

Legislative Bulletin.....July 14th, 2009

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H.R. 402 —To designate the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the "William C. Tallent Department of Veterans Affairs Outpatient Clinic" (Duncan, R-TN)

Order of Business: The bill is scheduled to be considered on Tuesday July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: The bill designates the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the "William C. Tallent Department of Veterans Affairs Outpatient Clinic."

William Tallent was held captive by the Germans for six months during World War II. He received two purple hearts and a bronze star for his service during the War.

Committee Action: The bill was introduced on January 9, 2009 and referred to the House Veterans Affairs Committee, which took no subsequent 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 is 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: No explanation of constitutional authority is available.

RSC Staff Contact: Natalie V. Farr, natalie.farr@mail.house.gov, (202) 226-0718.

H.R. 1037 - Pilot College Work Study Programs for Veterans Act of 2009 (Herseth Sandlin, D-SD)

Order of Business: The bill is scheduled to be considered on Tuesday July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: The bill directs the Secretary of Veterans Affairs to establish a five-year pilot project to test the feasibility of expanding the scope of certain work-study activities for student veterans.

Currently, student veterans who are enrolled in three-fourths or full-time college degree programs, vocational programs, or professional programs may participate in the work-study allowance program. These students are allowed to obtain positions involving VA-related work (i.e. outreach, paper processing, and assisting staff at VA medical facilities). This bill would expand the scope of the program to allow students to obtain positions in academic departments (i.e. tutors or research/teaching assistants), and in student services (i.e. career centers, cashiers, admissions, registration offices).

The bill authorizes \$10 million per year for each year from FY2010 through FY2014.

Committee Action: The bill was introduced on February 12, 2009 and referred to the House Veterans Affairs Committee. The Committee marked up the bill and reported it by voice vote, as amended, on June 18, 2009.

Cost to Taxpayers: CBO estimates that implementing this program would cost \$47 million over the 2010-2014 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill expands a current federal program.

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?: H.R. 1037 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 of the Rules of the House of Representatives.

Constitutional Authority: The [committee report](#) cites Article I, section 8 of the Constitution.

RSC Staff Contact: Natalie V. Farr, natalie.farr@mail.house.gov, (202) 226-0718.

H.Res. 612—Expressing the profound sympathies of the House of Representatives for the victims of the tragic Metrorail accident on Monday, June 22, 2009, and for their families, friends, and associates (*Del. Norton, D-DC*)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.612 would resolve that the House of Representatives:

- “Expresses its profound sympathies for the victims of the tragic Metrorail accident on Monday, June 22, 2009, and for their families, friends, and associates.”

The resolution lists a number of findings including:

- “Late in the afternoon on Monday, June 22, 2009, two 6-car trains on the Metrorail Red Line, Train 112 and Train 214, were on the same track headed toward the Shady Grove Station;
- “At 4:59 p.m., Train 112 crashed into Train 214, which was waiting for another train boarding at the Fort Totten Station;
- “9 people died in this accident, including train operator Jeanice McMillan, 42, of Springfield, Virginia, who loved her job and was filled with pride when her son Jordan enrolled in college; Ana Fernandez, 40, originally from El Salvador, who lived in Hyattsville, Maryland, with her husband and 6 children and was on her way to one of her two jobs when she died in the collision; and 7 residents of the District of Columbia: Mary Doolittle, 59, of Northwest, who was the face of the American Nurses Association internationally and who was helping with global accreditation for nurses; Veronica Dubose, 29, of Northwest, who was headed to her first day of school for classes to become a certified nurse; Dennis Hawkins, 64, of Southeast, who worked as a non-instructional aide and a data entry clerk for Whittier Education Center and taught vacation Bible school at Bethesda Baptist Church; LaVonda (‘Nikki’) King, 23, of Northeast, a mother of 2 sons who was engaged to be married and who had just bought the hair salon LaVonda’s House of Beauty; General David Wherley, 62, of Southeast, the recently retired commander of the D.C. Army and Air National Guard, a command pilot who converted the D.C. National Guard from weekend warriors to Army troops performing the duties of enlisted soldiers in fields of battle in both Iraq and Afghanistan while working tirelessly to improve conditions at home for the people of the District of Columbia, especially the children, and who decided to make the city his home; his wife, Ann Wherley, 62, who retired as a mortgage banker but did not retire as a mother, grandmother, and loving wife of General Wherley ever since they were high school sweethearts at York Catholic High School; and Cameron Williams, 37, of Northwest, who grew up in Takoma Park and who worked a night job in maintenance as a contract laborer;
- “According to emergency first responders, 76 people reported injuries and 51 people were taken to hospitals for treatment as a result of this accident; and
- “The Board of Directors of the Washington Metropolitan Area Transit Authority voted on June 23 to establish an emergency hardship relief fund of \$250,000 from a reserve fund to provide financial help for the victims of the accident, including assistance with funeral, medical, and other expenses.”

