



Legislative Bulletin.....July 23, 2012

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H.R. 1237 - To provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes, as amended (Herger, R-CA)

Order of Business: The bill is scheduled to be considered on July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1237 would direct a land exchanged between the Trinity Public Utilities District (District), and the Departments of Agriculture and Interior.

In order for the District to receive approximately 100 acres near the Weaverville Airport in Trinity County (currently managed by the Department of Agriculture), the District must first convey:

- The 150 acres known as the Van Duzen parcel, within the Six Rivers National Forest, to the Department of Agriculture; and
- The 47 acres known as the Sky Ranch parcel, which is adjacent to the Redding Field Office of the Bureau of Land Management.

If the value of the land given to the Departments of Agriculture and Interior is of a lower value than the land received by the District, a cash equalization payment shall be made and will be deposited within the Treasury.

If the value of the land given to the Departments of Agriculture and Interior is of a greater value than the land received by the District, no cash equalization payment shall be made to the District.

The land received by the Department of Agriculture shall be managed as part of the Six Rivers National Forest and will be managed as part of the National Forest System. The land received by the Department of Interior will be managed by the Bureau of Land Management.

The legislation directs this land exchange to be completed within one year after the District conveys the land to the Departments of Agriculture and Interior.

Additional Information: The Trinity Public Utilities District is located in Trinity County, California.

Committee Action: H.R. 1237 was introduced on March 29, 2011, and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. The committee held a markup on April 25, 2012, and approved the legislation by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing the bill would have no impact on discretionary spending.

Does the Bill Expand the Size and Scope of the Federal Government?: Acreage held by the federal government would increase by approximately 97 acres.

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Herger states “Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3, Clause 2.” The statement can be [found here](#).

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

H.R. 4484 - Y Mountain Access Enhancement Act (Chaffetz, R-UT)

Order of Business: The bill is scheduled to be considered on July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4484 allows for Brigham Young University to request an approximately 80 acre parcel from the Department of Agriculture. The University has up to one year after enactment to make this request.

After the request, the Department has up to one year to transfer the 80 acre parcel to the University. The parcel is located within the National Forest System in the Uinta-Wasatch-Cache National Forest.

The University is directed to pay the Secretary the fair market value of the parcel, as determined by an appraisal that will be approved by the Secretary. The payment will be deposited in the general fund of the Treasury for deficit reduction.

After the conveyance, the University is directed to continue to allow the public access to the trailhead and portion of the Y Mountain Trail that is currently owned by the University. The University is also directed to cover the costs of the survey, appraisal, and any administrative analyses that is required by law.

Committee Action: H.R. 4484 was introduced on April 24, 2012, and was referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. The committee held a markup on July 11, 2012, and approved the legislation, as amended, by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that enacting the legislation would increase offsetting receipts (a credit against direct spending) by less than \$500,000 in 2013. CBO estimates that implementing the bill would not affect discretionary spending.

Does the Bill Expand the Size and Scope of the Federal Government?: No. The legislation arguably reduces the size and scope of the federal government.

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Chaffetz states “Congress has the power to enact this legislation pursuant to the following: Article IV, Section III, Clause II of the Constitution.” The statement can be [found here](#).

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

H.R. 2467 - Bridgeport Indian Colony Land Trust, Health, and Economic Development Act of 2011, as amended (McKeon, R-CA)

Order of Business: The bill is scheduled to be considered on July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: This legislation would move approximately 39.36 acres of federal lands in Mono County, California into a trust by the United States for the benefit of the Bridgeport Indian Colony.

The legislation does contain a prohibition on Class II or Class III gaming on the lands.

The most up to date legislative text can be found on the Rules Committee [website here](#).

Background: The Bridgeport Indian Colony is an Indian tribe with a reservation in Mono County, California. At the moment, members of this tribe travel 90 miles to obtain Indian Healthcare Services, and the land in question would be used to alleviate this inconvenience. The Mono County Board of Supervisors has voted to support the land transfer.

Committee Action: H.R. 2467 was introduced on July 8, 2011, and was referred to the House Natural Resources Subcommittee on Indian and Alaska Native Affairs. The full committee held a markup on April 25, 2012, and reported the legislation, as amended, by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Based on information provided by the Bureau of Land Management (BLM), CBO estimates that any administrative costs to carry out the bill's provisions would be minimal.

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 Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. McKeon states “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2. The statement can be [found here](#).

