

NATIONAL CHILDREN’S MUSEUM ACT

NOVEMBER 16, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 5919]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 5919) to amend title 40, United States Code, to require the Administrator of General Services to enter into a cooperative agreement with the National Children’s Museum to provide the National Children’s Museum rental space without charge in the Ronald Reagan Building and International Trade Center, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Children’s Museum Act”.

SEC. 2. NATIONAL CHILDREN’S MUSEUM.

(a) FINDINGS.—Congress finds that—

(1) the Museum and Library Services Act of 2003 (Public Law 108–81) designated the Capital Children’s Museum, the predecessor to the National Children’s Museum, as the “National Children’s Museum”;

(2) the National Children’s Museum operates under section 501(C)(3) of the Internal Revenue Code of 1986 and is organized under the laws of the District of Columbia;

(3) the mission of the National Children’s Museum is to inspire children to care about and change the world; and

(4) the National Children’s Museum is located in the federally-owned Ronald Reagan Building and International Trade Center.

(b) NATIONAL CHILDREN’S MUSEUM.—Chapter 67 of title 40, United States Code, is amended by adding at the end the following:

“§ 6735. National Children’s Museum

“(a) IN GENERAL.— Not later than 30 days after the date of enactment of this section, the Administrator of General Services shall enter into a cooperative agreement with the National Children’s Museum for the operation of the National Children’s Museum in the approximately 32,369 square feet of space commonly known as suite C–001 (hereinafter referred to as the ‘Space’) of the Ronald Reagan Building and International Trade Center for the duration of the retail space license agreement between Trade Center Management Associates, LLC, or a successor entity, and the Museum, dated December 4, 2017, including any exercised renewal options.

“(b) CONTENTS.—The cooperative agreement under subsection (a) shall include provisions that—

“(1) require, for the period in which the General Services Administration owns or controls the Space, the General Services Administration to provide rent for the Space; and

“(2) terminate such agreement if—

“(A) the Museum does not continue to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

“(B) the Museum no longer uses the Space as a children’s museum; and

“(3) prohibits the Museum from transferring the interest in such agreement.

“(c) SOURCE OF FUNDS.—To carry out this section, the Administrator shall use funds derived from—

“(1) the Pennsylvania Avenue Development Corporation fund; or

“(2) the International Trade Center fund.

“(d) REPORT.—The cooperative agreement under subsection (a) shall require the National Children’s Museum to submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an annual report on the operations and finances of the Museum.”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 67 of title 40, United States Code, is amended by adding at the end the following:

“6735. National Children’s Museum.”.

PURPOSE OF LEGISLATION

The purpose of H.R. 5919, as amended, is to amend title 40, United States Code, to require the Administrator of General Services to enter into a cooperative agreement with the National Children’s Museum to provide the National Children’s Museum rental space without charge in the Ronald Reagan Building and International Trade Center, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The National Children’s Museum (NCM), designated by the Museum and Library Services Act of 2003 (P.L. 108–81), is a 501(c)(3) institution that provides “learning elements found in a science cen-

ter with children’s museum experiences.”¹ H.R. 5919, as amended, directs the Administrator of the General Services Administration (GSA) to enter into a cooperative agreement with the NCM for the approximately 32,369 square feet of space which the Museum currently occupies in the Ronald Reagan Building and International Trade Center in Washington, D.C., rent free, for the duration of the current lease.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress:

No hearings were used to develop or consider H.R. 5919.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 5919 was introduced in the House on February 14, 2020, by Ms. Norton, Mr. Beyer, Mr. Raskin, and Mr. Rodney Davis of Illinois and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 5919 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.

On September 30, 2020, the Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 5919.

The Committee met in open session to consider H.R. 5919 on September 30, 2020, and ordered the measure to be reported to the House with a favorable recommendation, as amended, by voice vote.

The following amendment was offered:

An Amendment in the Nature of a Substitute offered by Ms. Norton (#1); was AGREED TO by voice vote.

COMMITTEE 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. 5919.

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.

NEW BUDGET AUTHORITY TAX EXPENDITURES

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

¹ <https://nationalchildrensmuseum.org/about/>. Accessed on October 7, 2020.

submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

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. 5919 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 12, 2020.

Hon. PETER A. DEFAZIO,
*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. 5919, the National Children's Museum Act.