Committee Action: H.Res. 612 was introduced on July 7, 2009, and referred to the House Committee on Oversight and Government Reform. On July 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)-226-0718.

H.Res. 469—Honoring the life of Wayman Lawrence Tisdale and expressing the condolences of the House of Representatives on his passing (Cole, R-OK)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.469 would resolve that the Congress:

- “Gratitude to Wayman Lawrence Tisdale for his exceptional character and for the example that he served as a testament to the powers of positive thinking; and
- “Profound sorrow at the death of Mr. Tisdale and condolences to his family, friends, and colleagues, and to the State of Oklahoma that he represented so well.”

The resolution lists a number of findings including:

- “Wayman Lawrence Tisdale was born and raised in Tulsa, Oklahoma, and became an outstanding athlete as a student at Booker T. Washington High School;
- “1982 Mr. Tisdale was named Oklahoma's only McDonald's All American and was named Converse National High School Player of the Year;
- “Mr. Tisdale in 1983, 1984, and 1985 received the honor of being named Big Eight Player of the year for the University of Oklahoma;
- “Tisdale left his mark on the sport of professional basketball with the Indiana Pacers, Sacramento Kings, and Phoenix Suns, scoring more than 12,800 points and pulling down more than 5,000 rebounds in a 12-year career;

- “Mr. Tisdale subsequently released 8 albums of jazz music following his extraordinary basketball career;
- “Mr. Tisdale's admirable character has served as a strong example to thousands of Americans to persevere and not be bound by one calling in life, but to achieve all which they hope and aspire to for themselves and their families.”

Committee Action: H.Res. 469 was introduced on May 21, 2009, and referred to the House Committee on Oversight and Government Reform. On June 18, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.Res. 476—Celebrating the 30th anniversary of June as "Black Music Month" (Cohen, D-TN)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.476 would resolve that the Congress:

- “That the House of Representatives celebrates the 30th anniversary of ‘Black Music Month.’”

The resolution lists a number of findings including:

- “In 1979, the month of June was proclaimed ‘Black Music Month’ and all people in the United States were encouraged to learn more about the important role that African-American artists have played in shaping history and culture;
- “America's cultural story is heavily influenced by the celebration and struggle of Black people through their musical expression;

- “These genres of music illustrate the complexities of the African-American experience and they give a voice to many social movements and inspiration to countless generations of people in the United States;
- “Conductor and producer Quincy Jones was heavily influenced by the improvisational nature of jazz performed in Harlem by Sarah Vaughn, Duke Ellington, and Dizzy Gillespie;
- “The Motown empire attracted creative individuals such as Smokey Robinson, The Four Tops, Holland Dozier Holland, Martha Reeves, The Temptations, The Supremes, Marvin Gaye, The Jacksons, and Stevie Wonder to Detroit;
- “African-American music illustrates exceptional musicianship; and
- “African-American music embodies an original expression of the human experience by entertaining, inspiring, and stirring countless people in the United States and around the world”

Committee Action: H.Res. 476 was introduced on May 21, 2009, and referred to the House Committee on Oversight and Government Reform. On June 18, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

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, July 14, 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 110th 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 Background: 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 March 11, 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 estimated that implementing identical legislation in the 110th 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 suspension of the rules.

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

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 1442—To provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909 (*Matheson, D-UT*)

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1442 would direct the Bureau of Land Management (BLM) to sell approximately 60 acres of federal land in Salt Lake City to the Mount Olivet Cemetery Association.

