

## Legislative Bulletin.....May 18, 2010

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## **H.R. 2288 - Endangered Fish Recovery Programs Improvement Act** *(Salazar, D-CO)*

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2288 authorizes appropriation of funds over the 2012 – 2023 period for fish recovery programs in the Upper Colorado and San Juan River Basins. Under current law this authorization expires at the end of 2011.

According to CBO, the legislation would “authorize the appropriation of whatever amounts are necessary to continue to fund fish recovery programs in the Upper Colorado and San Juan River Basins after the current authority expires. Based on information from the Bureau of Reclamation and WAPA, CBO estimates that those costs would be about

\$3 million a year over the 2012-2015 period, and \$3 million to \$4 million a year for 2016 through 2023.”

**Committee Action:** H.R. 2288 was introduced on May 6, 2009 and referred to the House Natural Resources Subcommittee on Water and Power. There was a full committee markup on December 16, 2009. An amendment offered by [Mr. McClintock](#) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 17 yeas and 21 nays. An amendment offered by [Mr. Broun](#) to the amendment in the nature of a substitute was not agreed to by a roll call vote of 15 yeas and 24 nays. An amendment in the nature of a substitute was agreed to by voice vote and the legislation was favorably reported by voice vote.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** CBO estimates that enacting H.R. 2288 would “cost \$12 million over the 2011-2015 period, subject to appropriation of the authorized amounts. (Additional costs of \$3 million to \$4 million a year would continue for 2016 through 2023, subject to appropriation action.)”

**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:** A committee report stating constitutional authority is unavailable.

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## **H.Con.Res. 211 - Recognizing the 75th anniversary of the establishment of the East Bay Regional Park District in California (*Miller, D-CA*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 211 would resolve that the House of Representatives:

- “Recognizes the 75th anniversary of the establishment of the East Bay Regional Park District; and

- “Honors the board members, general managers, and East Bay Regional Park District staff who have dutifully fulfilled the mission of protecting open space and providing outdoor recreation opportunities for generations of families in the East Bay.”

The resolution lists a number of findings including:

- “November 6, 2009, will mark the 75th anniversary of the historic passage of a ballot measure to create the East Bay Regional Park District (referred to in this preamble as the `District') in California's San Francisco Bay Area by a convincing `yes' vote of a 2 1/2 to 1 margin in 1934 during the height of the Depression;
- “Over the intervening 75 years, the District has grown to be the largest regional park agency in the United States with nearly 100,000 acres of parklands spread across 65 regional parks and over 1,100 miles of trails in Alameda and Contra Costa Counties;
- “In 1988, East Bay voters approved the passage of Measure AA, a \$225,000,000 bond to provide 20 years of funding for regional and local park acquisition and development projects;
- “In 2008, under the strategic leadership of its Board of Directors and General Manager Pat O'Brien, East Bay voters approved passage of the historic Measure WW, a \$500,000,000 renewal of the original Measure AA bond--the largest regional or local park bond ever passed in the United States; and
- “Throughout 2009, the District's 75th Anniversary will be recognized through special events and programs.”

**Additional Information:** Additional Information about Easy Bay Regional Park District can be found [here](#).

**Committee Action:** H.Con.Res. 211 was introduced on November 6, 2009 and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO score is unavailable.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.R. 4491 - Buffalo Soldiers in the National Parks Study Act** *(Speier, D-CA)*

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4491 would require the Secretary of the Interior to conduct a study of ways to commemorate and interpret the role of Buffalo Soldiers (African-American troops) in the early years of National Parks.

The study shall include:

- “A historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;
- “An evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;
- “The identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;
- “An evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and
- “Any other matters that the Secretary of the Interior deems appropriate for this study.”

The Secretary has 3 years to complete the study and submit a report to the House Natural Resources Committee and Senate Energy and Natural Resources Committee containing findings and recommendations.

**Committee Action:** H.R. 4491 was introduced on January 21, 2010 and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. There was a full committee markup on May 5, 2010 where the legislation was favorably reported by voice vote.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO score is unavailable.

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

However, the legislation requires the Secretary to conduct a study on how to commemorate and interpret the role of Buffalo Soldiers. This study could lead to further legislation that expands the National Parks System.

**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:** A committee report stating constitutional authority is unavailable.

