

PROVIDING FUNDS TO THE ARMY CORPS OF ENGINEERS
TO HIRE VETERANS AND MEMBERS OF THE ARMED
FORCES TO ASSIST THE CORPS WITH CURATION AND
HISTORIC PRESERVATION ACTIVITIES, AND FOR OTHER
PURPOSES

SEPTEMBER 14, 2010.—Committed to the Committee of the Whole House on the
State of the Union and 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. 5282]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 5282) to provide funds to the Army
Corps of Engineers to hire veterans and members of the Armed
Forces to assist the Corps with curation and historic preservation
activities, and for other purposes, having considered the same, re-
port 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. FINDINGS.

Congress finds the following:

(1) The Corps of Engineers and other Federal agencies are required to pre-
serve and catalogue artifacts and other items of national historical significance
that are uncovered during the course of their work.

(2) Uncatalogued artifacts within the care of Federal agencies are stored in
hundreds of repositories and museums across the Nation.

(3) In October 2009, the Corps of Engineers, Center of Expertise for Curation
and Management of Archeological Collections, used \$3,500,000 in temporary
funds made available in the American Recovery and Reinvestment Act of 2009
(Public Law 111-5) to begin the Veterans' Curation Program to employ and
train Iraq and Afghanistan veterans in archaeological processing.

(4) The Veterans' Curation Program employs veterans and members of the Armed Forces in the sorting, cleaning, and cataloguing of artifacts managed by the Corps of Engineers.

(5) Employees of the Veterans' Curation Program gain valuable work skills, including computer database management, records management, photographic and scanning techniques, computer software proficiency, vocabulary and writing skills, and interpersonal communication skills, as well as knowledge and training in archaeology and history.

(6) Experience in archaeological curation gained through the Veterans' Curation Program is valuable training and experience for the museum, forensics, administrative, records management, and other fields.

(7) Veterans' Curation Program participants may assist the Corps of Engineers in developing a more efficient and comprehensive collections management program and also may provide the workforce to meet the records management needs at other agencies and departments, including the Department of Veterans Affairs.

SEC. 2. TRAINING AND EMPLOYMENT FOR VETERANS AND MEMBERS OF ARMED FORCES IN CURATION AND HISTORIC PRESERVATION.

(a) **TRAINING AND EMPLOYMENT.**—The Secretary of the Army, acting through the Chief of Engineers, shall develop a Veterans' Curation Program to hire veterans and members of the Armed Forces to assist the Secretary in carrying out curation and historic preservation activities.

(b) **AUTHORIZATION OF APPROPRIATION.**—There is authorized to be appropriated to carry out this section—

- (1) \$5,000,000 for fiscal year 2011;
- (2) \$6,000,000 for fiscal year 2012;
- (3) \$7,000,000 for fiscal year 2013;
- (4) \$8,000,000 for fiscal year 2014; and
- (5) \$9,000,000 for fiscal year 2015.

PURPOSE OF THE LEGISLATION

H.R. 5282, as amended, authorizes the Army Corps of Engineers' (Corps) Veterans Curation Program, and allows the Corps to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Curation is defined as the long-term, professional management and care of all objects, materials, and records recovered as the result of a Federal or non-Federal archeological undertaking. As part of the Federal Government's effort to protect and preserve the nation's cultural and archeological resources, Federal regulations (notably 36 C.F.R. part 79) require Federal agencies to provide curatorial services to manage and preserve collections according to professional museum and archival practices.

The following description, excerpted from the Corps' "Digest of Water Resources Policies and Authorities" (EP 1165–2–1), describes the role of the Corps in providing curation support for water-resource related projects.

Cultural resources management is an equal and integral component of natural resource management at operating Civil Works projects. Further, [the Corps'] traditional view of cultural resources as representative of only the non-living and non-renewable components of natural resources as discussed under section 101(b) of [the National Environmental Policy Act] is changing. Today, as [the Corps] gains greater insights and knowledge of other cultures, [the Corps is] realizing that landscape features can have significant cultural significance as well as corresponding eco-

system values. Thus, it is the policy of the Corps to identify, evaluate, and manage cultural resources that are eligible for listing in, or listed in, the National Register of Historic Places. Associated with this policy is the Corps responsibility to ensure that cultural resource management activities are consistent with federal laws and regulations pertaining to Native American rights, curation and collections management, and the protection of resources from looting and vandalism.