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

H.R. 2362 - Indian Tribal Trade and Investment Demonstration Project Act of 2011 (Cole, R-OK)

Order of Business: The bill is scheduled to be considered on July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2362 directs the Secretary of the Interior to authorize certain Indian tribes to participate in demonstration projects known as the “Indian Tribal Trade and Investment Demonstration Project.”

The legislation directs that leases that are held in a trust by the federal government, for the benefit of the Tribe, do not require the approval to the Secretary if the lease:

- “Is entered into in furtherance of a commercial partnership involving one or more private entities incorporated in or emanating from the Republic of Turkey **and other World Trade organization member nations;**” [Emphasis Added]
- “Is entered into not later than one year after the date of the enactment of this Act;
- “Is not for the exploration, development, or extraction of any mineral resources;
- “Does not include lease of land or an interest in land held in trust for an individual Indian;
- “Is executed under the tribal regulations approved by the Secretary under this Act; and
- “Has a term that does not exceed 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years.”

The land may be leased for business and economic development, public, educational, or residential purposes, including the development or use of natural resources, for grazing purposes, and for farming purposes that require the making of a substantial investment in the improvement of the land for the production of certain specialized crops.

The Secretary shall approve a tribal regulation if it is consistent with any regulations issued by the Secretary, and it provides for an environmental review process.

After the proposed tribal regulation has been sent to the Secretary, the Secretary shall approve or disapprove the regulation within 120 days. If the Secretary disapproves of the regulation, the Secretary shall include written documentation within the disapproval notification that describes the basis for the disapproval.

If a tribe executes a lease approved by the legislation, the participating tribe shall notify the Secretary. The United States shall not be liable for losses sustained by any party to a lease executed under this act.

During the first year after enactment, the Secretary may not select more than 6 Indian tribes from the applicant pool to participate in this expedited lease process.

Within one year after enactment, the Secretary shall prepare a report to Congress that includes:

- (1) “A description of the economic benefits and other consequences to participating Indian tribes, their members, and surrounding communities as a result of the economic activities and financial investment engendered by the demonstration project; and
- (2) “Observations drawn from the implementation of this Act and recommendations reasonably designed to improve the operation or consequences of the demonstration project.”

Committee Action: H.R. 2362 was introduced on June 24, 2011, and was referred to the House Natural Resources Subcommittee on Indian and Alaska Native Affairs. On November 17, 2011, the full committee held a markup of the legislation and reported the bill, as amended by a roll call vote of 27-15.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing the bill would have no significant impact on the federal budget.

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

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Cole states “Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to Article I, Section 8 which allows Congress to regulate trade amongst foreign Nations, and among the several States, and with the Indian Tribes. This bill is enacted pursuant to treaties lawfully entered into and ratified pursuant to the power granted to Congress under Article II, Section 2, Clause 2.” The statement can be [found here](#).

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

H.R. 3388 - Wood-Pawcatuck Watershed Protection Act (*Langevin, D-RI*)

Order of Business: The bill is scheduled to be considered on July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: This legislation would designate specific sections of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in Rhode Island and Connecticut for study as potential additions to the national wild and scenic rivers system under the Wild and Scenic Rivers Act.

Background: The National Wild and Scenic Rivers System exists to protect certain areas from development which could change their scenic nature. If a section of the river is so designated, it is protected by government agencies to preserve the flow and scenic nature of the river.

Potential Conservative Concerns: Some conservatives may be concerned that this legislation could be an introductory step to incorporating parts of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers into the national park system.

According to the Committee “the Wild and Scenic Rivers Act of 1968 intended to put a **development freeze** on rivers to preserve their ‘free-flowing’ values against the influx of man-made dams being constructed at the time.” **[Emphasis Added]** This legislation is the first step necessary in order to have this section of the river included in the National Wild and Scenic Rivers System which would result in a development freeze. At a time of sluggish economic development, conservatives may be concerned about expanding the role of government and further limiting the potential of the private sector. Conservatives are focused on removing government barriers to job creation, and this legislation arguably is a first step to increasing the government’s role in restricting private sector growth.

Additionally, the NPS has a maintenance backlog of around \$11.04 billion (according to conversations with CRS). This legislation does not contain an offset, or any other reduction to existing NPS responsibilities, to counteract the cost that the NPS would incur in order to carry out the ultimate goal of this legislation.