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**H.R. 4493 - To provide for the enhancement of visitor services, fish and wildlife research, and marine and coastal resource management on Guam related to the Marianas Trench Marine National Monument (*Del. Bordallo, D-GU*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4493 would require the Secretary of the Interior and the Secretary of Commerce to treat the government of Guam as a cooperating agency when implementing Proclamation 8335 (see below). The government of Guam would be treated like the government of the Commonwealth of the Northern Mariana Islands.

This legislation would allow the Secretary of the Interior to expand and enhance existing visitor services programs at the Guam National Wildlife Refuge and begin a program (in consultation with the Government of Guam) to:

- “Survey, assess, manage, and promote the living and non-living natural resources of the National Monument;
- “Facilitate natural resource exploration and research; and
- “Encourage tourism, recreation, and economic opportunities to build public awareness and appreciation of--
  - the National Monument; and

- the National Wildlife Refuge System.”

This legislation also would allow for visitor services programs regarding the fish and wildlife resources of Guam, and conservation of coral reef ecosystems.

Subject to appropriations, this legislation would allow for the construction or leasing of a multipurpose center in Guam to:

- “Facilitate marine and coastal fish and wildlife research, observation, and conservation in the interests of the United States, the territory of Guam, and the Commonwealth of the Northern Mariana Islands;
- “Facilitate environmental education for students on Guam in partnership with the University of Guam, the Guam Community College, and the Guam Department of Education; and
- “Document, preserve, and display for public interpretation artifacts and information—
  - “Demonstrating the importance of the marine environment and the living and nonliving resources of the National Monument to the people of Guam and the indigenous Chamorro culture of the Mariana Islands;
  - “Illuminating the historic voyage of the submersible Trieste undertaken by the United States Navy on January 23, 1960, in which the deepest part of the Mariana Trench, the Challenger Deep, was safely reached; and
  - “Explaining the geology, geochemistry, geomorphology, and ecology of the Mariana Trench.

The Secretary of the Interior may accept, retain, and expend donations of funds, and use property or services donated from private persons and entities or from public entities.

**Additional Information:** On January 6, 2009, President George W. Bush issued Proclamation 8335 which established the Marianas Trench Marine National Monument. More information about the Proclamation can be found [here](#).

**Potential Concern:** Since the bill authorizes a significant expansion of the Monument’s mission, some conservatives have expressed concern that this expansion - at a park most Americans will never see - is unnecessary and comes at a significant cost to taxpayers at a time when then National Park Service already has maintenance backlogs over approximately \$9 billion.

**Committee Action:** H.R. 4493 was introduced on January 21, 2010 and referred to the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife. A full committee markup occurred on May 5, 2010 where an amendment in the nature of a substitute was offered by Del. Bordallo and was agreed to by voice vote. The legislation was then favorably reported by voice vote.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO report is unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. This legislation authorizes taxpayer funds to be used to create a new visitors center, and educational programs, in Guam.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.R. 3511 - Marianas Trench Marine National Monument Visitor Facility Authorization Act (*Del. Sablan, D-MP*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3511 allows the Secretary of the Interior to construct a multipurpose visitor facility in the Commonwealth of the Northern Mariana Islands for the interpretation and public education and enjoyment of the marine environment within the boundaries of the Marine National Monument. This legislation authorizes “**such sums as are necessary**” to be appropriated.

The bill requires the visitor's center will include:

- “Adequate space for permanent and temporary exhibits depicting the biological, geological, archaeological, cultural, and recreational heritage of the monument;
- “A venue for public education and interpretive programs relevant to the natural, cultural, and aesthetic resources of the monument, including formal classroom space to provide opportunities for research, training, and formal education regarding the monument;
- “A location to highlight the importance of the marine environment and the resources of the monument to the people and culture of the Commonwealth of the Northern Mariana Islands and other indigenous people and cultures of the Western Pacific Ocean Basin;

- “A location to provide information to the general public about natural resources, parks, museums, cultural resources, opportunities for wildlife-dependent outdoor recreation, and travel within the Commonwealth of the Northern Mariana Islands that provide opportunities for the visiting public to actively or passively experience the monument and to gain greater awareness and appreciation of the resources therein;
- “Sufficient visitor amenities including restrooms, public telephones, drinking water, and other basic facilities; and
- “Administrative office space sufficient to fulfill the management obligations and responsibilities of the Secretary and other Federal agencies as specified in the monument's enabling proclamation.”