Addition Information: In 1909, the Mount Olivet Cemetery Association was permitted to acquire an additional 60 acres to a previously authorized cemetery by the Secretary of War with the condition that any portion of the conveyance not used for burials would revert to the United States. This reversionary interest is currently held by the BLM. A school located adjacent to the Cemetery, has contracted with the Association to purchase 13 acres of its land to expand the facility. However, the sale is subject to removal of the federal government's reversionary interest. The proceeds from the sale would be available to BLM, without further appropriation, to acquire other lands in Utah.

Committee Action: On March 11, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to CBO, “enacting H.R. 1442 would increase both offsetting receipts from proceeds of land sales and associated spending of those proceeds, resulting in no net change in direct spending. CBO cannot estimate the amount of such receipts and spending precisely in the absence of an appraisal to determine the value of the government’s reversionary interest in the affected land. However, we expect that BLM would receive and spend less than \$1 million, probably in fiscal year 2010.”

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 Committee Report 111 – 198, H.R. 1442 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 Committee Report 111- 198, Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 934—To convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged land (*Sablan, D-MP*)

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 934 provides the Northern Mariana Islands with the same ownership and jurisdiction over offshore submerged lands as has been provided to other United States territories like Guam. Additionally, the legislation provides a less formal mechanism for the Governor to raise issues with the federal government than the current procedures agreed upon in the covenant that established the Commonwealth in political union with the United States. Currently, section 902 of the Covenant requires among other items, the formal appointment of negotiators during disputes. Proponents of H.R. 934 argue a less formal approach will serve to improve federal-Commonwealth relations and the ability of both sides to reach agreements.

Additional Background: After World War II, the Islands were administered by the United States and chose to keep close ties with the United States. In 1975 the approved a covenant to establish a commonwealth in political union with the U.S. A new government and constitution went into effect in 1978. Similar to other U.S. territories, the Islands do not have representation in the U.S. Senate, but are represented in the U.S. House of Representatives by a delegate (beginning January 2009 for the CNMI) who may vote in committee but not on the House floor.

Committee Action: On February 10, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

Administration Position: No statement of Administration Policy is available.

Cost to Taxpayers: A CBO cost estimate for H.R. 934 is not 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: No statement of constitutional authority is provided for H.R. 934.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 2188—Joint Ventures for Bird Habitat Conservation Act of 2009 (*Kratovil, D-MD*)

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2188 would authorize the Fish and Wildlife Service (FWS) to conduct a joint venture program dealing with migratory bird populations and their habitats on public and private lands between the United States and Canada. The Joint Ventures for Bird Habitat Conservation Act contains a number of findings outlining the responsibilities of the federal government to implement landscape level bird conservation strategies. Additionally, the bill requires all Joint Venture Management Boards to report annually to the Director on all activities undertaken during the preceding year, including amounts spent on administrative expenses and conservation projects, and the status of progress to meet the goals and objectives of related Implementation Plans.

Addition Information: In the 1980's, the U.S. and Canada created the North American Waterfowl Management Plan (NAWMP) to coordinate resources in order to save waterfowl habitats. Through public-private partnerships the program expanded to include other shorebirds, landbirds, and waterbirds were in the planning processes. Currently there are 18 habitat-based joint venture partnerships at work across the United States. According to the committee, joint-venture programs include biological planning, conservation design, project development and implementation, monitoring, evaluation, applied research, communications and outreach, and fund-raising. Joint venture activities, while primarily developed to support the goals of NAWMP, commonly fulfill the goals and obligations of the United States under a variety of other international treaties, agreements and initiatives that govern migratory bird resources.

Committee Action: On April 30, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to CBO, enacting H.R. 2188 would have a “negligible effect on the federal budget because a *similar* program already exists. Nearly \$13 million was appropriated for that program in 2009.”

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 Committee Report 111 – 201, H.R. 2188 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 Committee Report, 111- 201, Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 129—To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California (Gallegly, R-CA)

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 129 would authorize the U.S. Forest Service (FS) to sell five acres of federal land within the Los Padres National Forest.

Addition Background: Due to the encroachment of a yoga studio onto a national forest owned by the White Lotus Foundation (which did not have any knowledge of the encroachment when it purchased the facility), the bill would make it possible for the foundation to purchase those acres from the FS. The five acres in question are separated from the majority of the Los Padres National Forest by a road.

