

SCIENTIFIC TRANSFORMATIONS THROUGH ADVANCING
RESEARCH (STAR) ACT

SEPTEMBER 8, 2008.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland
Security, submitted the following

R E P O R T

[To accompany H.R. 5743]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the
bill (H.R. 5743) to provide the Secretary of Homeland Security with
the authority to procure real property and accept in-kind donations,
having considered the same, report favorably thereon without
amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

The purpose of H.R. 5743 is to provide the Secretary of Home-
land Security with the authority to procure real property and ac-
cept in-kind donations.

BACKGROUND AND NEED FOR LEGISLATION

This bill grants the Secretary of Homeland Security the administrative power to accept and use donations of property, laboratory facilities, and utilities in order to facilitate scientific research and other purposes. The impetus for the bill is to grant the Department of Homeland Security (Department) its own land and property acquisition authority, rather than its current requirement to work through the General Services Administration (GSA). There are multiple pending pieces of legislation that contain the same or similar provisions, but all have stalled for non-substantive reasons. This legislation would reduce the levels of interagency bureaucracy and the time required for the Department to procure and accept donated real estate, goods, and other services in order to construct much needed facilities to pursue the Department's vital mission. This legislation does not authorize any particular research or development activities.

HEARINGS

No hearings were held on H.R. 5743.

COMMITTEE CONSIDERATION

H.R. 5743 was introduced in the House on April 9, 2008, by Mr. Broun of Georgia and referred solely to the Committee on Homeland Security. Within the Committee H.R. 5743 was referred to the Subcommittee on Management, Investigations, and Oversight.

On June 26, 2008, the Chairman discharged the Subcommittee on Management, Investigations, and Oversight from further consideration of H.R. 5743. The Committee then proceeded to the consideration of H.R. 5743 and ordered the measure to be reported to the House favorably, without amendment, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during Committee consideration.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 5743, the Scientific Transformations through Advancing Research (STAR) Act, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 18, 2008.

Hon. BENNIE G. THOMPSON,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5743, the Scientific Transformations through Advancing Research (STAR) Act.

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

Sincerely,

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

Enclosure.

*H.R. 5743—Scientific Transformations through Advancing Research
(STAR) Act*

H.R. 5743 would allow the Department of Homeland Security (DHS) to accept and use donations of real property, personal property, laboratory and office space, utility services, and infrastructure upgrades for the purposes of carrying out research and related activities. Based on information from DHS, CBO expects that the agency would receive some donations of equipment and property for research related to homeland security. Monetary gifts are classified in the budget as revenues, and spending of such sums would constitute direct spending. CBO estimates that the receipt and use of any donations would have a negligible net budgetary impact.

H.R. 5743 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 contacts for this estimate are Matthew Pickford and Mark Grabowicz. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 5743 contains the following general performance goals, and objectives, including outcome related goals and objectives authorized.

H.R. 5743 will give the Secretary of Homeland Security direct authority to accept donated real property, goods, and other services to further advance scientific research and conduct operations vital to the Department's mission. This bill will streamline the ability of the Secretary to move forward with projects if property, goods, or services are donated for such a facility. This legislation does not grant any authorities beyond those held by the General Services Administration nor does it affect the Secretary's authority for non-

real estate procurement. Further, this legislation does not authorize specific research and development activities.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the Rule XXI.

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.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 1, which grants Congress the power to provide for the common Defense of the United States.

APPLICABILITY TO 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.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 designates the bill as the “Scientific Transformations through Advancing Research (STAR) Act”.

Section 2. Authority of Secretary of Homeland Security to procure real property and accept in-kind donations

This section authorizes the Secretary of Homeland Security to accept and use donations of real property and office and laboratory space and other donations for the purposes of carrying out basic, applied and advanced research, development, testing and evaluation and related activities.

This section enables the Secretary to streamline the procurement process by granting the Department its own authority to accept real estate, goods, and other services rather than having to procure property and facilities through the GSA. This legislation does not grant any authorities beyond those held by the GSA nor does it affect the Secretary’s authority for non-real estate procurement. This legislation does not authorize any specific research or development activities or operations.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED
No changes are made to existing law.