**Potential Concern:** Since the bill authorizes a significant expansion of the Monument’s mission, some conservatives have expressed concern that this expansion is unnecessary and comes at a significant cost to taxpayers at a time when then National Park Service already has maintenance backlogs over approximately \$9 billion.

**Committee Action:** H.Res. 3511 was introduced on July 31, 2009 and referred to the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife. A full committee markup occurred on May 5, 2010 where an amendment offered by Rep. Brown was agreed to by voice vote. The legislation was then favorably reported by voice vote.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO report is unavailable. This legislation authorizes “such sums as are necessary” to be appropriated.

**Does the Bill Expand the Size and Scope of the Federal Government?** Yes. This legislation authorizes taxpayer funds to be used to create a new visitors center in the Northern Mariana Islands.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 1327 - Honoring the life, achievements, and contributions of Floyd Dominy (Rep. Smith, R-NE)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1327 would resolve that the House of Representatives:

- “Honors the life and accomplishments of Floyd Dominy, former Bureau of Reclamation Commissioner, for his many contributions to the Nation's water and food supply, recreation, and the environment.”

The resolution lists a number of findings including:

- “Floyd Dominy, a legendary Bureau of Reclamation Commissioner dedicated to building dams that would supply society with necessary water and emissions-free power for living and recreation, passed away on April 20, 2010, at the age of 100;
- “Floyd Dominy acquired critical war materials, helped resolve food shortages, and served in the U.S. Naval Reserve during World War II;
- “Floyd Dominy, during his tenure as the Commissioner of the Bureau of Reclamation, played a major role in the authorization and the construction of numerous Federal multi-purpose dams and water projects in the western United States, including Glen Canyon, Flaming Gorge, and Navajo Dams, the Central Arizona Project, San Luis Unit, and the Trinity Division of the Central Valley Project;
- “Many of these projects that Floyd Dominy played such a role in creating and constructing continue to be vital to the Nation's food supply and renewable electricity generation and attract millions of recreationalists each year; and
- “Floyd Dominy was named one of the top ten ‘Public Works Men of the Year’ in 1966 and was awarded for ‘Outstanding Engineering Achievement in Heavy Construction’ in 1974.”

**Committee Action:** H.Res. 1327 was introduced on May 5, 2010, and referred to the House Committee on Natural Resources, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.R. 1514 - Juvenile Accountability Block Grants Program Reauthorization Act (*Scott, D-VA*)**

**Order of Business:** H.R. 1514 is scheduled to be considered on Tuesday, May, 11 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 1514 amends the Omnibus Crime Control and Safe Streets Act of 1968 to extend through FY2014 the authorization of appropriations for the juvenile accountability block grant program. The program is authorized at the current level of \$350 million a year through 2014.

**Background:** According to their website, the “Juvenile Accountability Block Grants (JABG) program is administered by the State Relations and Assistance Division of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), Office of Justice Programs, U.S. Department of Justice. Through the JABG program, funds are provided as block grants to states for programs promoting greater accountability in the juvenile justice system. Local and tribal governments can then apply to the states for funds to support local accountability programs. In addition, OJJDP makes grants to federally recognized tribes to strengthen tribal juvenile justice systems and to hold youth accountable. These grants are made competitively.”

**Committee Action:** H.R. 1514 was introduced on March 16, 2009 and the bill was referred to the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, which took no subsequent public action.

**Administration Position:** No Statement of Administration Policy was provided.

**Cost to Taxpayers:** The bill authorizes \$350 million a year over five years, the same as the previous authorization levels.

**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?:** Although 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:** A committee report citing constitutional authority is unavailable for S. 3333.

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## **H.Res. 1325 - Recognizing National Missing Children's Day (Rooney, R-FL)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1325 would resolve that the House of Representatives:

- “Recognizes National Missing Children's Day and encourages all people in the United States to join together to plan events in communities across the United States to raise public awareness of law enforcement and the issue of missing children and the need to address the national problem of missing children;
- “Recognizes that one of the most important tools for law enforcement to use in the case of a missing child is an up-to-date, good quality photograph of the child and urges all parents and guardians to follow the important precaution of maintaining such a photograph;
- “Recognizes the vital role of law enforcement and the criminal justice system in preventing kidnappings and abduction of children while also leading efforts to locate missing children; and
- “Acknowledges that National Missing Children's Day should remind people in the United States not to forget the children who are still missing and not to waver in the efforts of law enforcement to reunite such children with their families.”