Committee Action: On January 6, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to CBO, enacting H.R. 129 would not have any direct impact on federal revenues. CBO projects proceeds to be spent by the FS within five years of FY 2010.

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 Committee Report 111 – 197, H.R. 129 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 Committee Report 111- 197, Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 409-To provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway (Heller, R-NV)

Order of Business: The bill is scheduled to be considered on Tuesday July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 409 would require the conveyance of 115 acres of BLM land to the Nevada Speedway Company for expansion of the Las Vegas Speedway parking lot. The speedway is host to [NASCAR's](#) Las Vegas Shelby 427 Sprint Cup Series in March.

Additional Background: Under current law, the BLM is already authorized to sell the land to the Speedway. This measure would allow the proceeds of that sale to be spent without further appropriation. The company would pay all administrative costs of the transaction and could only use the purchased land as a parking lot and federal revenue generated from the sale would be used to acquire other federal lands within Nevada.

Committee Action: On January 9, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to CBO, selling “the acreage specified by the bill would increase offsetting receipts by \$10 million to \$20 million in 2010 or 2011, about three or four years earlier than under current law.”

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 Committee Report 111-199, H.R. 409 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 Committee Report 111-199, Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 762—Validate final patent number 27-2005-0081 (Heller, R-NV)

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 762 would ratify the process used by the U.S. Fish and Wildlife Service and the Bureau of Land Management as well as the Army Corps of Engineers’ permit for the reconfiguration of lands in Clark County and Lincoln County, Nevada, to help protect and facilitate the recovery of desert tortoises.

The U.S. Fish and Wildlife Service (FWS) asked BLM in 2001 to consider a change in the lease boundary to maintain desert tortoise habitat connectivity with Mormon Mesa Critical Habitat Unit and proceed with the development of a private facility.

Additional Background: The desert tortoise is a species of tortoise native to the Mojave desert and Sonoran desert of the southwestern United States. The tortoise is able to live where ground temperature may exceed 140 degrees Fahrenheit (60 degrees Celsius) because of its ability to dig underground burrows and escape the heat. Desert tortoise populations in some areas have declined since the 1980s and the Mojave population is listed as threatened. It is unlawful to touch, harm, harass or collect wild desert tortoises.

Committee Action: On January 28, 2009, the bill was introduced and referred to the Committee on Natural Resources. On June 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to CBO, “implementing this legislation would have no effect on the federal budget because the affected land was already conveyed to the CSI in a previously authorized land exchange.”

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 Committee Report 111 – 178, H.R. 762 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 Committee Report 111 – 178, Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.Res. 543—Expressing support for designation of June as "Home Safety Month" (*Halvorson, D-IL*)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.543 would resolve that the Congress:

- “Supports the designation of ‘Home Safety Month’;
- “Recognizes the contributions of home safety related nonprofit organizations for their ongoing commitment to ensuring families remain safe in their homes;
- “Recognizes the contributions made by the Home Safety Council to the efforts of ‘Home Safety Month’ for recently introducing a new and innovative online tool to help adults identify the dangers present in and around the home, designated as www.MySafeHome.org, and for promoting the Hands on Home Safety Campaign, whose goal is to educate and empower both families and businesses to take simple actions that will make homes safe and minimize their risk for potential injuries, or even death;
- “Encourages adults, parents, and caregivers to take greater actions to reduce unintentional injuries and educate themselves on the importance of home safety, for themselves and their loved ones;
- “Encourages manufacturers to develop innovative safety products and features to help lessen the number of home injuries and accidents; and
- “Encourages local and national government leaders to support funding for critical home safety education programs to reduce the risks from home injuries.”

The resolution lists a number of findings including:

- “Unintentional injuries in the home result in nearly 20,000 deaths and 21,000,000 medical visits on average each year;
- “Falls are the leading cause of home injury death among older adults in the United States, and the total direct costs associated with both fatal and non-fatal falls is more than \$19,000,000,000 annually for hospitalization, emergency department visits, and outpatient care;
- “Deaths due to drowning are the fifth leading cause of home injury death in the United States and an average of more than 10,000 events occur in the home each year that require medical care, emergency department treatment, and result in days away from work or school; and
- “Citizens are encouraged to take a hands-on approach to home safety and become aware of the simple and inexpensive steps they can take to reduce the risk of injury in each area of the home.”

