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**Legislative Bulletin.....June 2, 2009**

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**H.R. 325—Avra/Black Wash Reclamation and Riparian Restoration Project  
(Grijalva, D-AZ)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** None. Identical legislation (H.R. 1503) was considered earlier in the 110<sup>th</sup> Congress and passed by a voice vote.

**Summary:** H.R. 325 would authorize the Secretary of the Interior to participate in the design, planning, and construction of water recycling facilities and to enhance and restore riparian habitat in the Black Wash Sonoran Desert ecosystem in Avra Valley, in Southern Arizona. The bill would authorize the Secretary to fund the lesser of 25 percent of the total cost of the project or \$14 million.

**Addition Information:** The Pima County Wastewater Management Department has been seeking federal assistance with its efforts to create a new water reclamation and reuse system in the area. According to the Department's website, "the overall Pima County wastewater conveyance system presently collects more than 70 million gallons per day (mgd) throughout the county's 370 square mile sanitary service area, which includes the City of Tucson; the neighboring towns of Marana, Oro Valley, and Sahuarita; and unincorporated communities such as Summerhaven (Mt. Lemmon), Arivaca Junction, Avra Valley, Green Valley, Corona de Tucson, and Catalina. The conveyance system consists of more than 3300 miles of public sanitary sewers."

**Committee Action:** On January 8, 2009, the bill was introduced to the Committee on Natural Resources. On February 4, 2009, the bill was referred to the Natural Resources subcommittee on Water and Power, which took no subsequent public action.

**Possible Conservative Concerns:** Some conservatives may be concerned that the bill would authorize \$14 million for a local water project.

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

**Cost to Taxpayers:** While no CBO estimate is available for H.R. 325, CBO did estimate that the cost of implementing identical legislation in the 110<sup>th</sup> Congress would authorize \$14 million over 5 years.

**Does the Bill Expand the Size and Scope of the Federal Government?** No, but the bill authorized federal funds for a *local* water project by creating a new water reuse and reclamation project for the Avra Valley area, in Arizona.

**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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.R. 1120—Central Texas Water Recycling Act of 2009 (*Edwards, D-TX*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 609) and agreed to by voice vote.

**Summary:** H.R. 1120 would amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to work with the city of Waco and other communities in the Central Texas Water Recycling and Reuse Project to create permanent facilities to “reclaim and recycle” water in McLennan County, Texas. The bill would limit the federal share of the costs to 25 percent, and would prohibit the Secretary from funding maintenance. The bill would terminate the Secretary’s authority in 10 years.

**Addition Information:** According to the city of Waco, this “legislation gives us the option of avoiding some of that cost by taking the pressure off our treatment plant. This bill is a win-win because it is not only the right thing to do for the environment; it’s good for businesses that buy the recycled water from us at a cheaper cost.” However, the Bureau of Reclamation opposed previous versions of this legislation because they had not reviewed the city’s proposal, nor conducted an appraisal study, and new construction projects is likely to further burden on Reclamation’s already strained budget.

**Committee Action:** On February 23, 2009, the bill was referred to the Committee on Natural Resources. On February 25, 2009, the bill was referred to the Subcommittee on Water and Power, which took no subsequent public action.

**Possible Conservative Concerns:** Some conservatives may be concerned that the bill would possibly authorize \$6 million for a local water project.

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

**Cost to Taxpayers:** While no CBO score exists for H.R. 1120, CBO did state the cost of implementing a similar bill, H.R. 3418, introduced in the 109<sup>th</sup> Congress, would have authorized \$6 million over the 2007-2012 period.

**Does the Bill Expand the Size and Scope of the Federal Government?** No, but the bill authorizes federal funds for a *local* water project.

**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?**

A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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**H.R. 1393—Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2009 (*Hinojosa, D-TX*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 361) and agreed to by voice vote.

**Summary:** H.R. 1393 would authorize \$85 million to create eighteen new projects for water conservation and improvement in Cameron, Hidalgo, Willacy, Hudspeth, and El Paso counties, Texas.

