.

I also inclose a copy of a letter of Gen. H. M. Lord, Director of the Budget, approving the bill as transmitted herewith.

I shall be pleased if you will introduce and properly refer the bill for proper consideration.

Very truly yours,

U. S. GRANT, 3d, *Acting Director.*

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OFFICE OF PUBLIC BUILDINGS AND PUBLIC PARKS  
OF THE NATIONAL CAPITAL,  
March 10, 1926.

Hon. ARTHUR CAPPER,  
*Chairman Committee on the District of Columbia,  
United States Senate, Washington, D. C.*

MY DEAR SENATOR: In connection with consideration by your committee of the bill relating to the park police (S. 2042), permit me to state that the purpose of this legislation was merely to carry out the intention of Congress as this office believed it to be expressed in the act of May 27, 1924, to put the personnel of the park police force on a level with that of the Metropolitan police force as far as concerns leave and other privileges. Since the park police are Federal employees and as such come under the ordinary civil service and classification rules, it is found that certain features require more explicit statement. The bill now before you was intended to fill this need.

I believe the bill in general follows wording suggested by this office, but subsequent investigation showed that section 2 failed to accomplish the purpose intended and still leaves some differences and inequalities between the park police and the Metropolitan police. As both police forces perform similar duties, have equal responsibilities, and work under the same conditions of service, I do not suppose that your committee will question the justice of equalizing the conditions of employment of the two forces. I request your favorable consideration of a new draft for section 2, along the lines suggested in the draft herewith, to be substituted in the bill for the section 2 as it now reads. You will note that this new draft equalizes the conditions of employment of the two forces where such a change is unfavorable to the park police as well as where it is favorable.

The reasons for sections 1 and 3 were explained to you in my letter of December 29, 1925.

Very truly yours,

U. S. GRANT, 3d, *Director.*

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BUREAU OF THE BUDGET,  
*Washington, January 9, 1926.*

Maj. U. S. GRANT, 3d,  
*Director Office of Public Buildings and Public Parks,  
Washington, D. C.*

MY DEAR MAJOR GRANT: I have your letter of January 7, 1926, with further reference to the proposed legislation affecting the United States park police force, with particular regard to annual and sick leave.

The proposed change in section 2 of the bill, which would give the park police the same status as the Metropolitan police, as affecting annual and sick leave, is not in conflict with the financial program of the President.

Very truly yours,

H. M. LORD, *Director.*