In 2009, the Corps allocated \$29.7 million from the American Recovery and Reinvestment Act (P.L. 111-5) (Recovery Act) to open three Veterans Curation Project (VCP) laboratories throughout the nation. The locations of these laboratories are: (1) Augusta, Georgia; (2) Washington, D.C.; and (3) St. Louis, Missouri (at the Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX-CMAC)).

The purpose of these laboratories is to carry out the Corps' curation responsibilities, including cataloging, scanning, and photographing records and artifacts, while utilizing and training a workforce of disabled or wounded veterans, or veterans who have recently returned from overseas (including tours in Iraq and Afghanistan). The VCP program seeks to impart skills in computer databases, digital scanning, digital image capture, and writing skills to the veterans while improving the Corps' management of its heritage assets. According to the U.S. Army, the technical skills learned by veterans at the laboratories will be transferrable to jobs outside the laboratories, including forensic technicians and records management.

H.R. 5282, as amended, provides a permanent authorization for the Corps' VCP, and allows the Corps to meet its dual mission of hiring and training of the nation's veterans, while carrying out its legal responsibilities to preserve and protect the nation's cultural heritage.

SUMMARY OF THE LEGISLATION

Section 1. Findings

Section 1 sets out the findings for the bill.

Sec. 2. Training and employment for veterans and members of the armed services in curation and historic preservation

Section 2(a) directs the Secretary of the Army, acting through the Chief of Engineers, to develop a Veterans' Curation Program to hire veterans and members of the Armed Forces to assist the Corps with its curation and historic preservation activities.

Section 2(b) authorizes appropriations to implement this program. It authorizes a total of \$35 million for fiscal years 2011 through 2015.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On November 4, 2009, the Committee on Transportation and Infrastructure held a hearing, entitled "Recovery Act: Progress Report on Water Infrastructure Investment". At this hearing, the Assistant Secretary of the Army (Civil Works), Jo-Ellen Darcy, testi-

fied on the use of funds from the Recovery Act to open the first VCP laboratory in Augusta, Georgia.

On May 12, 2010, Representative John Barrow introduced H.R. 5282.

On May 26, 2010, the Committee on Transportation and Infrastructure held a hearing, entitled “Recovery Act: Progress Report on Water Infrastructure Investment”. At this hearing, the Principal Deputy Assistant Secretary of the Army (Civil Works), Terrence C. Salt, testified on the use of funds from the Recovery Act to open the second and third VCP laboratories in Washington, D.C. and St. Louis, Missouri.

On July 29, 2010, the Committee on Transportation and Infrastructure met in open session to consider H.R. 5282. The Committee adopted by voice vote an amendment in the nature of a substitute. The Committee ordered the bill, as amended, 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. 5282 or ordering the bill reported. A motion to order H.R. 5282, as amended, 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 objectives of this legislation are to hire and train veterans and members of the Armed Forces, while also helping the Corps’ complete its curation and historic preservation activities.

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. 5282, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 10, 2010.

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. 5282, a bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

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

Sincerely,

ROBERT A. SUNSHINE
(For Douglas W. Elmendorf, Director).

Enclosure.

H.R. 5282—A bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes

Summary: H.R. 5282 would authorize appropriations totaling \$35 million over the 2011–2015 period for the Corps of Engineers to develop a program to hire veterans to assist the Corps with its curation and historic preservation activities. Assuming appropriation of authorized amounts, CBO estimates that implementing H.R. 5282 would cost \$32 million over the 2011–2015 period. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 5282 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 5282 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2011	2012	2013	2014	2015
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level	5	6	7	8	9
Estimated Outlays	3	5	7	8	9
					35
					32

Basis of estimate: For this estimate, CBO assumes that H.R. 5282 will be enacted near the beginning of fiscal year 2011 and that the funds will be appropriated in the year they are authorized. CBO estimates that implementing H.R. 5282 would cost \$32 million over the 2011–2015 period. Estimated outlays are based on information provided by the Bureau of Reclamation.

lion over the 2011–2015 period. Estimated outlays are based on information provided by the Bureau of Reclamation.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 5282 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Aurora Swanson; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy 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. 5282, as amended, 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. 5282, as amended, 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. 5282, as amended, makes no changes in existing law.