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

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 5919, National Children's Museum Act			
As ordered reported by the House Committee on Transportation and Infrastructure on September 30, 2020			
By Fiscal Year, Millions of Dollars	2021	2021-2025	2021-2030
Direct Spending (Outlays)	0	4	9
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	4	9
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 5919 would direct the General Services Administration (GSA) to enter into an agreement with the National Children's Museum to operate in space in the Ronald Reagan Building and International Trade Center, a mixed-use facility that houses both federal and private-sector offices. Under the bill, GSA would pay the museum's lease expenses, but could terminate the agreement if the museum no longer uses the space as a children's museum or ceases operations as a nonprofit organization. The museum entered into a 10-year lease agreement for the space in 2017 for an annual lease payment of about \$1 million.

The bill would require GSA to use funds from the Pennsylvania Avenue Development Corporation or the International Trade Cen-

ter to pay the museum's lease obligations; under current law, those funds are primarily used for maintenance costs. By directing the GSA to use those funds for lease payments, enacting the bill would increase direct spending because the amounts in those funds are not otherwise available to be spent.

CBO expects GSA's obligation to cover the museum's lease payments would begin late in calendar year 2021 and continue for the period of the current contract plus any renewals of the lease agreement. The current contract ends in 2027 but CBO expects it will be renewed through at least 2030. Thus, CBO estimates implementing the bill would increase direct spending by \$4 million over the 2021–2025 period and \$9 million over the 2021–2030 period.

The costs of the legislation fall within budget function 800 (general government).

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

TABLE 1.—CBO'S ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS OF H.R. 5919, THE NATIONAL CHILDREN'S MUSEUM ACT, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE ON SEPTEMBER 30, 2020

	By fiscal year, millions of dollars—											
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021– 2025	2021– 2030
	Net Increase the Deficit											
Pay-As-You-Go Effect	0	1	1	1	1	1	1	1	1	1	4	9

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to provide rent relief to the National Children's Museum.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 5919, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of 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(e), 9(f), or 9(g) 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 (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 finds that H.R. 5919, 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 were created by this legislation.

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 (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Sec. 1. Short title

This section provides that this bill may be cited as the “National Children’s Museum Act”.

Sec. 2. National Children’s Museum

This section lists Congress’ findings related to the National Children’s Museum and amends Chapter 67 of title 40 of the United States Code by directing the Administrator of General Services to enter into a cooperative agreement with the National Children’s Museum for the operation of the Museum in the Ronald Reagan Building and International Trade Center for the duration of the retail space license agreement. The section states that under the cooperative agreement, GSA will provide rent for space occupied by the Museum using funds from the Pennsylvania Avenue Development Corporation fund or the International Trade Center fund. The section also requires the Museum to submit an annual report to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics)

and existing law in which no change is proposed is shown in roman):

TITLE 40, UNITED STATES CODE

* * * * *

SUBTITLE II—PUBLIC BUILDINGS AND WORKS

* * * * *

PART C—FEDERAL BUILDING COMPLEXES

* * * * *

CHAPTER 67—PENNSYLVANIA AVENUE DEVELOPMENT

* * * * *

Sec.

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SUBCHAPTER III—FEDERAL TRIANGLE DEVELOPMENT

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6735. *National Children's Museum.*

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SUBCHAPTER III—FEDERAL TRIANGLE DEVELOPMENT

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§ 6735. *National Children's Museum*

(a) *IN GENERAL.*— Not later than 30 days after the date of enactment of this section, the Administrator of General Services shall enter into a cooperative agreement with the National Children's Museum for the operation of the National Children's Museum in the approximately 32,369 square feet of space commonly known as suite C-001 (hereinafter referred to as the "Space") of the Ronald Reagan Building and International Trade Center for the duration of the retail space license agreement between Trade Center Management Associates, LLC, or a successor entity, and the Museum, dated December 4, 2017, including any exercised renewal options.

(b) *CONTENTS.*—The cooperative agreement under subsection (a) shall include provisions that—

(1) require, for the period in which the General Services Administration owns or controls the Space, the General Services Administration to provide rent for the Space; and

(2) terminate such agreement if—

(A) the Museum does not continue to qualify as a non-profit organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

(B) the Museum no longer uses the Space as a children's museum; and

(3) prohibits the Museum from transferring the interest in such agreement.

(c) *SOURCE OF FUNDS.*—To carry out this section, the Administrator shall use funds derived from—

- (1) *the Pennsylvania Avenue Development Corporation fund;*
or
(2) *the International Trade Center fund.*

(d) *REPORT.—The cooperative agreement under subsection (a) shall require the National Children’s Museum to submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an annual report on the operations and finances of the Museum.*

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