The resolution lists a number of findings including:

- “May 25, 2010, will be the 28th National Missing Children's Day;
- “National Missing Children's Day honors the obligation of the United States to locate and recover missing children by prompting parents, guardians, and other trusted adult role models to make child safety an utmost priority;
- “In the United States nearly 800,000 children are reported missing a year, more than 58,000 children are abducted by nonfamily members, and more than 2,000 children are reported missing every day;
- “The 1979 disappearance of 6-year-old Etan Patz served as the impetus for the creation of National Missing Children's Day, first proclaimed in 1983; and
- “Etan's photograph was distributed throughout the United States and appeared in media globally, and the powerful image came to represent the anguish of thousands of searching families.”

**Committee Action:** H.Res. 1325 was introduced on May 4, 2010 and was referred to the House Judiciary Committee, which took no public action.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution does not authorize additional expenditures.

**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.

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## **H.Res. \_\_ - Celebrating the Life and Achievements of Lena Mary Calhoun Horne (*Conyers, D-MI*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. \_\_ would resolve that the House of Representatives:

- “Celebrates the life and achievements of Lena Mary Calhoun Horne and honors her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people.”

The resolution lists a number of findings including:

- “Ms. Horne was born in Brooklyn, New York on June 30, 1917, and joined the chorus of the famed Cotton Club in Harlem at the age of 16 and debuted on Broadway one year later in the musical “Dance With Your Gods” (1934);
- “during the 1940s, Ms. Horne was one of the first African American women to perform with a white band ensemble, the first black performer to play the Copacabana nightclub, and among the first African Americans to sign a long-term Hollywood film studio contract, garnering her roles in a host of films, including “Thousands Cheer” (1943), “Broadway Rhythm” (1944), “Two Girls and a Sailor” (1944), “Ziegfeld Follies” (1946);
- Ms. Horne was outspoken in her fight for racial equality; and
- Ms. Horne was only two years old when her grandmother, suffragette, and civil rights activist Cora Calhoun enrolled her as a member of the National Association

for the Advancement of Colored People, and she worked for years with the Delta Sigma Theta sorority and the Urban League.”

**Committee Action:** H.Res. \_\_\_ has yet to be introduced.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **S. 1782 - Federal Judiciary Administrative Improvements Act of 2009 (*Sen. Whitehouse, D-RI*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill. The bill was passed by unanimous consent in the Senate on March 16, 2010. A similar bill, H.R. 3632, passed the House by voice vote on October 28, 2009.

**Summary:** S. 1782 contains administrative changes to the Federal Judiciary. Among other things, the bill:

- Eliminates the references to divisions and counties in the statutory description of the Judicial District of North Dakota;
- Clarifies that federal pretrial services officers can provide juveniles with the same services that they do for adults; and
- Extends the deadline for state and federal judges and the Justice Department to file their wiretap orders.

Among other provisions, H.R. 3632, which passed the House by voice vote in October 2009, contained language reducing the cost-of living and retirement coverage inequities between “term” judges (i.e. bankruptcy judges and magistrates) and territorial judges. It

also authorized the Federal Judicial Center to pay four division directors a higher salary than they are currently eligible for, and changed the annual leave limit for judicial branch executives.

**Committee Action:** S. 1782 was introduced on October 14, 2009, and referred to the Senate Committee on Judiciary, which took no public action.

**Cost to Taxpayers:** CBO states that S. 1782, as introduced in the Senate, “would have no effect on revenues.” However, the bill that passed the Senate was not scored.

**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?:** Although 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:** A committee report citing constitutional authority is unavailable.

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**H.Res. \_\_ - Honoring the historic and community significance of the Chatham County Courthouse and expressing condolences to Chatham County and the town of Pittsboro for the fire damage sustained by the courthouse on March 25, 2010 (*Etheridge, D-NC*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. \_\_ would resolve that the House of Representatives:

- “Expresses condolences to the North Carolina court system, Chatham County, and the town of Pittsboro for the tragic loss of the Chatham County Courthouse;
- “Commends the heroic actions of the Chatham County firefighters and first responders who worked tirelessly to combat the Courthouse fire, minimize the damage to the Courthouse and the historic materials contained therein, and protect the public;
- “Recognizes the community significance of the Courthouse as a cornerstone of justice and the rule of law in Chatham County; and

- “Recognizes the impact that more than a century of landmark court decisions has made on the judicial system of the Town of Pittsboro, Chatham County, and North Carolina.”

