



REP. TOM PRICE, M.D. (R-GA), CHAIRMAN
PAUL TELLER, EXECUTIVE DIRECTOR
424 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515

rsc.price.house.gov

ph (202) 226-9717 / fax (202) 226-1633

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**H.R. 1694—Revolutionary War and War of 1812 Battlefield Protection Act
(Holt, D-NJ)**

Order of Business: The bill is scheduled to be considered on April 21, 2009, under a motion to suspend the rules and pass the bill.

Major Changes Since the Last Time This Legislation Was Before the House: None. Identical legislation (H.R. 146) was considered earlier in the 111th Congress and passed by a vote of 394 – 14.

Summary: H.R. 1694 would provide financial assistance to state or local governments to purchase land that has been identified by the National Park Service (NPS) as eligible for protection through the American Battlefield Protection Program but is not contained within the boundaries of a unit of the National Park System. H.R. 1694 would authorize the appropriation of \$10 million from the Land and Water Conservation Fund for each of fiscal years 2009 through 2013.

Addition Information: The American Battlefield Protection Act of 1996 (Battlefield Act) was enacted to protect and preserve battlefields and sites associated with historic battles fought on American soil that influenced the course of American history. Urbanization, suburban sprawl, and unplanned commercial and residential development have increasingly encroached upon these battlefield sites, threatening their historical integrity and even resulting in the loss of some sites altogether. Meanwhile, lack of funding has left other battlefield sites in an alarming state of disrepair and decay.

The Battlefield Act established the American Battlefield Protection Program (ABPP)--which is administered by the National Park Service (NPS)--to address these issues. The ABPP assists citizens, public and private institutions, and governments at all levels in the preservation, management, and interpretation of these historic sites for present and future generations. However, eligibility for grants under the ABPP is currently limited to Civil War battlefields.

With enactment of Sec. 603 of Public Law 104-333, Congress authorized the 'Revolutionary War and War of 1812 Historic Preservation Study Act of 1996' (16 U.S.C. Ia-5, Note). The purpose of the study was to identify principal sites from these two early American wars and, among other things, assess short- and long-term threats to the integrity of the sites. The final 'Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States' (Study) was completed in September, 2007.

The Study identified and documented 677 principal places associated with the Revolutionary War and the War of 1812--most of which the Study concluded were at risk. The Study found that of the 243 battlefield sites, 143 are already lost or extremely fragmented. The remaining 100 battlefields retain only 37 percent of their original historic scene and many are only partially protected, while 18 of those sites have no legal protection at all.

Of the 434 associated historical sites identified in the Study, 192 have already been destroyed or survive only as archeological remains and most of the remaining sites are in need of immediate and ongoing preservation measures. The Study concluded that as many as 170 sites face imminent injury or destruction in the next decade.

The proposed program will allow state or local governments to obtain federal funds to leverage matching private funds to acquire sites identified in the Study--from willing sellers--in order to preserve these historical places.

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

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

Cost to Taxpayers: While no CBO score exists for H.R. 1694, CBO did state the cost of implementing identical legislation in the 110th Congress would authorize \$50 million over the 2009 – 2013 period.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No. The bill would authorize grants for the preservation of battlefield sites. Any costs to those governments would be incurred voluntarily.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax

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

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

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

H.R. 388—Crane Conservation Act of 2009 (*Baldwin, D-WI*)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2009, under a motion to suspend the rules and pass the bill.

Major Changes Since the Last Time This Legislation Was Before the House: None. Identical legislation (H.R. 1771) was considered in the 110th Congress and passed by a vote of 304 – 118.

Summary: H.R. 388 would establish a new grant program to provide money to individuals or groups that work to conserve crane species in Africa, Asia, Europe, or North America. In order to fund the grant program, H.R. 388 would establish the “Crane Conservation Fund” within the Multinational Species Conservation Fund and authorize \$5 million annually through FY 2014.

H.R. 388 would require individuals or conservation agencies seeking funds through the program to submit a request detailing the purpose of the project and a description of how the project will be carried out. The Secretary of Interior would be required to notify applicants regarding approval within 180 days of receiving a proposal. All proposals would have to implement conservation programs that address the conflicts between cranes and humans in order receive funding.

In addition, the bill would allow the Secretary to invest money from the fund and spend any money earned by such investments without further appropriation.

