

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 8, 2015.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3114]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3114) 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, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

| | Page |
|---|------|
| Purpose of Legislation | 2 |
| Background and Need for Legislation | 2 |
| Hearings | 3 |
| Legislative History and Consideration | 4 |
| Committee Votes | 4 |
| Committee Oversight Findings | 4 |
| New Budget Authority and Tax Expenditures | 4 |
| Congressional Budget Office Cost Estimate | 4 |
| Performance Goals and Objectives | 5 |
| Advisory of Earmarks | 6 |
| Duplication of Federal Programs | 6 |
| Disclosure of Directed Rule Makings | 6 |
| Federal Mandate Statement | 6 |
| Preemption Clarification | 6 |
| Advisory Committee Statement | 6 |
| Applicability of Legislative Branch | 6 |
| Section-by-Section Analysis of Legislation | 7 |
| Changes in Existing Law Made by the Bill, as Reported | 7 |

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 preserve and catalogue artifacts and other items of national historical significance that are uncovered during the course of their work (notably under part 79 of title 36, Code of Federal Regulations).
- (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 the Curation and Management of Archaeological Collections, initiated 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) Since 2009, a total of 241 veterans have participated in the Veterans' Curation Program, including the current class of 38 participants. Of the 203 graduates of the program, 87 percent have received permanent employment in a field related to training received under the program or chosen to continue their education.
- (7) 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.
- (8) 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.

Using available funds, the Secretary of the Army, acting through the Chief of Engineers, shall carry out 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.

PURPOSE OF LEGISLATION

The purpose of H.R. 3114 is to authorize 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.

BACKGROUND AND NEED FOR LEGISLATION

Federal interest in water resources development in the United States stems from the Commerce Clause of the Constitution. The history of federal water resources improvements in the United States dates back to the 1820's when Congress authorized construction of a canal connecting Lake Michigan to the Illinois River and authorized the United States Army Corps of Engineers to remove snags, debris, and other obstructions from the Mississippi and Ohio Rivers.

Today, the United States Army Corps of Engineers operates and maintains approximately \$250 billion worth of water resources infrastructure assets. This includes a network of 11,000 miles of the "fuel-taxed" Inland Waterways Transportation System, 13,000 miles of deep draft coastal navigation channels, 236 lock chambers,

more than 700 dams, approximately 15,000 miles of levees, and 25 percent of the Nation's hydropower generation. The Corps is also the Nation's largest provider of recreation opportunities. In addition, the Corps of Engineers is responsible for the planning and construction of the majority of the Nation's water resources development projects related to navigation, flood damage reduction, and aquatic ecosystem restoration.

As part of its construction and operation, and maintenance portfolios, the Corps of Engineers often discovers historical artifacts, sacred objects, dinosaur bones, and other cultural items that require preservation. Numerous laws, including the Native American Graves Protection and Repatriation Act and the National Historic Preservation Act, govern the treatment and preservation of these historical and cultural items. The Corps of Engineers is responsible for carrying out the requirements of these laws with respect to assets within the Corps' portfolio.

The Veterans Curation Program was created in 2009 to utilize veterans to help process archaeological collections belonging to the U.S. Army Corps of Engineers. Stewardship of archaeological collections, including both artifacts and associated records, is the responsibility of landowning agencies such as the Corps. Processing these collections to federal standards for long-term storage and public access is undertaken by cultural resource management firms familiar with the work. Archaeological collections that were excavated using public funds during construction of the country's many reservoirs and associated water control systems are required to be stored in a manner that ensures their long-term preservation and facilitates access by the public for scientific research and education.

The Corps' Veterans Curation Program provides veterans with both vocational training and short-term employment managing the archaeological collections of the U.S. Army Corps of Engineers. Overseas contingency operations have increased the number of veterans and wounded warriors who can benefit from the additional vocational training provided through the Corps' Veterans Curation Program to better compete in the mainstream job market.

Through its investment in service members, the Corps' Veterans Curation Program builds on the skills that veterans acquire during military service, including leadership, teamwork, and attention to detail. Working under the direct supervision of professionals in the field of archaeology, veterans receive competitive pay while learning through technical training in a peer-to-peer environment. The program provides a bridging experience to the public and private sector, and facilitates transitions into permanent employment or enrollment in institutions of higher education.

HEARINGS

No legislative hearings were held on H.R. 3114; however, the Corps' Veterans Curation Program was discussed on April 22, 2015 at a Subcommittee on Water Resources and Environment hearing entitled, "A Review of the President's Fiscal Year 2016 Budget Request for the U.S. Army Corps of Engineers and Tennessee Valley Authority."

LEGISLATIVE HISTORY AND CONSIDERATION

On July 20, 2015, Representative Grace Napolitano of California introduced H.R. 3114, a bill to authorize 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.

On July 23 2015, the Committee on Transportation and Infrastructure met in open session to consider H.R. 3114, and ordered the bill, as amended, reported favorably to the House by voice vote with a quorum present.

Representative Grace Napolitano and Representative Rodney Davis offered an amendment in Committee. The amendment modified the authorization of appropriations section for the bill to authorize the Corps of Engineers to use available funds to carry out the Veterans Curation Program. The amendment was adopted by voice vote with a quorum present.

COMMITTEE 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 recorded 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. 3114, or ordering the bill, as amended, reported. A motion to order H.R. 3114, 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.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

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.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

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. 3114, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 6, 2015.

Hon. BILL SHUSTER, *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. 3114, 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,

KEITH HALL.

Enclosure.

H.R. 3114—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

H.R. 3114 would clarify that the Army Corps of Engineers (Corps) has the authority to hire veterans to catalogue artifacts and historic items. Based on information from the Corps, CBO estimates that enacting the bill would not affect the federal budget. Because enacting H.R. 3114 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

Under current law, agencies are required to preserve and catalogue artifacts discovered during the course of their work. In 2009, the Corps began hiring veterans to process uncatalogued artifacts with funding provided by the American Recovery and Reinvestment Act (ARRA). The initial funding of \$3.5 million provided by ARRA was used to purchase equipment, rent facilities, negotiate contracts, and hire veterans. Since then, expenditures for the program have increased to about \$4.5 million annually and under current law the Corps expects to continue hiring veterans to perform the work. H.R. 3114 would provide specific authority for the Corps to continue those activities.

H.R. 3114 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 Aurora Swanson. This estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation, as amended, is to authorize the Army Corps of Engineers to hire veterans to assist in curation and historic preservation activities.

ADVISORY OF EARMARKS

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. No provision in the bill, as amended, includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(g) of H. Res. 5, 114th Cong. (2015), the Committee finds that no provision of H.R. 3114, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(i) of H. Res. 5, 114th Cong. (2015), the Committee estimates that H.R. 3114, as amended, directs no rule makings.

FEDERAL MANDATE 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. 3114, 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, as amended.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation, as amended, 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).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Findings

Section 1 provides a history of the Veterans Curation Program, references current requirements on the Corps of Engineers related to historic preservation, and describes the benefits of the Veterans Curation Program.

Section 2. Training and employment for veterans and members of Armed Forces in curation and historic preservation

Section 2 authorizes the Corps of Engineers to carry out the Veterans Curation Program using funds made available to the Secretary of the Army.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3114 makes no changes in existing law.

