

TO IMPROVE CERTAIN ADMINISTRATIVE OPERATIONS OF
THE LIBRARY OF CONGRESS, AND FOR OTHER PURPOSES

JULY 22, 2010.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BRADY of Pennsylvania, from the Committee on House
Administration, submitted the following

R E P O R T

[To accompany H.R. 5681]

[Including cost estimate of the Congressional Budget Office]

The Committee on House Administration, to whom was referred the bill (H.R. 5681) to improve certain administrative operations of the Library of Congress, 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. 5681, introduced by Chairman Robert A. Brady on July 1, 2010, makes administrative improvements to three Library of Congress programs.

ANALYSIS OF THE BILL (AS REPORTED)

Section 1. This section authorizes the Librarian of Congress to dispose of outdated or obsolete property through different means, including sales, trades and inter-agency transfers. The proceeds from these transactions will be available during the fiscal years the proceeds are received or the following fiscal year to acquire the same or similar property that has been modernized and updated. This measure will save money for the Library of Congress by offsetting the cost of purchasing new property.

Section 2. This section reorganizes the Library of Congress student loan repayment program and clarifies that the Librarian may use any available funds to pay for student loan benefits for employees regardless of the source of their salary. Funds for student loan repayment for employees of all Library service units will be drawn

from the same fund, making repayment easier to administer and more accessible to employees.

Presently, only one Library of Congress employee receives a student loan repayment benefit. Under the current system, Library service units, if they wish to participate in the student loan repayment program, must draw from their own operating budgets to make payments for employees. Section 2 of H.R. 5681 creates one pool of funds for the entire Library of Congress, from which individual service units can draw to cover the amount of monthly repayments. As the Library of Congress has a large number of employees with advanced degrees, this benefit will make it a more attractive destination for potential employees and will help the Library retain the services and talents of current employees.

Section 3. This section makes available any unobligated amounts of expired appropriations to the Librarian of Congress for deposit into the Employees' Compensation Fund pursuant to 5 U.S.C. 8147(b). This measure will help ensure that the Employees' Compensation Fund is adequately funded and avoids the need for new appropriations.

COMMITTEE CONSIDERATION

On July 14, 2010, the Committee on House Administration conducted a markup and, by voice vote, ordered H.R. 5681 reported favorably to the House without amendment.

MATTERS REQUIRED UNDER THE RULES OF THE HOUSE

Constitutional authority

Clause 3(d)(1) of House rule XIII requires each committee report on a public bill or joint resolution to include a statement citing the specific constitutional power(s) granted to the Congress on which the Committee relies for enactment of the measure under consideration.

The Committee cites the legislative power broadly granted to Congress under Article I. Pursuant to clause 1(j)(4) of House rule X, the Committee on House Administration is charged with oversight of the Library of Congress, including management thereof.

Committee votes

Clause 3(b) of House rule XIII requires the results of each recorded vote on an amendment or motion to report, together with the names of those voting for and against, to be printed in the committee report. No recorded votes were taken during the Committee's consideration of H.R. 5681.

Congressional Budget Office estimate

Clause 3(c)(3) of House rule XIII requires the report of a committee on a measure which has been approved by the committee to include a cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 403 of the CBA, if timely submitted. The Director submitted the following estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 21, 2010.

Hon. ROBERT A. BRADY,
*Chairman, Committee on House Administration,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5681, a bill to improve certain administrative operations of the Library of Congress, and for other purposes.

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

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 5681—A bill to improve certain administrative operations of the Library of Congress, and for other purposes

H.R. 5681 would allow the Librarian of Congress to sell or dispose of obsolete property and use the proceeds of any sale to acquire new, replacement property. In addition, the bill would allow the Librarian to use funds provided for salaries and expenses to repay the student loans of its employees. Furthermore, beginning with appropriations made in fiscal year 2011, the Librarian could use unobligated, expired balances to make deposits to the Employee's Compensation Fund.

Allowing the Librarian to repay student loans and use expired balances could increase total outlays from future appropriations, beginning with funding for fiscal year 2011.

CBO expects that enacting H.R. 5681 could affect direct spending by allowing the Librarian to sell property and spend the proceeds; therefore, pay-as-you-go procedures would apply. However, CBO estimates that the net effects would be insignificant for each year, and in total over the 2011–2020 period. Enacting the bill would not affect revenues.

The CBO staff contact for this estimate is Christina Hawley Anthony. The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

Federal mandates

Section 423 of the CBA requires a committee report on any public bill or joint resolution that includes a federal mandate to include specific information about such mandates. The Committee states that H.R. 5681 includes no federal mandates.

Preemption clarification

Section 423 of the CBA requires a committee report on any public bill or joint resolution to include a committee statement on the extent to which the measure is intended to preempt state or local law. The Committee states that H.R. 5681 is not intended to preempt any state or local law.

Oversight findings

Clause 3(c)(1) of rule XIII requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of House rule X. Oversight findings are addressed in the descriptive portions of the report. The Committee has general oversight responsibility for the Library of Congress.

Statement of general performance goals and objectives

Clause 3(c)(4) of House rule XIII requires committee reports to include a statement of general performance goals and objectives. The Committee believes that enactment of H.R. 5681 will improve the operation and efficiency of administrative programs at the Library of Congress.

Congressional "earmarks"

Clause 9 of House rule XXI requires committee reports on public bills and resolutions to contain an identification of congressional "earmarks," limited tax benefits, limited tariff benefits, and the names of requesting Members. The bill as reported contains no such items.

Congressional Accountability Act applicability

Section 102(b)(3) of the Congressional Accountability Act of 1995 (Pub.L. 104-1) (CAA) requires each report on a public bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations to describe the manner in which the legislation applies to the Legislative Branch. H.R. 5681 makes no change to the terms and conditions of employment, access to public services or accommodations in the Legislative Branch.

Changes in Existing Law made by the bill, as reported

The bill as reported makes no changes in existing law.