Additional Information: The Multinational Species Conservation Fund (MSCF), which is administered by the Fish and Wildlife Service, currently funds programs that benefit certain endangered animals around the world. Under current law, there are specific funds for tigers, elephants, apes, turtles, migratory birds, and rhinoceroses. Many of the efforts funded by the MSCF are carried out in conjunction with the Convention on International Trade in Endangered Species. H.R. 388 would establish new funds within the MSCF and add create a distinct fund for all 15 species of cranes to the list of animals that are eligible to receive grant funding. Cranes are distributed around the world and found on every continent except Antarctica and South America. According to [House Report 110-635](#), six species of cranes are considered endangered and five are listed as vulnerable.

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 388 would expand government by creating new grant programs and authorizing \$25 million over five years

to fund crane conservation on four continents. Some conservatives may believe that animal preservation programs should be funded by private organizations and not taxpayers.

Committee Action: On January 9, 2009, the bill was referred to the House Committee on Natural Resources. On February 4, 2009, the bill was referred to the subcommittee on Insular Affairs, Oceans and Wildlife, which took no subsequent public action.

Cost to Taxpayers: While no CBO report is available for H.R. 388, CBO stated that identical legislation considered in the 110th Congress would authorize appropriations of \$25 million over the FY 2009 through FY 2013 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes it creates and new fund and grant program within the Multinational Species Conservation Fund.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report sighting Constitutional authority is not available.

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

H.R. 411—Great Cats and Rare Canids Act of 2009 (*Inslee, D-WA*)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Major Changes Since the Last Time This Legislation Was Before the House: None. Identical legislation (H.R. 1464) was considered in the 110th Congress and passed by a vote of 294 – 119.

Summary: H.R. 411 would establish a new grant program to provide money to individuals or groups that work to conserve rare cat and canine species in foreign countries. In order to fund the grant program, H.R. 411 would establish the “Great Cats and Rare Canids Conservation Fund” within the Multinational Species Conservation Fund and authorize \$5 million annually through FY 2014.

H.R. 411 would require individuals or conservation agencies seeking funds through the program to submit a request detailing the purpose of the project and a description of how the project will be carried out. The Secretary of Interior would be required to notify applicants regarding

approval within 180 days of receiving a proposal. All proposals would have to implement conservation programs that address the conflicts between humans and rare cats and dogs in order to receive funding. Animals meeting the description of rare cats and dogs as defined by the bill would include the lion, the leopard, jaguar, the snow leopard, the clouded leopard, the cheetah, the Iberian lynx, the bush dog, the African wild dog, the Ethiopian wolf, the grey wolf, and Darwin's fox.

H.R. 411 would prohibit funds under this program from going to programs for captive breeding or display of rare cats and dogs. In addition, the bill would allow the Secretary to invest money from the fund without further appropriation.

Additional Information: The Multinational Species Conservation Fund (MSCF), which is administered by the Fish and Wildlife Service, currently funds programs that benefit certain endangered animals around the world. Under current law, there are specific funds for tigers, elephants, apes, turtles, migratory birds, and rhinoceroses. Many of the efforts funded by the MSCF are carried out in conjunction with the Convention on International Trade in Endangered Species. H.R. 411 would establish new funds within the MSCF and add certain rare cats and dogs to the list of animals that are eligible to receive grant funding.

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 411 would expand government by creating new grant programs and authorizing \$25 million over five years to fund rare cat and dog conservation in foreign countries. Some conservatives may believe that animal preservation programs overseas should be funded by private philanthropic organizations and not taxpayers.

Committee Action: On January 9, 2009 the bill was referred to the House Committee on Natural Resources. On February 4, the bill was referred to the subcommittee on Insular Affairs, Oceans and Wildlife, which took no subsequent public action.

Cost to Taxpayers: According to CBO, identical legislation (H.R. 1464) considered in the 110th Congress would authorize the appropriation \$25 million over the FY 2009 through FY 2013 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it creates a new grant program within the Multinational Species Conservation Fund.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

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

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

H.R. 1219—Lake Hodges Surface Water Improvement and Reclamation Act of 2008 (Bilbray, R-CA)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Major Changes Since the Last Time This Legislation Was Before the House: None. Identical legislation (H.R. 2649) was considered in the 110th Congress and passed by a vote of 374 - 39.

Summary: H.R. 1219 would authorize the Secretary of Interior to participate in the design, planning, and construction of water treatment and reclamation projects on Lake Hodges in San Diego, California. The bill would limit the maximum amount of federal spending on the project to 25% of the total cost. CBO estimates that the federal share of the costs will amount to \$14 million over five years.

