

TO AUTHORIZE THE ADMINISTRATOR OF GENERAL SERVICES TO CONVEY
A PARCEL OF REAL PROPERTY IN GALVESTON, TEXAS, TO THE GAL-
VESTON HISTORICAL FOUNDATION

SEPTEMBER 8, 2009.—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. 2121]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 2121) to provide for the transfer of cer-
tain Federal property to the Galveston Historical Foundation, hav-
ing considered the same, report favorably thereon with amend-
ments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. CONVEYANCE OF REAL PROPERTY IN GALVESTON, TEXAS, TO GALVESTON HIS-
TORICAL FOUNDATION.**

(a) CONVEYANCE.—Not later than 90 days after the date of enactment of this Act,
the Administrator of General Services shall offer to convey, by quitclaim deed, to
the Galveston Historical Foundation all right, title, and interest of the United
States in and to the parcel of real property located at 502 20th Street in Galveston,
Texas, including the improvements thereon.

(b) CONSIDERATION.—As consideration for conveyance of the parcel under sub-
section (a), the Administrator shall require the Galveston Historical Foundation to
pay to the Administrator the fair market value of the parcel, as determined based
on an appraisal that is acceptable to the Administrator.

(c) COSTS OF CONVEYANCE.—The Galveston Historical Foundation shall be respon-
sible for the costs of an appraisal conducted under subsection (b) and for all other
costs related to the conveyance.

(d) PROCEEDS.—

(1) DEPOSIT.—Any proceeds received under subsection (b) shall be paid into
the Federal Buildings Fund established under section 592 of title 40, United
States Code.

(2) EXPENDITURE.—Amounts paid into the Federal Buildings Fund under
paragraph (1) shall be available to the Administrator, in amounts specified in
appropriations Acts, for expenditure for any lawful purpose consistent with ex-
isting authorities granted to the Administrator, except that the Administrator
shall provide to the Committee on Transportation and Infrastructure of the
House of Representatives and the Committee on Environment and Public Works
of the Senate 30 days advance written notice of any expenditure of the proceeds.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require that any conveyance under subsection (a) be subject to such additional terms and conditions as the Administrator considers appropriate to protect the interests of the United States.

Amend the title so as to read:

A bill to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

PURPOSE OF THE LEGISLATION

H.R. 2121, as amended, authorizes the Administrator of General Services, no later than 90 days after the date of enactment of the bill, to convey, by quitclaim deed, a parcel of real property located at 502 20th Street in Galveston, Texas, to the Galveston Historical Foundation, subject to certain requirements.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2121, as amended, authorizes the Administrator of General Services, no later than 90 days after the date of enactment of the bill, to convey, by quitclaim deed, a parcel of real property located at 502 20th Street in Galveston, Texas, to the Galveston Historical Foundation, subject to certain requirements. All proceeds derived from the sale of the parcel of real property located at 502 20th Street in Galveston, Texas, is required to be deposited in the Federal Building Fund.

The parcel of real property located at 502 20th Street is the 1861 U.S. Custom House. It is one of the oldest buildings in Galveston, Texas, and was added to the National Register of Historic Places in 1970. The Galveston Historical Foundation was incorporated in 1954, and has since cultivated its work to cover community redevelopment, public education, historic preservation advocacy, maritime preservation, and stewardship of historic properties on Galveston Island. To date, the Galveston Historical Foundation has more than 2,000 members and has twice been awarded the National Trust for Historic Preservation's Honor Award.

In 1998, the General Services Administration and the Galveston Historical Foundation entered into a long-term lease agreement with respect to the 1861 U.S. Custom House. In exchange for the Galveston Historical Society rehabilitating the historical building, it was granted a long-term lease. This bill allows the Galveston Historical Society to purchase the building outright.

SUMMARY OF THE LEGISLATION

Section 1. Conveyance of Real Property in Galveston, Texas, to Galveston Historical Foundation

Subsection(a) states that, no later than 90 days after enactment of this Act, the Administrator of General Services shall offer to convey, by quitclaim deed, to the Galveston Historical Foundation, all right, title, and interest of the United States in and to the parcel of real property located at 502 20th Street in Galveston, Texas, including any improvements.

Subsection (b) states that the Administrator shall require the Galveston Historical Foundation to pay the fair market value of the parcel, as determined based on an appraisal that is acceptable to the Administrator.

Subsection (c) states that the Galveston Historical Foundation shall be responsible for the costs of an appraisal, and for all other costs related to the conveyance.

Subsection (d) states that the proceeds from the sale of the real property shall be paid into the Federal Buildings Fund, and that those funds shall be available to the Administrator for expenditures consistent with existing authorities. The Administrator is also required to provide its authorizing committees with 30 days advance written notice of any expenditure of the proceeds.

Subsection (e) states that the Administrator has the authority to require such additional terms and conditions to the conveyance as the Administrator considers appropriate to protect the interests of the United States.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 110th Congress, on July 8, 2008, Representative Ron Paul introduced H.R. 6440. The bill was referred to the Committee on Transportation and Infrastructure. No further action was taken.

In the 111th Congress, Representative Ron Paul introduced H.R. 2121 on April 27, 2009. On July 30, 2009, the Committee on Transportation and Infrastructure met in open session and considered H.R. 2121. The Committee adopted an amendment in the nature of a substitute to the bill by voice vote with a quorum present. The Committee on Transportation and Infrastructure ordered H.R. 2121, as amended, reported favorably to the House by voice vote with a quorum present.

RECORD VOTES

Clause 3(b) of rule XIII 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. 2121 or ordering the bill, as amended, reported. A motion to order H.R. 2121, 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 objective of this legislation are to authorize the Administrator of General Services to convey a parcel of property to the Galveston Historical Foundation.

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. 2121, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 5, 2009.

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. 2121, a bill to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

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

Sincerely,

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

Enclosure.

H.R. 2121—A bill to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation

The bill would direct the General Services Administration (GSA) to sell, for fair market value, the 1861 U.S. Custom House located in Galveston, Texas, to the Galveston Historical Foundation. Proceeds from the sale would be deposited in the Federal Buildings Fund and would be available to GSA, subject to future appropriation.

Based on information from GSA, CBO estimates that the conveyance would not have a significant net impact on the federal budget. According to the agency, it receives about \$1,200 per year under a lease to the foundation. By selling the property, the government would lose those receipts. We estimate that proceeds from the sale of the property would increase offsetting receipts (a credit against direct spending) by less than \$500,000 in 2010.

H.R. 2121 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 Matthew Pickford. The estimate was 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, H.R. 2121, as amended, 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 (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. 2121, 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. 2121, as amended, makes no changes in existing law.