



Legislative Bulletin.....Monday, May 7, 2012

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**H.R. 4097 – John F. Kennedy Center Reauthorization Act
(Mica, R-FL)**

Order of Business: H.R. 4097 is scheduled to be considered on Monday, May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4097 would permit the Trustees of the John F. Kennedy Center for the Performing Arts to construct a specified addition to the south end of the JFK Center, and would make the Board responsible for the details of the project while additionally requiring them to estimate any additional costs associated with the project before being awarded a contract. The bill additionally authorizes appropriations for FY2013-FY2014 to the Trustees of the John F. Kennedy Center for Performing Arts.

Additional Information: The John F. Kennedy Center for the Performing Arts in Washington, DC was opened to the public in September of 1971.

Potential Conservative Concerns: Many conservatives would argue that federal money should not be authorized for use by the Kennedy Center, citing the argument that the federal government should not fund a performing arts entity which is capable of generating its own revenue through ticket sales and donations.

Committee Action: H.R. 4097 was introduced on February 28, 2012, and referred to the House Committee on Transportation and Infrastructure. On April 27, 2012 it was

reported by the Committee on Transportation and Infrastructure and placed on the House Calendar.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: According to the [CBO Report](#) on H.R. 4097, the CBO estimates that the measures would authorize \$71 million (subject to appropriation) over the 2013-2017 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? The earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: The accompanying Constitutional Authority Statement reads: “H.R. 4097. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over the district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).”

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H.Con.Res 106 – Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Hoyer, D-MD)

Order of Business: H.Con.Res 106 is scheduled to be considered on Monday, May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res 106 will allow the Greater Washington Soap Box Derby Association to sponsor public soap box derby races on June 16th on Capitol Grounds, so long as such an event does not interfere with the needs of Congress.

Additional Information: The Washington Soap Box Derby consists of soap box races for drivers between 8 and 17 years of age. The winners will advance to the World Championship Soap Box Derby Races in Ohio.

Committee Action: H.Con.Res 106 was introduced on February 29, 2012 and referred to the House Committee on Transportation and Infrastructure.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO score was available at press time, but there were no expected costs from the event which would significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: House Concurrent Resolutions are not required to be accompanied by a Constitutional Authority Statements.

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**H.Con.Res. 117 – Authorizing the use of the Capitol Grounds for the
National Peace Officers' Memorial Service
(Denham, R-CA)**

Order of Business: H.Con.Res. 117 is scheduled to be considered on Monday, May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 117 would permit the Grand Lodge of the Fraternal Order of Police to sponsor a free public event, entitled the "31st Annual National Peace Officers' Memorial Service," on the Capitol Grounds on May 15th, so long as such an event does not interfere with the needs of Congress.

Additional Information: The event is intended to honor the law enforcement officials who died in the line of duty in 2011.

Committee Action: H.Con.Res. 117 was introduced on April 19th, 2012, and referred to the House Committee on Transportation and Infrastructure.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO score was available at press time, but there were no expected costs from the event which would significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: House Concurrent Resolutions are not required to be accompanied by a Constitutional Authority Statement.

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H.Con.Res. 118 – Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run (Norton, D-DC)

Order of Business: H.Con.Res. 118 is scheduled to be considered on Monday, May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 118 would permit the 27th Annual District of Columbia Special Olympics Law Enforcement Torch to be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games. This event would occur on June 1, 2012, so long as such an event does not interfere with the needs of Congress.

Additional Information: From the Special Olympics of DC [website](#): “The mission of Special Olympics is to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in a sharing of gifts, skills, and friendship with their families, other Special Olympics athletes, and the community.”

Committee Action: H.Con.Res. 118 was introduced on April 24th, 2012, and referred to the House Committee on Transportation and Infrastructure.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO score was available at press time, but there were no expected costs from the event which would significantly affect the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: House Concurrent Resolutions are not required to be accompanied by a Constitutional Authority Statements.

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H.Con.Res. 105— Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha (*Hanabusa, D-HI*)

Order of Business: The resolution is scheduled to be considered on Monday, May 7, 2012, under a motion to suspend the rules requiring two-thirds majority vote for passage.

Summary: H.Con.Res. 105 authorizes the use of Emancipation Hall in the Capitol Visitor Center on June 24, 2012 to celebrate the birthday of Hawaii's first King, King Kamehameha. Also known as Kamehameha the Great, King Kamehameha conquered the Hawaiian Islands and formally established the Kingdom of Hawaii in 1810. King Kamehameha died in 1819.