The bill would allow the Secretary of the Interior, through the Commissioner of the Bureau of Reclamation, to conduct and participate in any project that includes:

- replacement of irrigation canals and lateral canals with buried pipelines;
- impervious lining of irrigation canals and lateral canals;
- installation of water level, flow measurement, pump control, and telemetry systems;
- renovation and replacement of pumping plants; and
- activities that will result in the conservation of water or an improved supply of water.

**Addition Information:** According to the bill's sponsor, because of dramatic growth on the U.S. Mexican border, water supplies have become strained. Water intended for irrigating crops flows through open dirt ditches where much of the water supply is lost to seepage and evaporation. Municipalities also rely on the water from inefficient and outdated irrigation delivery systems to meet the water needs of growing communities. This legislation is needed to modernize water delivery systems through the installation of water pipes and canal linings.

**Committee Action:** On March 9, 2009, the bill was referred to the Committee on Natural Resources. On March 13, 2009, the bill was referred to the subcommittee on Water and Power, which took no subsequent public action.

**Possible Conservative Concerns:** Some conservatives may be concerned that this legislation would authorize \$85 million to fund eighteen broadly defined water reclamation projects without a CBO estimate.

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

**Cost to Taxpayers:** No CBO score for H.R. 1393 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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.R. 1044—Port Chicago Naval Magazine National Memorial Enhancement Act of 2009 (*Miller, D-CA*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 3111) and agreed to by voice vote.

**Summary:** H.R. 1044 would authorize the Secretary of Interior to take over administration of the Port Chicago Naval Magazine National Memorial, near Concord, California, as a unit of the National Park Service (NPS). The bill would require the Secretary of the Defense to determine that the five acre National Memorial is no longer needed by the military before it is transferred. The bill would also require the Secretary of the Defense to perform any and all necessary environmental remediation actions.

H.R. 1044 would allow the Secretary of Interior to enter into an agreement with the City of Concord to establish and operate a visitor's center and administrative building for the memorial.

Finally, the bill would express the sense of Congress that the Secretaries of Defense and Interior should work together to "repair storm damage to the Port Chicago site and develop a process by

which future repairs and necessary modifications to the site can be achieved in as timely and cost-effective a manner as possible.”

**Addition Information:** According to [House Report 110—506](#), the Port Chicago Naval Magazine National Memorial commemorates the site of the single largest homeland disaster during WWII. On the site in 1944, 320 men were killed (the majority of whom were African-American) during an explosion at the ammunition loading station. Following the explosion, Port Chicago became the site of another controversial incident when 258 of the battalion’s 328 sailors refused to go back to work until conditions were improved. After the incident, 208 sailors faced court martial charges, while 50 men served prison sentences for mutiny. In 1992, the site was designated as the Port Chicago Naval Magazine National Memorial by Congress.

**Committee Action:** On February 12, 2009, the bill was referred to the Committee on Natural Resources and Armed Services. On February 19, 2009, the bill was referred to the subcommittee on National Parks, Forests, and Public Lands, which took no subsequent public action.

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

**Cost to Taxpayers:** While no CBO score exists for H.R. 1044, CBO estimates that implementing identical legislation in the 110<sup>th</sup> Congress would cost the NPS about \$200,000 a year to operate the memorial as a park unit.

**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?** A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A committee report citing constitutional authority is not available.

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## **H.R. 1280—To modify a land grant patent issued by the Secretary of the Interior (*Stupak, D-MI*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 2121) and agreed to by voice vote.

**Summary:** H.R. 1280 would modify a land grant patent (number 61-2000-0007) issued by the Secretary of the Interior to the Great Lakes Shipwreck Historical Society in Chippewa County, Michigan, allowing the Society to fully utilize the property (which was conveyed to the Historical Society by the Interior Department in 1996).

**Addition Information:** According to the bill’s sponsor, “The Great Lakes Shipwreck Historical Society is a nonprofit organization dedicated to preserving the history of shipwrecks in the Great Lakes. Since 1992, the Great Lakes Shipwreck Historical Society has operated the Great Lakes Shipwreck Museum to educate the public about shipwrecks in the region. In 2002, the Great Lakes Shipwreck Historical Society, working with the U.S. Fish and Wildlife Service, the Michigan Audubon Society, and the local community, finalized a new management plan to improve the experience at the museum. However, because the original land grant patent references the previous management plan, legislation to amend the patent is necessary before the new management plan can be implemented.” H.R. 2121 amends the land grant patent to allow the new plan to be implemented.