Committee Action: H.R. 3388 was introduced on November 4, 2011, and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. The full committee held a markup on June 7, 2012, and the legislation was adopted, as amended, by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report detailing the cost to taxpayers is unavailable.

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

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Langevin states “Congress has the power to enact this legislation pursuant to the following: Article I, section 8, Clause 1 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.” The statement can be found [here](#).

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

H.R. 5958 - To name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife Refuge unit of Gateway National Recreation Area in honor of James L. Buckley (Turner, R-NY)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This legislation would name the Jamaica Bay Wildlife Refuge Visitor Contact Station of the Jamaica Bay Wildlife unit of Gateway National Recreation Area in honor of James L. Buckley.

Background: Senator James Lane Buckley is a retired United States Senator from New York from the Republican Party. He was the brother of William F. Buckley Jr, and also served as undersecretary of State before becoming the President of Radio Free Europe. James Buckley was also the lead petitioner in Buckley v. Valeo which ruled that money spent on elections can be constitutionally protected as free speech.

Committee Action: This legislation was introduced on June 18, 2012 and referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. The Committee met on July 11, 2012, and reported the legislation by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO [estimates](#) that “enacting this legislation would have no significant impact on the federal budget and 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 Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: According to the bill’s sponsor, Congress has the power to enact H.R. 5958 pursuant to “Article I, Section 8, Clause 3:[2] The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 5859 - To repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting (Harper, R-MS)

Order of Business: H.R. 5859 is scheduled to be considered on Monday, July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: This legislation would repeal the requirement that the Secretary of Transportation require passenger motor vehicle dealers distribute comparisons of insurance costs for different types of passenger cars to all prospective buyers. This legislation would also require a study by the Secretary of Transportation to examine the “most useful data, format, and method for providing simple and understandable damage susceptibility information to consumers.”

Committee Action: H.R. 5859 was introduced on May 30, 2012, and was referred to the Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade. The full committee held a markup on June 19, 2012, and reported the legislation, as amended, by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that implementing H.R. 5859 would have no significant effect on the federal budget.

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

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Harper states “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 18.” The statement can be [found here](#).

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 4347 - To designate the United States courthouse located at 709 West 9th Street in Juneau, Alaska, as the "Robert Boochever United States Courthouse" (Young, R-AK)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would rename the United States courthouse located at 709 West 9th Street in Juneau, Alaska as the “Robert Boochever United States Courthouse”

Background: Robert Boochever was a federal judge who served as a justice on Alaska’s Supreme Court from 1972-1980. After graduating from Cornell Law School in 1941, Boochever joined the US Army Infantry during World War II, rising to the rank of Captain. Boochever was nominated by

President Jimmy Carter to a seat on the US Court of Appeals for the Ninth Circuit in 1986, serving until his death in 2011.

More information about Robert Boochever can be found [here](#).

Committee Action: H.R. 4347 was introduced on March 30, 2012 and was referred to the House Committee on Transportation and Infrastructure. A mark-up session was held on June 6, 2012 and was ordered to be reported by voice vote. On July 19, 2012 H.R. 4347 was reported by the Committee on Transportation and Infrastructure and placed on the House Calendar.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO [estimates](#) that enacting H.R. 4347 “would have no significant impact on the federal budget and 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 Contain Earmarks?: No.

Constitutional Authority: [According](#) to the bill’s sponsor, Congress has the power to enact H.R. 4347 pursuant to “Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 17 of the Constitution.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-2076.

**H.R. 3356 - To designate the new United States courthouse in Buffalo, New York, as the "Robert H. Jackson United States Courthouse"
(Higgins, D-NY)**

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would rename a United States courthouse in Buffalo, New York as the “Robert H. Jackson United States Courthouse.”

Background: Robert H. Jackson was a Supreme Court Justice from 1941 to 1954. He also served as the U.S. chief prosecutor at the Nuremberg Trials, and as the U.S. Attorney General. While on the Court, Justice Jackson joined the Brown v. Board of Education opinion and wrote a notable concurrence in Dennis v. United States, among many other decisions.

Committee Action: This bill was introduced on December 2nd, 2011 and referred to the Committee on Transportation and Infrastructure. On April 27th, 2012 it was reported by this committee and placed on the House Calendar.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO [estimates](#) that enacting H.R. 4347 “would have no significant impact on the federal budget and 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 Contain Earmarks: No.