Committee Action: Representative Colleen Hanabusa (*D-HI*) introduced H.Con. Res. 105 on February 28, 2012. The bill was then referred to the Committee on House Administration where no further action has taken place.

Administration Position: As of press time, no Statement of Administration Policy (SAP) has been released.

Cost to Taxpayers: No Congressional Budget Office (CBO) cost estimate has been issued for this resolution.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: House rules do not require House Concurrent Resolutions to include a Constitutional Authority Statement.

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**Senate Amendment to H.R. 2297 – To promote the
development of the Southwest waterfront in the District of
Columbia, and for other purposes
(Holmes, D-DC)**

Order of Business: The bill is scheduled to be considered on May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) has passed the House by voice vote, but the Senate [amended](#) the legislation to de-authorize a portion of the project for navigation of the Corps of Engineers at Potomac River, Washington Channel, District of Columbia. This transfers a piece of property on the South-East Waterfront from the Army Corps of Engineers, which it does not use, to the District.

Committee Action: The legislation was introduced on June 22, 2011, and passed the House on December 6, 2011, by voice vote. On March 29, 2012, the Senate passed the legislation by unanimous consent with S.AMDT.1998, introduced by Senator Lieberman (I-CT).

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate available.

Does the Bill Expand the Size and Scope of the Federal Government?: The legislation decreases the size of the federal government by de-authorizing a governmental program.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Yes

Constitutional Authority: No statement for amendment.

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S. 1302– To authorize the Administrator of General Services to convey a parcel of real property in Tracy, California, to the City of Tracy. (*Boxer, D-CA*)

Order of Business: The bill is scheduled to be considered on May 7, 2012, under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would direct the General Services Administration (GSA) to sell about 150 acres of undeveloped land in Tracy, California. The legislation would require the city to pay GSA the fair market value of the land's highest and best use as determined by GSA. Proceeds from the sale would be deposited in the Federal Building Fund and available to GSA, subject to future appropriation.

Background: In 1998, Congress first passed legislation to allow the transfer of land located in Tracy, California, from the Federal Bureau of Prisons to the City of Tracy, with a stipulation that 150 of the 200 acres could be used for educational purposes and the other 50 acres could be used for economic development. Congress then slightly amended the language in two subsequent pieces of legislation by, among other things, allowing 150 acres of the property to be used for education or recreational purposes and by allowing the City to purchase the 50 acres designated for economic development.

When plans to use the property for youth sports fields were abandoned due to concerns about the presence of high-pressure underground natural gas pipelines, the City decided it wanted to purchase the remaining 150 acres from GSA and have all restrictions on the property removed. S. 1302 authorizes the Administrator of GSA to convey the 150 acre parcel to the City at a cost of not less than the appraised fair market value. The cost of the parcel will be determined by the Administrator of GSA pursuant to an independent appraisal, and the City will be responsible for reimbursing the Administrator for any costs associated with conveyance, including the appraisal and survey. As part of the transfer, GSA will convey any reversionary interest retained by the United States in the parcel, and all other terms, conditions, reservations, and restrictions imposed.

Potential Conservative Concern: Some conservatives may believe that the proceeds from the sale should be dedicated to deficit reduction instead of being deposited in the Federal Building Fund.

Committee Action: The legislation was introduced on June 29, 2011, and it was referred to the Senate Environment and Public Works Committee. It passed committee on July 28, 2011 and passed the Senate on August 2, 2011 by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: “CBO [estimates](#) that enacting this legislation would have no significant net impact on the federal budget because we expect that the conveyance will happen in the absence of this legislation within the next 10 years. Enacting S. 1302 could affect direct spending; therefore, pay-as-you-go procedures apply to the legislation, but CBO estimates that the net effects would not be significant over the 2012-2021 period. Enacting S. 1302 would not affect revenues.” The city of Tracy, California is responsible for reimbursing the Administrator for all associated costs. The net proceeds from the conveyance shall be deposited in the Federal Buildings Fund.

Does the Bill Expand the Size and Scope of the Federal Government?: The legislation reduces the size of the Federal government by getting rid of excess property.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Yes.

Constitutional Authority: No statement available.

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