**Committee Action:** On March 30, 2009, the bill was referred to the Natural Resources Subcommittee on National Parks, Forests, and Public Lands, which took no subsequent public action.

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

**Cost to Taxpayers:** No CBO cost estimate 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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.R. 1287—Dorothy Buell Memorial Visitor Center Partnership Act (*Visclosky, D-IN*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no significant changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 1423) and agreed to by a vote of [376 - 11](#).

**Summary:** H.R. 1287 would authorize the Secretary of Interior to enter into an agreement with the Porter County, Indiana, Visitor Commission to lease space in the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore. The bill would also allow the Secretary to plan, construct, and install exhibits in the leased visitor center space at a cost not to exceed \$1.5 million. The bill would also allow the Secretary to use Indiana Dunes National Lakeshore park staff to provide information and education in the visitor's center.

**Addition Information:** The recently built Dorothy Buell Memorial Visitor Center, located in Porter County, Indiana, is shared by the federally operated national lakeshore, Indiana Dunes State Park, and Porter County Convention, Recreation, and Visitor Commission. H.R. 1287 would statutorily define the federal government's participation in the center and authorize the Secretary of Interior to create exhibits in the national lakeshore section of the center.

**Committee Action:** On March 3, 2009, the bill was referred to the Committee on Natural Resources. On March 9, 2009, the bill was referred to the Subcommittee on National Parks, Forests, and Public Lands, which took no subsequent public action.

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

**Cost to Taxpayers:** While no CBO score exists for H.R. 1287, CBO estimate that implementing similar legislation in the 110<sup>th</sup> Congress would cost \$1.5 million over the 2009-2013 period for exhibits in the new visitor facility, assuming appropriations.

**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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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**H.R. 689—To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management  
(Herger, R-CA)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 689 would direct the Bureau of Land Management (BLM) to assume responsibility for 12,000 acres of land currently administered by the Forest Service. In exchange, the FS would receive control 5,000 acres of BLM land. All lands are located in Northern California and are already under federal ownership and regulation.

**Addition Information:** According to the committee, the purpose of the exchange is to ease problems that off-highway vehicle (OHV) users are having regarding OHV use on the Trinity-Shasta National Forest and adjacent public lands. Currently, OHV riders must obtain permits from both the FS and BLM. H.R. 689 will consolidate OHV riders to BLM-administered public lands and users will need to only obtain permits from the BLM.

**Committee Action:** On January 26, 2009, the bill was introduced and referred to the Committee on Natural Resources. On February 4, 2009, the bill was referred to the subcommittee on National Parks, Forests and Public Lands. On April 29, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent on May 14, 2009.

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

**Cost to Taxpayers:** CBO estimates that enacting H.R. 689 would have no significant effect on the federal budget and would not affect revenues or direct spending.

**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?** According to House Report [111-108](#), H.R. 689 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.

**Constitutional Authority:** According to House Report [111-108](#), Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

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## H.R. 2330—Camp Hale Study Act (*Lamborn, R-CO*)

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no significant changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 3336) and agreed to by voice vote.

**Summary:** H.R. 2330 would require the Secretary of the Interior, acting through the Director of the National Park Service (NPS), to conduct a study to assess the feasibility of designating Camp Hale, Colorado, as a unit of the National Park System. The bill would require the NPS to submit the study within three years of enactment.

**Addition Information:** According to the Committee, “Camp Hale was established during World War II as a training venue for the Army’s 10th Mountain Division and other elements of the U.S. Armed Forces. The geography of the area is ideal for winter and high-altitude training, with steep mountains surrounding a level valley suitable for housing and other facilities. In addition to the 10th Mountain Division, the 38th Regimental Combat Team, 99th Infantry Battalion, and soldiers from Fort Carson were trained at Camp Hale from 1942 to 1965. Throughout this time, the Army tested a variety of weapons and equipment at Camp Hale.” In 1992, Camp Hale was placed on the National Register of Historic Places.

**Committee Action:** On May 7, 2009, the bill was referred to the Committee on Natural Resources. On May 11, 2009, the bill was referred to the Subcommittee on National Parks, Forests, and Public Lands, which took no subsequent public action.

