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Part 2

SMITHSONIAN INSTITUTION FACILITIES AUTHORIZATION ACT OF 2008

SEPTEMBER 15, 2008.—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. 6627]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 6627) to authorize the Board of Regents of the Smithsonian Institution to carry out certain construction projects, 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. 6627, the "Smithsonian Institution Facilities Authorization Act of 2008", authorizes the Board of Regents of the Smithsonian Institution to design and construct laboratory space to accommodate the Mathias Laboratory at the Smithsonian Environmental Research Center in Edgewater, Maryland, and authorizes the Board of Regents to construct laboratory space to accommodate the terrestrial research program of the Smithsonian Tropical Research Institute in Gamboa, Panama.

BACKGROUND AND NEED FOR LEGISLATION

The Smithsonian Environmental Research Center ("SERC") is a global leader in the study of ecosystems in the coastal zone. Founded on the site of an abandoned 1930s dairy farm in Edgewater, Maryland, the SERC facilities include a mosaic of farm buildings, the Mathias Laboratory, 10 temporary trailers, an administrative building, and a variety of lab support spaces. Nearly one-half of SERC's 146 employees and fellows conduct the majority of their

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work in trailers. The Board of Regents of the Smithsonian Institution requests authority to design and construct laboratory space to accommodate the Mathias Laboratory at SERC.

The Smithsonian Tropical Research Institute ("STRI") is the principal United States organization devoted to research in tropical biology. Tropical biology is critical to finding untapped resources to add to the important supply of food, pharmaceuticals, and fiber of tropical regions. STRI has outgrown the space available at its current facilities and this bill provides for construction of a new lab in Gamboa, Panama. The terrestrial research program is critical to understanding the role that tropical plants and soils play in global climate change models and for enriching knowledge of tropical biodiversity. The Board of Regents of the Smithsonian Institution requests authority to construct laboratory space to accommodate the terrestrial research program of STRI in Gamboa, Panama.

SUMMARY OF THE LEGISLATION

Section 1. Short title

Section 1 denotes the short title of the bill as the "National Smithsonian Institution Facilities Authorization Act of 2008".

Section 2. Laboratory and support space, Edgewater, Maryland

Subsection (a) authorizes the Board of Regents of the Smithsonian Institution to design and construct laboratory space to accommodate the Mathias Laboratory at the Smithsonian Environmental Research Center ("SERC") in Edgewater, Maryland.

Subsection (b) authorizes to be appropriated to carry out this section for a total of $41,000,000 for fiscal years 2009 through 2011.

Section 3. Laboratory space, Gamboa, Panama

Subsection (a) authorizes the Board of Regents of the Smithsonian Institution to construct laboratory space to accommodate the terrestrial research program of the Smithsonian Tropical Research Institute in Gamboa, Panama.

Subsection (b) authorizes appropriations to carry out this section for a total of $14,000,000 for fiscal years 2009 and 2010.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On July 29, 2008, Chairman James L. Oberstar introduced H.R. 6627, the "Smithsonian Institution Facilities Authorization Act of 2008".

On July 31, 2008, the Committee on Transportation and Infrastructure met in open session and ordered H.R. 6627 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. 6627 or ordering the bill reported. A motion to order H.R. 6627 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 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 authorize the design and construction of two Smithsonian facilities.

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. 6627 from the Director of the Congressional Budget Office:

U.S. CONGRESS
CONGRESSIONAL BUDGET OFFICE
Washington, DC, August 25, 2008.

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. 6627, the Smithsonian Institution Facilities Authorization Act of 2008.

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

Sincerely,

PETER H. FONTAINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 6627—Smithsonian Institution Facilities Authorization Act of 2008

H.R. 6627 would authorize the appropriation of $41 million for laboratory and support space at the Smithsonian Environmental Research Center in Edgewater, Maryland, and $14 million for laboratory space at the Smithsonian Tropical Research Institute in

Gamboa, Panama. Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 6627 would cost $55 million over the 2009–2013 period. Enacting the bill would not affect direct spending or receipts.

H.R. 6627 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.

On August 25, 2008, CBO transmitted an identical cost estimate for H.R. 6627 as ordered reported by the Committee on House Administration on July 30, 2008.

The CBO staff contact for this estimate is Christina Hawley Anthony. This 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, H.R. 6627 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

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 (Public Law 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. 6627 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 (Public Law 104–1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 6627 makes no changes in existing law.

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