Committee Action: H.Res.543 was introduced on June 12, 2009, and referred to the House Committee on Energy and Commerce. No further official action was taken.

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.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

**S.Con.Res. 30 – A concurrent resolution commending the Bureau of Labor Statistics on the occasion of its 125th anniversary.
(*Sen. Schumer, D-NY*)**

Order of Business: S.Con.Res.30 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: S.Con.Res.30 resolves that Congress:

- “Commends the Bureau of Labor Statistics on the occasion of its 125th anniversary for the exemplary service its administrators and employees provide in collecting and disseminating vital information for the United States.”

The resolution lists a number of findings, including:

- “The Bureau of Labor Statistics is the principal factfinding agency for the Federal Government in the broad field of labor economics and statistics, and in that role it collects, processes, analyzes, and disseminates essential statistical data to the public, Congress, other Federal agencies, State and local governments, business, and labor;
- “Many public programs and private transactions are dependent today on the quality of such statistics of the Bureau of Labor Statistics as the unemployment rate and the Consumer Price Index, which play essential roles in the allocation of Federal funds and the adjustment of pensions, welfare payments, private contracts, and other payments to offset the impact of inflation;
- “The Bureau of Labor Statistics pursues these responsibilities with absolute integrity and is known for being unfailingly responsive to the need for new types of information and indexes of change; and
- “The Bureau of Labor Statistics has established the highest standards of professional competence and commitment.”

Committee Action: S.Con.Res 30 was introduced on June 23, 2009 and passed the Senate on June 23, 2009 by unanimous consent. It was then referred to the House Committee on Education and Labor which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Con.Res. 123 - Recognizing the historical and national significance of the many contributions of John William Heisman to the sport of football (Thompson, R-PA)

Order of Business: H.Con.Res. 123 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 123 resolves that the House of Representatives:

- “Recognizes the significance, the importance, and many contributions John Heisman had on its development of one of America's most beloved sports-- football;
- “Praises Heisman's efforts in helping to establish the most valuable player award for college football, which eventually would be named for him; and
- “Acknowledges Heisman's innovative and influential coaching techniques and strategies, as well as his legendary leadership on and off of the football field.”

The resolution lists a number of findings, including:

- “Born in 1869, John W. Heisman was an early and influential developer of the game of football, one of America's most beloved sports;
- “Heisman played college football for Brown University and the University of Pennsylvania;
- “As director of the New York Downtown Athletic Club (DAC), Heisman and DAC established an annual award for the best college player in the Eastern U.S., which subsequently became national in scope in 1935; and
- “John Heisman was elected into the College Football Hall of Fame in 1954.”

Committee Action: H.Con.Res. 123 was introduced on May 12, 2009, and referred to the House Committee on Education and Labor which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576

H.Res. 607 – Celebrating the Fortieth Anniversary of the Apollo 11 Moon Landing (Hall, R-TX)

Order of Business: H.Res. 607 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 607 resolves that the House of Representatives:

- “Celebrates the 40th Anniversary of the Apollo 11 lunar landing;
- “Honors the brave crew of the Apollo 11 mission--Neil Armstrong, ‘Buzz’ Aldrin, and Michael Collins; and
- “Commends all those individuals and organizations who contributed to such a historic achievement that continues to be an inspiration to the Nation and the world.”

The resolution lists a number of findings, including:

- “President John F. Kennedy in his May 25, 1961, speech to Congress set forth the goal of landing a man on the Moon and returning him safely to the Earth;
- “The Apollo program was designed to achieve the goal established by President Kennedy by sending a crew of three astronauts to the Moon and returning them safely to the Earth;
- “The Apollo program built on the knowledge and experience gained from the Mercury and Gemini human space flight programs, as well as from precursor robotic lunar exploration activities;
- “The crew of Apollo 11 consisted of Neil Armstrong, Mission Commander, Buzz Aldrin, Lunar Module Pilot, and Michael Collins, Command Module Pilot; and
- “The crew of Apollo 11 launched into space aboard a Saturn V rocket on July 16, 1969, on a 4-day trip to the Moon...”