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

**Cost to Taxpayers:** While no CBO score exists for H.R. 2330, CBO did state the cost of implementing identical legislation in the 110<sup>th</sup> Congress would cost \$500,000 over the FY 2009 through FY 2013 period, subject to appropriation.

**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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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**H.R. 2430—To direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area**

*(Hastings, R-WA)*

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** There are no significant changes since the legislation was considered in the 110<sup>th</sup> Congress (H.R. 3227) and agreed to by a voice vote.

**Summary:** H.R. 3227 would authorize the stocking of fish in lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area under certain conditions. Such conditions set by the bill are:

- The Secretary shall stock fish only with the concurrence of and in coordination with the State of Washington;
- The Secretary shall only select lakes to be stocked from the 91 lakes that have historically had fish stocking;
- The Secretary shall only stock fish that are native to the watershed; or functionally sterile.

**Addition Information:** According to the Committee, The lakes of North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area do not naturally include fish. Beginning in the late 1800's, however, the lakes were stocked with fish, and beginning in the 1930's, the State of Washington began managing fish stocking in these lakes. The North Cascades National Park was designated in 1968 and the Steven T. Mather Wilderness Area within the Park was designated in 1988.

Under the Wilderness Act, it is unclear whether stocking is allowed in designated wilderness areas and the NPS has determined that fish stocking in the Stephen T. Mather Wilderness can only be implemented if Congress granted the NPS the unambiguous legal authority to do so.

**Committee Action:** On May 14, 2009, the bill was referred to the Committee on Natural Resources, which took no subsequent public action.

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

**Cost to Taxpayers:** While no CBO score exists for H.R. 2430, CBO did state the cost of implementing similar legislation in the 110<sup>th</sup> Congress “would have no effect on revenues or direct spending and no significant effect on discretionary spending. The expense of stocking fish would be borne by the state or other nonfederal entities, as it has been since the three park units were established.”

**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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.J.Res. 40—Native American Heritage Day Act of 2009 (*Baca, D-CA*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.J.Res. 40 would resolve that the Senate and House of Representatives:

- “Appropriate programs, ceremonies, and activities to observe Native American Heritage Day;
- “The historical status of Native American tribal governments as well as the present day status of Native Americans;
- “The cultures, traditions, and languages of Native Americans; and
- “The rich Native American cultural legacy that all Americans enjoy today.”

The resolution lists a number of findings including:

- “Native Americans are the descendants of the aboriginal, indigenous, native people who were the original inhabitants of and who governed the lands that now constitute the United States;
- “Native Americans have volunteered to serve in the United States Armed Forces and have served with valor in all of the Nation's military actions from the Revolutionary War through the present day, and in most of those actions, more Native Americans per capita served in the Armed Forces than any other group of Americans;
- “The Founding Fathers based the provisions of the Constitution on the unique system of democracy of the Six Nations of the Iroquois Confederacy, which divided powers among the branches of government and provided for a system of checks and balances;
- “Native Americans should be recognized for their contributions to the United States as local and national leaders, artists, athletes, and scholars;
- “Designation of the Friday following Thanksgiving of each year as Native American Heritage Day will underscore the government-to-government relationship between the United States and Native American governments;
- “Designation of Native American Heritage Day will encourage public elementary and secondary schools in the United States to enhance understanding of Native Americans by providing curricula and classroom instruction focusing on the achievements and contributions of Native Americans to the Nation; and
- “The Friday immediately succeeding Thanksgiving Day of each year would be an appropriate day to designate as Native American Heritage Day.”

**Committee Action:** H.J.Res. 40 was introduced on March 12, 2009 and referred to the House Committee on Natural Resources, which took no subsequent action.

**Administration Position:** No Statement of Administration Policy 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 citing constitutional authority is unavailable for H.J.Res. 40.

