

**Legislative Bulletin.....July 13, 2010**

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**H.R. 3923 - Sugar Loaf Fire Protection District Land Exchange Act**  
***(Polis, D-CO)***

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3923 is a land exchange bill between the Secretary of Agriculture and the Sugar Loaf Fire Protection District of Boulder, Colorado (District). H.R. 3923 would direct the Secretary to exchange a 5.08 acre parcel in the Arapaho-Roosevelt National Forest for a 5.17 acre parcel of non-federal land, with the District.

The two parcels are to be appraised before the exchange. If they are found to be unequal in value, then the Secretary may make a cash payment to the District or vice versa, and the two parties may alter the acreage amount, or both. If the land exchange does not occur within one year then the Secretary may sell the land to the District and the proceeds could be spent by the Secretary without further appropriation.

The District will pay for the appraisals, and surveys. The non-federal land acquired by the Secretary will become part of the National Park, and the boundaries of the National Park will be modified to reflect changes that occur because of this legislation.

**Committee Action:** H.R. 3923 was introduced on October 23, 2009 and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. Hearings were held in the subcommittee but no other public action was taken.

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

**Cost to Taxpayers:** CBO estimates H.R. 3923 would have no effect on the federal budget.

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

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

**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.

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## **H.R. 3967 - To amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015 (*Cummings, D-MD*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3967 would extend the authorized appropriations timeline of the National Great Black Americans Commemoration Act of 2004 (S. 1233 in the 108<sup>th</sup> Congress) through FY 2015.

The National Great Black Americans Commemoration Act of 2004 authorized \$5 million for Great Blacks in Wax Museum, Inc. to establish the National Great Blacks in Wax Museum and Justice Learning Center in Baltimore, Maryland through 2009. The federal share of the project may not exceed 25 percent of the total cost.

**Additional Background:** The Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, a nonprofit organization, was founded in 1983. According to the organization, it is the "first wax museum of African American history in the nation," including those who have served in Congress, in senior executive branch positions, in the law, the judiciary and other fields, as well as others who have made significant contributions to

benefit the nation. See [here](#). Some conservatives may be concerned that the authorization is not offset.

**Committee Action:** H.R. 3967 was introduced October 29, 2009, and was referred to the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security which took no public action. The legislation was also referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 16, 2010, and the legislation was favorably reported by voice vote.

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

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

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. H.R. 3967 would extend authorized appropriations of the National Great Black Americans Commemoration Act of 2004 through FY 2015.

**Constitutional Authority:** A committee report citing constitutional authority was unavailable at press time.

**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 was no accompanying committee report available at press time, 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. 4514 - Colonel Charles Young Home Study Act (*Clay, D-MO*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4514 would direct the Secretary of the Interior, in consultation with the Secretary of the Army, to conduct a special resource study of the Colonel Charles Young Home, a National Historic Landmark in Xenia, Ohio.

When conducting the study, the Secretary shall:

- “Evaluate any architectural and archeological resources of the Home;
- “Determine the suitability and feasibility of designating the Home as a unit of the National Park System;

- “Consider other alternatives for preservation, protection, and interpretation of the Home by Federal, State, or local governmental entities or private and nonprofit organizations, including the use of shared management agreements with the Dayton Aviation Heritage National Historical Park or specific units of that Park, such as the Paul Laurence Dunbar Home;
- “Consult with the Ohio Historical Society, Central State University, Wilberforce University, and other interested Federal, State, or local governmental entities, private and nonprofit organizations, or individuals; and
- “Identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives considered under the study.”

No later than 3 years after funds are made available for the study, the Secretary shall submit to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources a report that contains the results of the study, and the conclusions and recommendations of the Secretary.

**Committee Action:** H.R. 4514 was introduced on January 26, 2010, and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 16, 2010, and the legislation was agreed to by unanimous consent, as amended.

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

**Cost to Taxpayers:** CBO estimates that H.R. 4514 would cost about \$250,000 over the next three years.

**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. 4686 - Rota Cultural and Natural Resources Study Act**  
***(Del. Sablan, D-MP)***

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4686 directs the Secretary of the Interior to carry out a study regarding the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on the island of Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System. The Secretary would also be directed to consider management alternatives for the island of Rota, Commonwealth of the Northern Mariana Islands. The study would be conducted by the National Park Service (NPS).