The resolution lists a number of findings including:

- “On March 5, 1881, the General Assembly of North Carolina approved legislation allowing the Board of Justices of Chatham County to replace the existing architecturally unsound Chatham County courthouse with a new facility and provided the county with construction bonds of up to \$12,000;
- “County courthouses are focal points of justice and the rule of law in communities across the country, and the Chatham County Courthouse serves as the central landmark of Pittsboro and Chatham County;
- “The historic Chatham County Courthouse was partially destroyed by a tragic fire that broke out on March 25, 2010, at approximately 4:15 p.m;
- “Government officials of the North Carolina Administrative Office of the Courts, Chatham County, and the town of Pittsboro have worked tirelessly to ensure the continuity of judicial operations in Chatham County and to develop a plan to restore the courthouse; and
- “The North Carolina court system, Chatham County, and the town of Pittsboro experienced a significant and tragic loss as a result of the March 25, 2010 fire.”

**Committee Action:** H.Res \_\_ has yet to be introduced.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** This resolution does not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.R. 4614 – Katie Sepich Enhanced DNA Collection Act of 2010** *(Teague, D-NM)*

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4614 would amend part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for incentive payments under the Edward Byrne Memorial Justice Assistance Grant program. The grants are intended to be used by states to implement minimum and enhanced DNA collection processes.

Under the bill, a state that implements a minimum DNA collection process and uses that process for the year will get a 5 percent increase in allocated funds for that year under the Byrne grant program. States that implement an enhanced DNA collection process get a 10 percent increase in allocated funds for that year under the Byrne grant program.

The bill also includes a requirement that the Attorney General submit a report to the Committee of the Judiciary in the House and the Senate each year. Among other things, the report shall include lists of states which have and have not implemented a minimum and an enhanced DNA collection process.

### **Definitions:**

- **Minimum DNA Collection Process.** A process under which the Combined DNA Index System (CODIS) of the FBI is searched at least one time against samples from individuals who are at least 18 years of age and commit certain crimes listed in the bill.
- **Enhanced DNA Collection Process.** A process under which the states provide for the collection of DNA samples from individuals who are at least 18 years of age and commit certain crimes listed in the bill.

The bill authorizes “such sums” from FY2011 through FY2015, in addition to funds made available under section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968. “Such sums” shall not exceed 10 percent of the appropriated amount to section 508, which authorizes the Byrne grant program at \$1,095,000,000 from FY2006 through FY2012

**Additional Background:** The Edward Byrne Memorial Justice Assistance Grant Program was established in 1988 as an anti-drug program to provide federal law enforcement grants to state and local governments. The program offers grants for local drug task-force agencies, crime prevention initiatives and substance abuse programs, among other efforts. Byrne, the officer for whom the program is named, was killed while protecting a witness in a drug case in New York in 1988.

**Potential Conservative Concerns:** Some conservatives might be concerned that in this bill, states are “incentivized” to develop an enhanced DNA collection program.

Additionally, the Bush Administration proposed eliminating funding for the Byrne grant program in past years. Some conservatives believe that the program creates a dependency by state and local law enforcement on funding from the federal government for crime control, which is a state and local responsibility.

**Committee Action:** H.R. 4614 was introduced on February 4, 2010, and referred to the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, which took no further public action.

**Cost to Taxpayers:** No CBO score is available.

**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:** A committee report citing constitutional authority is unavailable.

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**H.R. 5099 - To designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the “Michael C. Rothberg Post Office” (*Frank, D-MA*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5099 would designate the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the “Michael C. Rothberg Post Office.”

**Additional Information:** Michael C. Rothberg worked in the World Trade Center and was killed on September 11, 2001.

**Committee Action:** H.R. 5099 was introduced on April 21, 2010 and was referred to the House Oversight and Government Reform Committee, which held a markup and approved the legislation.

**Cost to Taxpayers:** No CBO score is available, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which 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:** A committee report citing constitutional authority is unavailable.