Constitutional Authority: According to the bill’s sponsor, “The constitutional authority of this legislation lies in the power of Congress to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State, as enumerated in Article IV, Section 3, Clause 2.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-2076.

**H.R. 3742 - To designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the "Edwin L. Mechem United States Courthouse"
(Pearce, R-NM)**

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would rename the United States Courthouse located at 100 North church Street in Las Cruces, New Mexico, as the “Edwin L. Mechem United States Courthouse.”

Background: Edwin L. Mechem was elected Governor of New Mexico in four times. During his last term as Governor he appointed himself to the United States Senate, during which time he voted against the Civil Rights Act, before retiring from elected office. He was appointed by President Nixon as a Federal Judge, and later became a senior Federal Judge until 2002 when he passed away.

Committee Action: This legislation was introduced on December 20, 2011 and referred to the Committee on Transportation and Infrastructure. This Committee reported the bill on July 19, 2012 and it was placed on the House Calendar.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill. However the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: The CBO [estimates](#) that enacting H.R. 3742 would have “no significant impact on the federal budget and would not affect direct spending or revenues.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-2076.

**S. 2039 – A bill to allow a State or local government to construct levees on certain properties otherwise designated as open space lands
(Sen. Hoeven, R-ND)**

Order of Business: S. 2039 is scheduled to be considered on Monday, July 23, 2012, under a motion to suspend the rules and pass the bill.

Summary: S. 2039 would grant the Administrator of the Federal Emergency Management Agency (FEMA) the authority to approve the construction of a permanent flood risk reduction levee by a State, local, or tribal government on covered hazard mitigation land if the Administrator and the Chief of Engineers determine, through a process established by the Administrator and Chief of Engineers and funded entirely by the State, local, or tribal government seeking to construct the proposed levee, that:

- construction of the proposed permanent flood risk reduction levee would more effectively mitigate against flooding risk than an open floodplain or other flood risk reduction measures;
- the proposed permanent flood risk reduction levee complies with Federal, State, and local requirements, including mitigation of adverse impacts and implementation of floodplain management requirements, which shall include an evaluation of whether the construction, operation, and maintenance of the proposed levee would continue to meet best available industry standards and practices, would be the most cost-effective measure to protect against the assessed flood risk and minimizes future costs to the federal government;
- the State, local, or tribal government seeking to construct the proposed levee has provided an adequate maintenance plan that documents the procedures the State, local, or tribal government will use to ensure that the stability, height, and overall integrity of the proposed levee and the structure and systems of the proposed levee are maintained, including:
 - specifying the maintenance activities to be performed;

- specifying the frequency with which maintenance activities will be performed;
- specifying the person responsible for performing each maintenance activity (by name or title);
- detailing the plan for financing the maintenance of the levee; and
- documenting the ability of the State, local, or tribal government to finance the maintenance of the levee.

Lastly, the state or local government also must submit to FEMA and the corps an annual certification indicating whether it is in compliance with its maintenance plan, which the corps would review.

Background: FEMA provides hazard mitigation assistance in connection with flooding only if the project in question meets certain criteria under the Hazard Mitigation Grant Program within the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The Act disallows new structures from being built on the property, except restrooms or other open space facilities. Part of the eligibility criteria is for the lands to be dedicated to open space, recreation, or wetlands management purposes. The legislation by-passes these restrictions by allowing FEMA to approve construction of a permanent flood risk-reduction levee on North Dakota land that was acquired and deed-restricted for open-space use only under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Conservative Concerns: Some conservatives are concerned construction of the levees will inevitably lead to more high risk development and future costs to taxpayers. While this legislation is specifically targeted at North Dakota, the bill would set a precedent that could have national implications for other states to buy back land that the federal government deemed too risky to build new structures.

Groups Opposing: National Taxpayers Union

Committee Action: S. 2039 was introduced and passed with an amendment by Unanimous Consent on January 26, 2012 in the Senate. On January 30, 2012 the bill was referred to the House subcommittee on Water Resources and Environment.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO report was provided.

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? 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 constitutional authority statement was provided.

RSC Staff Contact: Ja’Ron Smith, ja’ron.smith@mail.house.gov (202-226-2076)

H.R. 3870 - To designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the “Nicky ‘Nick’ Daniel Bacon Post Office” (Griffin, R-AR)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas as the “Nicky ‘Nick’ Daniel Bacon Post Office”.

Background: Nick Daniel Bacon served in the Vietnam War where he was awarded the Medal of Honor for his actions. He later became the Director of the Arkansas Department of Veteran Affairs.