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## **H.Res. 421—Recognizing and commending the Great Smoky Mountains National Park on its 75th year anniversary (Roe, R-TN)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 421 would resolve that the House of Representatives:

- “Commends the citizens of east Tennessee and western North Carolina for their vision and sacrifice;
- “Commends the Great Smoky Mountains National Park and the National Park Service for 75 years of successful management and preservation of the park land;
- “Congratulates the Great Smoky Mountains National Park on its 75th anniversary; and
- “Directs the Clerk of the House of Representatives to transmit a copy of this resolution to the Great Smoky Mountains National Park Headquarters located at 107 Park Headquarters Road, Gatlinburg, TN 37738, for appropriate display.”

The resolution lists a number of findings including:

- “Groups of local citizens and officials in western North Carolina and east Tennessee in the 1920s displayed enormous foresight in recognizing the potential benefits of a national park in the southern Appalachians;

- “The State Assemblies and the Governors of those two States exercised great vision in appropriating funding, along with the Laura Spellman Rockefeller Memorial Fund for the purchase of the over 400,000 acres of private lands which had been accumulated;
- “Over 1,100 families and other property owners were called upon to sacrifice their farms and homes for the benefit and enjoyment of future generations;
- “Great Smoky Mountains National Park was created by Congress on June 15, 1934;
- “Great Smoky Mountains National Park covers approximately 521,621 acres of land, in both Tennessee and North Carolina making it the largest protected areas in the Eastern United States;
- “On September 2, 1940, President Franklin D. Roosevelt dedicated Great Smoky Mountains National Park;
- ‘The Great Smoky Mountains National Park has been America's most popular national park since it opened, and now attracts 9,000,000 to 10,000,000 visitors each year, making it the most visited of the 58 national parks; and
- “Park visitors contribute over \$700,000,000 each year resulting in over 14,000 jobs within the States and the surrounding local economies:”

**Committee Action:** On May 7, 2009, the bill was referred to the Committee on Natural Resources. On May 8, 2009, the bill was referred to the subcommittee on National Parks, Forests, and Public Lands, which took no subsequent public action.

**Administration Position:** No Statement of Administration Policy 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 citing constitutional authority is unavailable for H.Res. 421.

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## **H.R. 1380—Josh Miller HEARTS Act (*Sutton, D-OH*)**

**Order of Business:** H.R. 1380 is scheduled to be considered under suspension of the rules on Tuesday, June 2, 2009. The bill passed the House of Representatives by voice vote in the 110<sup>th</sup> Congress.

**Summary:** H.R. 1380 would establish a grant program carried out by the Secretary of Education. The program would make grants to local educational agencies to purchase automated external defibrillators (AEDs) for use in elementary and secondary schools, or to provide training to enable elementary and secondary schools on the use of AEDs.

To be eligible for the grant, the local educational agency must provide matching funds from non-Federal sources equal to not less than 25 percent of the amount of the grant. The Secretary has the power to waive this requirement under certain circumstances.

The bill authorizes such sums as may be necessary for each year from 2010 through 2015.

**Background:** H.R. 1380 is named after Josh Miller, a 15-year-old student who suffered a cardiac arrest during a high school football game in 2000. An AED was not immediately available and Josh died.

**Committee Action:** H.R. 1380 was introduced on March 6, 2009 and was referred to the Committee on Education and Labor and the Committee on Energy and Commerce, neither of which took any further action.

**Cost to Taxpayers:** A CBO cost analysis for H.R. 1380 is currently unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. The bill creates a new grant program administered by the Secretary of Education.

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

**Constitutional Authority:** A House Report citing constitutional authority not available.

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## **H.Res. 196—Congratulating the University of Tennessee women's basketball team (Duncan, R-TN)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, June 2 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 196 resolves that the House of Representatives:

- “Congratulates the University of Tennessee women's basketball team and Head Coach Pat Summitt on her 1,000th victory;
- “Recognizes the significant achievements of the players, coaches, students, alumni, and support staff whose dedication and hard work have contributed greatly to the success of the Lady Vols program and Coach Summitt; and

- “Respectfully requests the Clerk of the House of Representatives to transmit copies of this resolution to the following for appropriate display--
  - “Dr. John D. Petersen, President of the University of Tennessee;
  - “Dr. Loren Crabtree, Chancellor of the University of Tennessee, Knoxville;
  - “Joan Cronan, Women's Athletics Director; and
  - “Pat Summitt, Women's Basketball Head Coach.”