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## **H.Res. 1256 - Congratulating Phil Mickelson on winning the 2010 Masters (Broun, R-GA)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1256 would resolve that the House of Representatives:

- “Congratulates Phil Mickelson on the outstanding accomplishment of winning the 2010 Masters golf tournament.”

The resolution lists a number of findings including:

- “On April 11, 2010, Phil Mickelson won the Masters golf tournament for the third time at the Augusta National Golf Course in Augusta, Georgia;
- “The Masters is one of the 4 major championships in professional golf;
- “Phil Mickelson shot a final round 67 for a 72-hole total of 16 under par, 3 strokes better than any other competitor; and
- “The Phil and Amy Mickelson Foundation, through involvement with Start Smart, the Mickelson ExxonMobil Teachers Academy, and other causes, have supported a variety of youth and family initiatives.”

**Committee Action:** H.Res. 1256 was introduced on April 15, 2010, and referred to the House Oversight and Government Reform Committee, which held a markup and approved the resolution.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 403 - Expressing the sense of the House of Representatives that there should be established a National Teacher Day (*Klein, D-FL*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 403 would resolve that the House of Representatives:

- “There should be established a National Teacher Day to honor and celebrate teachers; and
- “The President should issue a proclamation calling on the people of the United States to observe such a day with appropriate ceremonies, programs, and activities.

The resolution lists a number of findings including:

- “The education of children in the United States is the foundation of the future success of the United States;
- “Education is critical for the creation of an innovative workforce and for increasing the global competitiveness of the United States;
- “Teachers help students cultivate the knowledge and principles necessary to be successful in life; and
- “The Tuesday of the first full week of May of each year is an appropriate day for the establishment of National Teacher Day.”

**Committee Action:** H.Res. 403 was introduced on May 5, 2009 and was referred to the House Oversight and Government Reform Committee, which held a markup and approved the resolution.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 1297 - Supporting the goals and ideals of American Craft Beer Week (*Markey, D-CO*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1297 would resolve that the House of Representatives:

- “Supports the goals and ideals of American Craft Beer Week, as founded by the Brewers Association;
- “Recognizes the significant contributions of craft brewers to the economy of the United States; and
- “Encourages beer-lovers of the United States to celebrate American Craft Beer Week through events at microbreweries, brewpubs, and beer stores across the United States to appreciate the accomplishments of craft brewers.”

The resolution lists a number of findings including:

- “More than 1,500 craft breweries are in business across the United States;
- “American craft brewers employ nearly 100,000 full- and part-time workers and generate more than \$3,000,000,000 in wages and benefits;

- “American craft brewers champion the message of responsible enjoyment to their customers and work with their communities to prevent alcohol abuse and underage drinking;
- “American craft brewers are frequently involved in local communities through philanthropy, volunteerism, and sponsorship of community events;
- “Increased Federal and State support of craft brewing is important to fostering growth of an American industry that creates jobs, greatly benefits the economy, and brings international accolades to American small businesses

**Committee Action:** H.Res. 1297 was introduced on April 22, 2010 and referred to the House Oversight and Government Reform Committee, which held a markup and approved the resolution.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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## **H.Res. 792 - Honoring Robert Kelly Slater for his outstanding and unprecedented achievements in the world of surfing (*Posey, R-FL*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, May 18, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 792 would resolve that the House of Representatives:

- “Honors Robert Kelly Slater for his outstanding and unprecedented achievements in the world of surfing and for being an ambassador of the sport and role model for aspiring young surfers in the United States and throughout the world.”

The resolution lists a number of findings including:

- “In 1992, at the age of 20, Kelly Slater was the youngest surfer to win the Association of Surfing Professionals World Championship;
- “Kelly Slater was inducted into the Surfers Hall of Fame in 2002;
- “In 2007, Kelly Slater started the Kelly Slater Foundation to raise awareness and financial support for socially and environmentally conscious charities;
- “In 2008, at the age of 36, Kelly Slater was the oldest surfer to win an Association of Surfing Professionals World Championship; and
- “Kelly Slater is surfing's all-time leader in career event wins.”

**Committee Action:** H.Res. 792 was introduced on October 1, 2009 and referred to the House Oversight and Government Reform Committee, which held a markup and approved the resolution.

**Cost to Taxpayers:** The resolution would not authorize any additional expenditures.

**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:** A committee report stating constitutional authority is unavailable.

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