Committee Action: H.Res. 607 was introduced on July 7, 2009, and referred to the House Committee on Science and Technology which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202) 226-0718

**H.R. 2729—To authorize the designation of National Environmental
Research Parks by the Secretary of Energy, and for other purposes
(Lujan, D-NM)**

Order of Business: The bill is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the bill.

Summary: H.R. 2729 would authorize \$175 million over a five year period for the seven National Environmental Research Parks (NERPs) at the Department of Energy (DOE) sites. NERPs are outdoor laboratories that provide opportunities for environmental studies on protected lands around DOE facilities. Their mission is to research a range of subjects including, wildlife biology, ecology, climate change effects, environmental remediation, and maintenance of freshwater ecosystems. The reauthorization allows the Secretary of Energy to enter into cooperative agreements with a university or consortium of universities with expertise in ecology and environmental science of the region in which the National Environmental Research Park is located. In addition, the bill now requires each site to support an outreach program to inform the public of the diverse ecological activities conducted at the park and to educate students at various levels in environmental science.

Additional Background: Atomic Energy Commission established its first official environmental research park at the Savannah River site in South Carolina in 1972 with the purpose of conducting research and education activities to assess and document environmental effects associated with energy and weapons use; exploring methods for eliminating or minimizing adverse effects of energy development and nuclear materials on the environment; training people in ecological and environmental sciences; and educating the public. The other six sites are the Idaho National Environmental Research Park; the Los Alamos National Environmental Research Park; the Fermi Lab National Environmental Research Park; the Hanford National Environmental Research Park; the Oak Ridge National Environmental Research Park; and the Nevada National Environmental Research Park.

Committee Action: On June 4, 2009, the bill was introduced and referred to the Committee on Science and Technology. On June 24, 2009, the committee held a mark-up and ordered the bill to be reported by voice vote.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: According to CBO, H.R. 2729 would authorize \$175 million over the FY 2010 – 2014 period. Further, CBO estimates the bill would cost the federal government \$143 million over the FY 2010 – 2014 and \$32 million after 2014.

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, 111-128, H.R. 1736 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: The Science and Technology Committee, in House Report 111-128, cites constitutional authority in Article I Section 8. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” [*emphasis added*]

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.Con.Res. 156 - Condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes (Ros-Lehtinen, R-FL)

Order of Business: H.Con.Res.156 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res.156 resolves that the House of Representatives:

- “Reiterates its strongest condemnation of the 1994 attack on the Argentine Jewish Mutual Association (AMIA) Jewish Community Center in Buenos Aires, Argentina, honors the victims of this attack, and expresses its sympathy to the relatives of the victims;
- “Expresses grave concern regarding the Government of Saudi Arabia's failure, when given the opportunity, to detain Iranian officials against whom Argentine arrest warrants or INTERPOL Red Notices are pending in connection with the AMIA case;
- “Encourages the President to direct United States law enforcement agencies to provide support and cooperation to the Government of Argentina, if requested, for the purposes of deepening and expanding the investigation into the AMIA bombing; and

- “Urges governments in the Western Hemisphere, who have not done so already, to draft, adopt, and implement legislation designating Hezbollah as a terrorist organization, banning fundraising and recruitment activities, and applying the harshest penalties on those providing support for activities involving Hezbollah and other such extremist groups.”

The resolution lists a number of findings, including:

- “On July 18, 1994, 85 people were killed and 300 were wounded when the Argentine Jewish Mutual Association (AMIA) was bombed in Buenos Aires, Argentina;
- “Extensive evidence links the planning of the attacks to the Government of Iran, and the execution of the attacks to Hezbollah, which is based in Lebanon, supported by Syria, sponsored by Iran, and designated by the Department of State as a Foreign Terrorist Organization;
- “On January 27, 2009, Secretary of Defense Robert Gates said, ‘I’m concerned about the level of . . . subversive activity that the Iranians are carrying on in a number of places in Latin America . . . They’re opening a lot of offices and a lot of fronts, behind which they interfere in what is going on in some of these countries.’; and
- “On March 17, 2009, Navy Admiral James Stavridis, Commander, United States Southern Command, indicated that he shared Secretary Gates’s concern, explaining ‘We have seen . . . an increase in a wide level of activity by the Iranian government in this region . . . That is a concern principally because of the connections between the government of Iran, which is a state sponsor of terrorism, and Hezbollah’”