No later than 18 months after funds are made available for the study, the Secretary shall submit to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources a report containing the results of the study.

**Committee Action:** H.R. 4686 was introduced on February 24, 2010 and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 16, 2010, and the legislation was favorably reported, as amended, by voice vote.

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

**Cost to Taxpayers:** CBO estimates this legislation would cost about \$200,000 over the next three years.

**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. 4438 - San Antonio Missions National Historical Park Leasing and Boundary Expansion Act of 2010 (*Rodriguez, D-TX*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4438 would direct the Secretary of the Interior, through the National Park Service (NPS), to conduct a study within Bexar and Wilson Counties, Texas, to identify if a specific 150 acre tract of land would be feasible to include in the San Antonio Missions National Historical Park. No later than 3 years after funds are made available for the study, the Secretary shall submit to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources a report containing the findings, conclusions, and recommendations of the study.

The NPS would be allowed to enter into cooperative agreement with the city of San Antonio for a facility outside the boundary of the park to provide for office space for operational support, and a center for research and education.

**Potential Conservative Concern:** Some conservatives may be concerned that this park expansion is unnecessary and come at a cost to taxpayers at a time when then National Park Service already has maintenance backlogs over approximately \$9 billion. Additionally, some conservatives might be concerned that there are no offsets for the cost of this legislation.

**Committee Action:** H.R. 4438 was introduced on January 13, 2010, and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on May 5, 2010, and favorably reported by, as amended, by voice vote.

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

**Cost to Taxpayers:** CBO estimates that the NPS would spend \$4 million over the 2010 – 2015 period to study and expand the park’s boundaries by 150 acres. CBO also estimates that the cooperative agreement provision would increase spending by \$10 million over the 2010 – 2015 period for the construction of a new headquarters and educational facility near the San Jose Mission. CBO further estimates that the NPS would spend about \$350,000 over the 2011 – 2013 periods to complete the study, and \$100,000 annually to manage the additional acreage.

**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. 3989 - Heart Mountain Relocation Center Study Act of 2009 (Lummis, R-WY)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3989 directs the Secretary of the Interior to conduct a resource study of the Heart Mountain Relocation Center, in Park County Wyoming.

In conducting the study under subsection (a), the Secretary shall—

- “Evaluate the national significance of the Heart Mountain Relocation Center and surrounding area;
- “Determine the suitability and feasibility of designating the Heart Mountain Relocation Center as a unit of the National Park System;
- “Consider other alternatives for preservation, protection, and interpretation of the site by Federal, State, or local governmental entities, or private and nonprofit organizations;
- “Identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives;
- “Identify any potential impacts of designation of the site as a unit of the National Park System on private landowners; and
- “Consult with interested Federal, State, or local governmental entities, federally recognized Indian tribes, private and nonprofit organizations, owners of private property that may be affected by any such designation, or any other interested individuals.”

No later than 3 years after the date of which funds were made available for the study, the Secretary shall submit to the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources a report containing the results of the study, conclusions, and recommendations.

**Additional Information:** [Heart Mountain Relocation Center](#) was used between 1942 and 1945 as an internment camp for Japanese Americans during World War II.

**Committee Action:** H.R. 3989 was introduced on November 3, 2009, and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 16, 2010, and the legislation was reported by unanimous consent.

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

**Cost to Taxpayers:** CBO estimates that H.R. 3989 would cost about \$200,000 over the next three years.

**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. 4773 - Fort Pulaski National Monument Lease Authorization Act (Kingston, R-GA)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4773 would allow the Secretary of the Interior to lease 30,000 square feet of land within the Fort Pulaski National Monument to the Savannah Bar Pilots Association. The Secretary shall require a rental fee based on the adjusted fair market value, as the Secretary deems appropriate. The Savannah Bar Pilots Association shall be responsible for fees involving property preservation, maintenance, and repair.

