

AUTHORIZING THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION TO PLAN, DESIGN, AND CONSTRUCT A VEHICLE MAINTENANCE BUILDING AT THE VEHICLE MAINTENANCE BRANCH OF THE SMITHSONIAN INSTITUTION LOCATED IN SUITLAND, MARYLAND, AND FOR OTHER PURPOSES

SEPTEMBER 30, 2009.—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.R. 3224]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3224) to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

### PURPOSE OF THE LEGISLATION

H.R. 3224 authorizes the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland.

### BACKGROUND AND NEED FOR LEGISLATION

According to the Smithsonian Institution (Smithsonian), its Office of Facilities Engineering and Operations and Office of Management and Reliability currently manage the bulk of its Vehicle Maintenance Branch operations from the National Zoological Park's General Services Building. The Vehicle Maintenance Branch is responsible for maintenance, repair, and fueling of more than 780 Smithsonian vehicles and pieces of equipment valued at more than \$17 million.

According to the Smithsonian, the location of the Vehicle Maintenance Branch has become increasingly incompatible with the functional and environmental needs of the Zoo's General Services Building. In addition, the Vehicle Maintenance Branch and other offices housed in the General Services Building must be relocated for at least two years while the building undergoes structural renovations that are scheduled to begin in fiscal year 2012.

Transferring the Vehicle Maintenance Branch to a new site will increase the ability of the Smithsonian to use alternative fuels in its vehicles. The Smithsonian proposes to construct a vehicle maintenance building at its facilities in Suitland, Maryland. The proposed site currently has both a Compressed Natural Gas fueling station and a gasoline fueling station. Furthermore, the Smithsonian plans to install E-85 and biodiesel above-ground fuel tanks at the facility. The Zoo's General Services Building does not have the space available to accommodate these alternative fuel tanks.

Construction of the Vehicle Maintenance Branch is estimated to cost \$4 million.

#### SUMMARY OF THE LEGISLATION

##### *Section 1. Vehicle maintenance building, Suitland, Maryland*

Subsection (a) authorizes the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland.

Subsection (b) outlines the purpose of the building.

##### *Sec. 2. Authorization of appropriations*

This section authorizes appropriations of \$4,000,000 in fiscal year 2010 for the vehicle maintenance building.

#### LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On July 15, 2009, Representative Xavier Becerra introduced H.R. 3224. On July 30, 2009, the Committee on Transportation and Infrastructure met in open session and ordered the bill 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.R. 3224, or ordering the bill reported. A motion to order H.R. 3224 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 objective of this legislation are to authorize the Smithsonian to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland.

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.R. 3224 from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 8, 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.R. 3224, a bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes.

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

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*H.R. 3224—A bill to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes*

H.R. 3224 would authorize the appropriation of \$4 million for the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at their facilities in Suitland, Maryland. Assuming appropriation of the authorized amounts, CBO estimates

that implementing H.R. 3224 would cost \$4 million over the 2010–2014 period, as shown in the following table. Enacting the bill would not affect direct spending or receipts.

	By fiscal year, in millions of dollars—					
	2010	2011	2012	2013	2014	2010–2014
Authorization Level .....	4	0	0	0	0	4
Estimated Outlays .....	1	2	1	0	0	4

H.R. 3224 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Christina Hawley Anthony. The estimate was approved by Peter H. Fontaine, 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, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. H.R. 3224 does not contain any earmarks, limited tax benefits, or limited tariff benefits under clause 9(e), 9(f), or 9(g) of rule XXI.

#### 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 (P.L. 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.R. 3224 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 (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3224 makes no changes in existing law.