The resolution lists a number of findings including:

- “On March 22, 2005, Coach Summitt passed Dean Smith for most NCAA collegiate basketball wins of all-time with a 75-54 victory over Purdue on March 22, 2005;
- “Coach Summitt and the Lady Vols own a 404-62 all-time record verses 12 teams from the Southeastern Conference (SEC);
- “Coach Summitt and the Lady Vols have won 27 SEC titles;
- “Coach Summitt has never had a losing season...”

**Committee Action:** H.Res. 196 was introduced on February 26, 2009 and referred to the House Committee on Education and Labor, which took no subsequent 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.

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## **H.Res. 232—Commending the Toys for Tots Literacy Program (Graves, R-MO)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, June 2 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 232 resolves that the House of Representatives:

- “Recognizes that the Toys for Tots Literacy Program has made significant contributions in raising awareness of illiteracy and promoting children's literacy; and

- “Recognizes and commends the Toys for Tots Literacy Program for its effort to battle poverty through the support of literacy.”

The resolution lists a number of findings including:

- “For more than 60 years, Toys for Tots has been bringing smiles to the faces of less fortunate children through the gift of a new toy;
- “After supporting Toys for Tots since 2005 and raising \$1.3 million to help brighten the lives of thousands of children nationwide, The UPS Store and Mail Boxes Etc. network launched the Toys for Tots Literacy Program in March 2008 to expand upon their existing partnership as an example of what small businesses can do to help their community;
- “The mission of the Toys for Tots Literacy Program is to offer the Nation's most economically disadvantaged children the ability to compete academically and to succeed in life by providing them direct access to resources that enhance their ability to read and to communicate effectively;
- “This initiative maintains the Toys for Tots mission of delivering hope while extending its reach and impact in a meaningful way by providing less fortunate children with tools that can help them break the cycle of poverty;
- “In 2007, the National Center for Educational Statistics released its annual Reading Report, which asserts that 33 percent of all fourth graders in the United States still cannot read at even the basic level, highlighting the need for a program like the Toys for Tots Literacy Program;
- “Every \$1 donation helps the Marine Toys for Tots Foundation buy a book for a deserving child within the community where it was donated;
- “Since March 2008 more than \$630,000 has been raised for the Toys for Tots Literacy Program through a variety of activities, including donation card campaigns, coin box collections, special events, and sponsorships;
- “March 2009 marks the one-year anniversary of the Toys for Tots Literacy Program; and
- “The Toys for Tots Literacy Program has created a literacy award, in honor of Alferd Williams, a 71-year-old resident of St. Joseph, Missouri, who, to combat illiteracy, enrolled in Alesia Hamilton's first-grade class at Edison Elementary School in St. Joseph.”

**Committee Action:** H.Res. 232 was introduced on March 10, 2009 and referred to the House Committee on Education and Labor, which took no subsequent 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.

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## **H.R. 1662— Anthony DeJuan Boatwright Act (*Barrow, D-GA*)**

**Order of Business:** H.R. 1662 is scheduled to be considered under suspension of the rules on Tuesday, June 2, 2009. The bill was passed by voice vote in the 110<sup>th</sup> Congress.

**Summary:** H.R. 1662 would require states to make regulations that require child care providers to give parents information regarding whether or not they carry liability insurance. Child care providers would be required to obtain a signature from at least one parent confirming that they had been notified as to whether the provider carried liability insurance. States would have to comply in order to receive federal funds through the Child Care and Development Block Grant Act of 1990.

**Additional Background:** H.R. 1662 is named for Anthony DeJuan Boatwright, a one year old boy who fell into an unattended bucket at a child care provider and has since been semicomatose and unable to breath without the assistance of a ventilator. Since Anthony's injuries occurred, his mother has worked on the state level to require that child care providers carry liability insurance. While H.R. 1473 would not require providers to purchase and carry liability insurance, it would require them to notify parents in either event.

**Committee Action:** H.R. 1662 was introduced on March 23, 2009 and referred to the Committee on Education and Labor which took no further action.

**Cost to Taxpayers:** A CBO cost analysis for H.R. 1662 is currently unavailable; however, the bill does not authorize any 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?:** The bill would stipulate that states must require child care providers to notify parents as to whether they carry liability insurance in order to receive federal funds through the Child Care and Development Block Grant Act of 1990.