The lease shall be for 10 years, and there will be an option to renew. The Secretary shall have the option of revise the renewed lease to include any terms and conditions necessary to protect the resources of the Monument.

**Committee Action:** H.R. 4773 was introduced on March 4, 2009, and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. A full committee markup was held on June 16, 2010, and the legislation was reported by unanimous consent.

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

**Cost to Taxpayers:** CBO estimates that H.R. 4773 would have no net effect on the federal budget. CBO estimates that rental proceeds under the bill would be less than \$25,000 a year, slightly more than the NPS currently collects in permit fees.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. This legislation allows the Secretary of the Interior to lease 30,000 square feet of land within the Fort Pulaski National Monument to the Savannah Bar Pilots Association.

**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. 689 - Shasta-Trinity National Forest Administrative Jurisdiction Transfer Act (Herger, R-CA)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, 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 (FS). In exchange, the FS would receive control of 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 April 29, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent. H.R. 689 passed the House on

June 2, 2009 by voice vote. The legislation was referred to the Senate Committee on Energy and Natural Resources and was reported as amended on March 2, 2009. The legislation passed the Senate on May 7, 2010, by unanimous consent.

**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. 4973 - National Wildlife Refuge Volunteer Improvement Act of 2010 (*Kratovil, D-MD*)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4973 reauthorizes the Fish and Wildlife Act of 1956 at, subject to appropriation, \$3 million for fiscal years 2011 through 2014.

H.R. 4973 also creates a National Volunteer Coordination Program within the National Wildlife Refuge System with the purpose to:

- “Augment and support the capabilities and efforts of Federal employees to implement resource management, conservation, and public education programs and activities across the National Wildlife Refuge System;
- “Provide meaningful opportunities for volunteers to support the resource management, conservation, and public education programs and activities of national wildlife refuges or complexes of geographically related national wildlife refuges in each United States Fish and Wildlife Service region; and
- “Fulfill the purpose and mission of the National Wildlife Refuge System under the National Wildlife Refuge System Administration Act of 1966.”

The Secretary of the Interior shall submit a report one year after enactment, and every five years thereafter, to the House Committee on Natural Resources and the Senate Committee on Environment and Public Works. The report will evaluate the accomplishments of the volunteer program, the community partnerships program, and the refuge education programs, and of the National Volunteer Coordination Program and volunteer coordination strategy. The report will also make recommendations for improvement.

**Committee Action:** H.R. 4973 was introduced on March 25, 2010, and was referred to the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife. A full committee markup was held on June 16, 2010, and the legislation was reported, as amended, by unanimous consent.

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

**Cost to Taxpayers:** CBO estimates that H.R. 4973 would cost \$8 million over the 2011 – 2015 period.

**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. 2864 - To amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes (Young, R-AK)**

**Order of Business:** The legislation is scheduled to be considered on Tuesday, July 13, 2010, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2864 would amend the Hydrographic Services Improvement Act of 1998. H.R. 2864 would authorize, subject to appropriation, \$10 million for FY 2011 and 2012 to acquire hydrographic data, provide hydrographic services, and conduct coastal change analyses necessary to ensure safe navigation, and to improve the management of coastal change in the Arctic.

This legislation would also authorize, subject to appropriation, \$5 million for FY 2011 and 2012 to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended continental shelf.

**Additional Information:** According to CBO, the Hydrographic Services Improvement Act of 1998 (Public Law 110-386) authorizes the appropriation of \$179 million for fiscal year 2011 and \$182 million for fiscal 2012 for the National Oceanic and Atmospheric Administration (NOAA) to conduct hydrographic activities (the measurement and description of features that affect maritime navigation).

**Committee Action:** H.R. 2864 was introduced on June 12, 2009, and referred to the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife. A full committee markup was held on June 16, 2010, and the legislation was approved, as amended, by unanimous consent.

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

**Cost to Taxpayers:** CBO estimates that H.R. 2864 would have no impact on the federal budget, because the bill would not authorize funding in excess of amounts already authorized to be appropriated under current law.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill expands the mission of the NOAA and Hydrographic Services Improvement Act of 1998.

**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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