Additional Information: According to [House Report 110-634](#), the proposed Lake Hodges Surface Water Improvement and Reclamation Project “will provide a new source of water to the Olivenhain Water Treatment Plant.” The purpose of the plant will be to treat and distribute otherwise tainted water from Lake Hodges to supply clean water in the San Diego area. The project will be overseen by the Olivenhain Municipal Water District.

Committee Action: On February 26, 2009, the bill was introduced and referred to the House Committee on Natural Resources. On March 3, the bill was referred to the subcommittee on Water and Power, which took no subsequent public action.

Cost to Taxpayers: According to CBO, identical legislation (H.R. 2649) considered in the 110th Congress would authorize the appropriation \$14 million over the FY 2009 through FY 2013 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it directs the Secretary of Interior to participate in a local water project.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

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

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

S. 39—A bill to repeal section 10(f) of Public Law 93-531, commonly known as the "Bennett Freeze" (Sen. McCain, R-AZ)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Summary: S. 39 would repeal the so-called “Bennett Freeze”, a 1966 federal law that imposes a construction freeze on disputed reservation land between the Hopi Tribe and Navajo Nation. The Bennett Freeze, named after former Bureau of Indian Affairs Commission Robert Bennett who imposed the ban, was intended to be a temporary solution to prevent one tribe from taking advantage of another until a land dispute could be settled in the Black Mesa area of Arizona. An agreement was reached between the Tribes several years ago.

Additional Information: According to the bills sponsor, “in September 2005, the Navajo and Hopi peoples' desire to live together in mutual respect prevailed when both tribes approved an intergovernmental agreement that resolved all outstanding litigation in the Bennett Freeze area. This landmark agreement also clarifies the boundaries of the Navajo and Hopi reservations in Arizona, and ensures that access to religious sites of both tribes is protected. As such, the Navajo Nation, the Hopi Tribe, and the Department of Interior all support congressional legislation to lift the freeze.”

Committee Action: On January 6, 2009 the bill was introduced and referred to the Senate Committee on Indian Affairs. On March 12, 2009 the bill was favorably discharged from the Committee and passed Senate without amendment by unanimous consent. On March 16, 2009, the bill was received by the House and referred to the committee on Natural Resources, which took no subsequent public action.

Cost to Taxpayers: A CBO cost estimate for S. 39 is unavailable.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is not required because the bill is being considered under a suspension of the rules.

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

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

H.Res. 320—Honoring the Life and achievements of Dr. John Hope Franklin (Watt, D-NC)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 320 would resolve that the House of Representatives:

- “Honors the life and achievements of Dr. John Hope Franklin; and
- “Encourages the Nation to recognize his academic contributions, scholarship, and service to the American society and history.”

The resolution lists a number of findings including:

- “Dr. John Hope Franklin was born on January 2, 1915, in Rentiesville, Oklahoma, the grandson of a slave and the son of Buck Colbert Franklin, one of the first Black lawyers in the Oklahoma Indian territory, and Mollie Parker Franklin, a schoolteacher and community leader;
- “Dr. John Hope Franklin, a noted historian, made significant academic and civic contributions that helped integrate the African-American narrative into American history
- “Dr. John Hope Franklin became the Chairman of the Department of History at Brooklyn College, the first African-American to lead a department at a predominately White institution and later became the first African-American professor to hold an endowed chair at Duke University;
- “Dr. John Hope Franklin's research contributed to the success of Thurgood Marshall and the NAACP's legal victory in the landmark 1954 Supreme Court case, *Brown v. Board of Education*, which ended the `separate but equal' doctrine in America's public schools;
- “Dr. John Hope Franklin was named `Historian of the Century' by Duke University, North Carolina State University, North Carolina Central University, and the University of North Carolina Chapel Hill;
- “Dr. Franklin described historians as `the conscience of the nation, if honesty and consistency are factors that nurture the conscience', and his contributions to the study of American history fundamentally challenged and changed the manner in which the Nation collectively interprets its past and understands its present;
- “Dr. John Hope Franklin was a true scholar and soldier for justice whose chronicling of American history affirmed the dignity of Black people while giving us all a richer understanding of who we are as Americans and our journey as a people;
- “Dr. John Hope Franklin passed away on March 25, 2009, in Durham, North Carolina, and will be deeply missed.”