**Constitutional Authority:** A House Report citing constitutional authority not available.

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**H.Res. 259—Expressing the gratitude and appreciation of the House of Representatives for the acts of heroism and military achievement by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II (*Boozman, R-AR*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 259 would resolve that the House of Representatives:

- “Recognizes the 65th anniversary of the Allied amphibious landing on D-Day, June 6, 1944, at Normandy, France, during World War II;
- “Expresses its gratitude and appreciation to the members of the United States Armed Forces who participated in the D-Day operations; and
- “Requests the President to issue a proclamation calling on the people of the United States to observe the anniversary with appropriate ceremonies and programs to honor the sacrifices of their fellow countrymen to liberate Europe.”

The resolution lists a number of findings including:

- “June 6, 2009, marks the 65th anniversary of the Allied assault at Normandy, France, by American, British, and Canadian troops, which was known as Operation Overlord;
- “Before Operation Overlord, the German Army still occupied France and the Nazi government still had access to the raw materials and industrial capacity of Western Europe;
- “Over 300 planes dropped approximately 15,000 tons of bombs in advance of the amphibious landing to weaken the enemy defenses;
- “More than 13,000 soldiers parachuted behind enemy lines to secure landing fields in the 24 hours preceding the amphibious landing;
- “The D-Day landing was the largest single amphibious assault in history, consisting of approximately 31,000 members of the United States Armed Forces and more than 3,000 vehicles, which embarked on 208 vessels from Weymouth and Portland, England;
- “Of the approximately 10,000 casualties incurred by Allied troops on the first day of the landing, more than 6,000 casualties were members of the United States Armed Forces;
- “Members of the ‘greatest generation’ assumed the task of freeing the world from Nazi and Fascist regimes and restoring liberty to Europe”

**Committee Action:** H.Res. 259 was introduced on March 18, 2009 and referred to the House Committee on Armed Services. On April 27, 2009 the bill was referred to the subcommittee on Military Personnel, which took no subsequent action.

**Administration Position:** No Statement of Administration Policy 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 citing constitutional authority is unavailable for H.Res. 259.

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**H.Res. 471—Expressing sympathy to the victims, families, and friends of the tragic act of violence at the combat stress clinic at Camp Liberty, Iraq, on May 11, 2009 (*Kratovil, D-MD*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 2, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 471 would resolve that the House of Representatives:

- “Expresses its heartfelt condolences to the families and friends of the victims of the May 11, 2009, shooting at the combat stress clinic at Camp Liberty, Iraq;
- “Conveys its ongoing deep gratitude to the brave members of the Armed Forces who risk their lives in service of protecting the Nation;
- “Recognizes the important work of the medical professionals and staff members, who provide essential mental health services to our servicemen and women, at Combat Stress Control Center in Camp Liberty, Iraq, and other clinics in theater and at home; and
- “Commits to focus on the mental, in addition to the physical, well being of the Nation's military servicemen and women, and veterans, and to support the policies, resources, and funding necessary to successfully combat the mental and physical healthcare challenges that they may confront.”

The resolution lists a number of findings including:

- “On Monday, May 11, 2009, the Nation experienced a tragedy when a soldier at the combat stress clinic at Camp Liberty, Iraq, reportedly killed five innocent American servicemen, and wounded three others;
- ‘The shooting resulted in the tragic loss of Navy Commander Charles K. Springle, Army Major Matthew P. Houseal, Army Sergeant Christian E. Bueno-Galdos, Army Specialist Jacob D. Barton, and Army Private First Class Michael E. Yates;

- “The combat stress clinic at Camp Liberty, Iraq, and similar clinics in theater and at home provide essential mental health services to the Nation's servicemen and women;
- “Honoring the Nation's commitment to those who serve the Nation and their families means offering these heroic soldiers not only first class medical care for physical injuries, but also first class mental health services”

**Committee Action:** H.Res. 471 was introduced on May 21, 2009, and referred to the House Committee on Armed Services, which took no subsequent further public action.

**Administration Position:** No Statement of Administration Policy 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 citing constitutional authority is unavailable for H.Res. 471.

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