Committee Action: This legislation was introduced on February 1, 2012, and referred to the Committee on Oversight and Government Reform. The legislation was reported by the committee on February 7, 2012.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill. However the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to the bill’s sponsor, Congress has the power to enact H.R. 3870 pursuant to: “Article I, Section 8, Clause 7; The Congress shall have Power to establish Post Offices and post roads.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 5837 - To designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the “Corporal Kyle Schneider Post Office Building” (Buerkle, R-NY)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 26 East Genesee Street in Baldwinsville, New York, as the “Corporal Kyle Schneider Post Office Building.”

Background: Corporal Kyle Schneider died at the age of 23 while serving in the Marine Corps in Afghanistan. His [awards](#) included the National Defense Service Medal, the Afghanistan Campaign Medal, and the Global War on Terrorism Service Medal.

Committee Action: This bill was introduced on May 18, 2012, and referred to the Committee on Oversight and Government Reform. On June 27, 2012, this Committee reported the bill by Unanimous Consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill. However the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to the bill’s sponsor, “The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 3593 - To designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the “National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office” (Hayworth, R-NY)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the “National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office”.

Background: Gregg Wenzel was an athlete, police academy instructor, and Assistant Public Defender before joining the Central Intelligence Agency. In this capacity he was killed in Ethiopia in 2003.

His memorial website can be found [here](#).

Committee Action: This legislation was introduced on December 7, 2011, and referred to the Committee on Oversight and Government Reform. It was reported out of committee on February 7, 2012.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill. However the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: According to the bill’s sponsor, “The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 3477 - To designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building (Poe, R-TX)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: The [legislation](#) would designate the facility of the United States Postal Service located at 133 Hare Road in Crosby, Texas, as the Army First Sergeant David McNerney Post Office Building.

Background: David McNerney served in the Army in Vietnam and was awarded the Medal of Honor for his actions there. He later returned to Texas and worked as an inspector in the U.S. Customs Service before he passed away in 2010.

Committee Action: H.R. 3477 was introduced on November 18, 2011, and was referred to the House Committee on Oversight and Government Reform. On February 7, 2012, the Committee held consideration and a mark-up session and the bill was reported out of committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO has not scored this bill. However, the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: According to the bill's sponsor, Congress has the power to enact H.R. 3477 pursuant to: "Clause 6, Section 8 of Article 1".

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 2896 - To designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Judge Shirley A. Tolentino Post Office Building" (*Payne, D-NJ*)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This legislation would designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the "Judge Shirley A. Tolentino Post Office Building".

Background: Judge Shirley Tolentino was the first female judge appointed to the Superior Court in New Jersey. She had previously served as the Deputy Attorney General for New Jersey, as well as participating in numerous initiatives within the state.

More detailed information on Judge Tolentino's service can be found [here](#).

Committee Action: H.R. 2896 was introduced on September 12, 2011, and referred to the House Committee on Oversight and Government Reform. On October 3, 2011, it was referred to the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy. A mark-up session was held on June 27, 2012 and H.R. 2896 was reported by the Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO has not scored this bill. However, the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: According to its sponsor, Congress has the power to enact H.R. 2896 pursuant to: “Article I, Section 8, Clause 3 of the Constitution, ‘The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.’”

RSC Staff Contact: Rick Eberstadt, Rick.Eberstadt@mail.house.gov, (202) 226-9720.

H.R. 1369 - To designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the “Warren Lindley Post Office” (Boren, D-OK)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This legislation would designate the facility of the United States Postal Service located at 1021 Pennsylvania Avenue in Hartshorne, Oklahoma, as the “Warren Lindley Post Office”.

Background: Warren Elvin Lindley Sr. served in the Army before returning to Oklahoma. He eventually served as a member of the Stuart Public School Board and was elected Mayor of Stuart.

More information can be found [here](#).

Committee Action: H.R. 1369 was introduced on April 5, 2011, and referred to the House Committee on Oversight and Government Reform. On April 8, 2011, it was referred to the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy. On June 27, 2012, the Committee held a mark-up session and the bill was reported out by the Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO has not scored this bill. However, the legislation is not expected to significantly impact the federal budget.

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

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to the bill’s sponsor, Congress has the power to enact H.R. 1369 pursuant to: “Clause 7, Section 8, Article I of the Constitution.”

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