Committee Action: H.Con.Res.156 was introduced on June 17, 2009, and referred to the House Committee on Foreign Affairs which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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**H.Res. 538 - Supporting Olympic Day on June 23, 2009, and
encouraging the International Olympic Committee to select Chicago,
Illinois, as the host city for the 2016 Olympic and Paralympic Games
(Schakowsky, D-IL)**

Order of Business: H.Res 538 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 538 resolves that the House of Representatives:

- “Supports Olympic Day and the goals that Olympic Day pursues; and
- “Encourages the International Olympic Committee to select Chicago, Illinois, as the host city for the 2016 Olympic and Paralympic Games.”

The resolution lists a number of findings, including:

- “Olympic Day, June 23, 2009, celebrates the Olympic ideal of developing peace through sport;
- “For more than 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity, and fair play;
- “Olympic Day encourages the participation of youth of the United States in Olympic and Paralympic sport; and
- Enthusiasm for Olympic and Paralympic sport is at an all-time high.”

Committee Action: H.Res. 538 was introduced on June 12, 2009, and referred to the House Committee on Foreign Affairs which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576

H.R. 1511 - Torture Victims Relief Reauthorization Act of 2009 (Smith, R-NJ)

Order of Business: H.R. 1511 is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1813 reauthorizes the Torture Victims Relief Act of 1998 (TVRA).

Domestic Treatment Centers: Centers run by the Department of Health and Human Services (HHS) to treat victims of torture. Authorizes \$25 million for fiscal year 2010, and \$25 million for fiscal year 2011.

Foreign Treatment Centers: Centers run through the United States Agency for International Development (USAID) to treat victims of torture overseas. Authorizes \$12 million for fiscal year 2010, and \$12 million for fiscal year 2011.

U.S. contribution to the United Nations Voluntary Fund for Victims of Torture: Authorizes \$12 million for fiscal year 2010, and \$12 million for fiscal year 2011.

Committee Action: H.R. 1511 was introduced on March 16, 2009 and referred to the House Committee on Foreign Affairs and the House Committee on Energy and Commerce, which took no official action.

Cost to Taxpayers: No CBO score is available. However, the bill authorizes \$25 million for each year, FY2010 and FY2011 for section 2 of the bill; \$12 million each year for two years for section 3 of the bill; and \$12 million each year for FY2010 and FY2011 for section 4 of the bill. The total authorized sums for FY2010 and FY2011 are \$98 million for FY2010 and FY2011.

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 reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the bill does not contain any earmarks.

Constitutional Authority: No committee report is available.

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H.Res. 519 – Expressing appreciation to the people and Government of Canada for their long history of friendship and cooperation with the people and Government of the United States and congratulation Canada as it celebrates “Canada Day”(Stupak, D-MI)

Order of Business: H.Res.519 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res.519 resolves that the House of Representatives:

- “Expresses its appreciation to the people and Government of Canada for their long history of friendship and cooperation with the people and Government of the United States; and
- “Congratulates Canada as it celebrates its annual ‘Canada Day’.”

The resolution lists a number of findings, including:

- “The United States has a long-cherished economic, social, and political partnership with Canada;
- “The United States and Canada share not only a 5,500-mile border, but also common ideals and cultural affinities;
- “In this era of heightened security, the United States and Canada have renewed cooperative efforts to safeguard the movement of people and goods, improve information-sharing, and strengthen border infrastructure and technology; and
- “July 1st of each year is officially celebrated in Canada as ‘Canada Day’ in recognition of the anniversary of the establishment of the union of the British North American provinces in a federation called Canada.”

Committee Action: H.Res.519 was introduced on 6/08/2009, and referred to the House Committee on Foreign Affairs which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576

H.R. 1933—A Child Is Missing Alert and Recovery Center Act (Klein, D-FL)

Order of Business: H.R. 1933 is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill. A similar version of the bill passed the House on July 14, 2008 by voice vote.

Summary: H.R. 1933 directs the Attorney General to make annual grants to the “A Child Is Missing Alert and Recovery Center” to assist federal, state, and local law enforcement agencies in recovering missing children. The bill authorizes \$5 million for each of the fiscal years 2010 through 2015.