Committee Action: H.Res. 320 was introduced on March 2, 2009 and referred to the Committee on Oversight and Government Reform, which took no subsequent public action.

Administration Position: No Statement of Administration Policy is available.

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

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable for H.Res. 320.

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

H.Res. 254—Recognizing the designation of March 2009 as Irish American Heritage Month and honoring the significance of Irish Americans in the history and progress of the United States (*McCarthy, D-NY*)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 254 would resolve that the House of Representatives, in recognition of the designation of Irish-American Heritage Month by President Barack Obama:

- “Honors Irish-Americans for their contributions to the United States;
- “Recognizes the significance of Irish-Americans in the history and progress of United States; and
- “Encourages individuals to observe this month with appropriate ceremonies, programs, and activities.”

The resolution lists a number of findings including:

- “From the earliest days of the Nation, America has inspired the hopes and dreams of countless individuals from around the world in search of a better life for themselves and their children;
- “Since before the United States was even founded, Irish men and women undertook the perilous journey to make their home in this place of hope and promise, making inestimable contributions to their new country, both during the struggle for independence and in the founding of the republic;
- “Nine of the 56 signers of the Declaration of Independence were of Irish origin and 19 Presidents of the United States can proudly claim Irish heritage, including the first President of the United States, George Washington;
- “Irish-Americans have served ably in their communities in numerous capacities, such as public safety and government, including four-term New York State Governor Alfred E.

Smith, and in the Armed Services in every war in which the United States has ever fought, including patriots such as Audie Murphy, America's most decorated soldier of World War II;

- “Approximately one in four Americans trace at least part of their ancestry to Ireland;
- “It is fitting that the House of Representatives honor the rich heritage, enduring contributions, and firm values of the Irish-Americans who continue to enrich and strengthen American families, communities, ideals, and character;”

Committee Action: H.Res. 254 was introduced on March 5, 2009 and referred to the House Oversight and Government Reform Committee. On April 2, 2009 the committee held a mark-up and the legislation passed by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

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

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable for H.Res. 254.

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

H.R. 1516—To designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the "Sergeant Marcus Mathes Post Office" (Brown-Waite, R-FL)

Order of Business: H.R. 1516 is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1516 would designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the "Sergeant Marcus Mathes Post Office."

Additional Information: Army Sgt. Marcus Mathes was 26 years old when he was killed on April 28, 2008 outside Baghdad when his equipment truck was stuck by enemy rocket fire. Inspired by the events of Sept. 11, 2001, he enlisted in the Army and left for boot camp on his 23rd birthday. Sgt. Mathes is survived by his wife of six years, Jules, his mother and step-father,

Sue and Mike Sawyer of Sebring, his father, Ralph Mathes of Tampa, and two brothers, Kyle Mathes of Illinois, and Zach Sawyer of Sebring.

Committee Action: H.R. 1516 was introduced on March 16, 2009 and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on April 2, 2009 and the bill subsequently passed by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO score for H.R. 1516 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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

H.Res. 214—Recognizing the efforts of the countless volunteers who helped the Commonwealth of Kentucky recover from the ice storm of January 2009 (Guthrie, R-KY)

Order of Business: The bill is scheduled to be considered on Tuesday, April 21, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 214 would resolve that the House of Representatives:

- “Recognizes the efforts of the countless volunteers who helped the Commonwealth of Kentucky recover from the ice storm of January 2009.”

The resolution lists a number of findings including:

- “The Commonwealth of Kentucky suffered a devastating ice storm on January 26, 2009, that left more than 700,000 homes and businesses without electricity;

- “The ice storm is considered the worst natural disaster in Kentucky history;
- “State and local officials acted quickly to coordinate relief efforts and enlisted volunteer agencies, faith-based groups, and community organizations;
- “Volunteers from 25 organizations in 15 States came to the Commonwealth of Kentucky to provide help and support to those affected by the ice storm;
- “Volunteers operated 192 shelters for victims of the ice storm, providing 7,884 Kentuckians with shelter, food, and water;
- “The resolve, courage, and determination shown by the citizens of the Commonwealth was commendable.”

Committee Action: H.Res. 214 was introduced on March 17, 2009 and referred to the House Oversight and Government Reform Committee. On April 2, 2009 the committee held a mark-up and the legislation passed by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

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

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable for H.Res. 214.

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