Additional Information: The “A Child Is Missing Alert and Recover Center” is a non-profit advocacy group for missing children. This organization has been funded through numerous earmarks in the Department of Commerce, Justice and Science appropriations bills for several years. The organization operates in a number of different states including Ohio, Georgia, and Nevada. This bill would authorize a direct grant program to this organization, removing their reliance on annual earmarks.

Committee Action: H.R. 1933 was introduced on April 2, 2009, and referred to the Committee on Judiciary Subcommittee on Crime, Terrorism, and Homeland Security. No further public action was taken.

Cost to Taxpayers: There is no CBO estimate for this bill. However, last year, CBO projected that implementing a similar bill “would cost about \$15 million over the 2009-2013 period, assuming appropriation of the authorized amounts. Enacting the bill would not affect direct spending or revenues.”

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? No committee report is available for the bill under consideration today. However, for the bill considered in the 110th Congress, the Committee on the Judiciary House Report 110-753 states, “In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 5464 does not contain any

limited tax benefits or limited tariff benefits as defined in clause 9(e) or 9(f). The Committee is treating the bill, which authorizes a grant in a specific amount to a specific entity, as an earmark, as defined in clause 9(d), and is treating the sponsor of the bill, Ron Klein, as the requester, the A Child Is Missing Alert and Recovery Center in Fort Lauderdale, FL, as the recipient, and the authorization, \$5 million per year for each of fiscal years 2009-2014, as the requested amount.”

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

RSC Staff Contact: Natalie Farr; natalie.farr@mail.house.gov; 202-226-0718.

**S.Con.Res. 29 - A concurrent resolution expressing the sense of the Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.
(Sen. McCain, R-AZ)**

Order of Business: S.Con.Res. 29 is scheduled to be considered on Tuesday, July 14, 2009 under a motion to suspend the rules and pass the resolution.

Summary: S.Con.Res. 29 resolves that the House of Representatives:

- “To expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and
- “In recognition of the athletic and cultural contributions of Jack Johnson to society.”

The resolution lists a number of findings, including:

- “John Arthur `Jack' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;
- “Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;
- “the relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites;
- “October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;
- “Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an `immoral purpose' in violation of the Mann Act;

- “The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson; and
- “Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.”

Additional Background: In 2005, Senator McCain wrote President Bush a letter requesting pardon for Jack Johnson which stated a pardon "would be a strong and necessary symbol to the world of America's continuing resolve to live up to the noble ideals of freedom, opportunity and equal justice for all." President Bush never offered a pardon.

Committee Action: S.Con.Res. 29 was introduced on June 16, 2009. After passing the Senate by unanimous consent on June 24, 2009, it was referred to the House Committee on the Judiciary which took no public action.

Cost to Taxpayers: The resolution authorizes no 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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H.R. 2632—Korean War Veterans Recognition Act *(Rangel, D-NY)*

Order of Business: H.R. 2632 is scheduled to be considered on Tuesday, July 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2632 would amend Section 6(d) of Title 4 of the U.S. Code to include July 27, National Korean War Veterans Armistice Day, in the list of days on which the American flag should especially be displayed.

This section of Title 4 lists the days the flag should be displayed (i.e. New Year's Day, January 1; Inauguration Day, January 20; Martin Luther King Jr.'s birthday, third Monday in January; Lincoln's Birthday, February 12).

Additional Information: On July 27, 1953, after three years of intense fighting in the Korean War, an armistice was signed, North Korea withdrew to its side of the 38th parallel, and South Korea remained an independent, democratic nation. 1.8 million American soldiers fought in the Korean War, 103,284 were wounded, and 36,577 died.

During the 106th Congress, Congress passed H.J. Res. 86, (Public Law 106-195), urging the President to make a proclamation recognizing and calling upon Americans to observe the anniversary of the Armistice. On June 23, 2000, President Clinton made such a proclamation.

Committee Action: H.R. 2632 was introduced on May 21, 2009, and referred to the House Committee on the Judiciary.

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? A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the bill does not contain any earmarks.

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

RSC Staff Contact: Natalie Farr; natalie.farr@mail.house.gov; 202-226-0718.