

Legislative Bulletin.....April 27, 2009

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H.Res. 329—Recognizing the anniversary of the tragic accident of the steamboat ship SS Sultana. (Snyder, D-AR)

Order of Business: The resolution is scheduled to be considered on Monday, April 27, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 329 would resolve that the House of Representatives:

- “Recognizes the 144-year anniversary of the tragic accident of the steamboat ship SS Sultana;
- “Honors the memory of the soldiers and passengers who lost their lives in this disaster;
- “Regrets the lack of military and civilian oversight that led to the explosion and tremendous loss of life; and
- “Rededicates itself to honoring all our veterans and military families with the highest level of support in quality resources, equipment and services.”

The resolution lists a number of findings including:

- “The explosion of the SS Sultana on April 27, 1865, is considered the worst maritime disaster in American history;
- “Roughly 1,800 of the 2,400 passengers lost their lives in the tragedy;

- “2,000 passengers on the SS Sultana at the time of the explosion were Union prisoners of war recently released from the Confederate Andersonville and Cahaba Prison Camps in Alabama;
- “The explosion was presumed to have been caused by a defective boiler trying to overcome the current of the Mississippi River;
- “The enormous loss of life was attributed to an overloaded vessel caused in part by poor oversight on behalf of the Union commanding officers responsible for the release of the prisoners of war;
- ‘Then Secretary of War Edwin M. Stanton stated in his annual report for 1865 that the loss of `over 1200 officers and greatly increased . . . by an improper and unnecessary overloading of the boat’;
- “Only one of the several individuals responsible for the conditions of the steamer or the overloading of the vessel which contributed to the tragedy and large loss of life was ever prosecuted; and
- “The disaster was not in the newspapers or magazines of the time and is scarcely remembered today:”

Committee Action: H.Res. 329 was introduced on April 2, 2009, and referred to the House Committee on Armed Services, 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. 329.

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H.Con.Res. 99—Supporting the goals and ideals of a National Early Educator Worthy Wage Day (*McCarthy, D-NY*)

Order of Business: The resolution is scheduled to be considered on Monday, April 27, 2009, under a motion to suspend the rules and pass the resolution. A similar resolution

passed the House of Representatives in the 110th by a vote of [345-73](#). **Please note the potential conservative concerns below.**

Summary: H.Con.Res. 99 resolves that the House of Representatives (the Senate concurring):

- “That the Congress supports the goals and ideals of National Early Educator Worthy Wage Day, and urges public officials and the general public to honor early childhood care and education staff and programs in their communities and to work together to resolve the early childhood education staff compensation crisis.

The resolution lists a number of findings including:

- “Approximately 60 percent of the Nation's children under 6 are in nonparental care during part or all of the day while their parents work;
- “The early childhood industry employs more than 2,300,000 workers;
- “The average salary of early care and education workers is \$18,917 per year, and only 1/3 have health insurance and even fewer have a pension plan;
- “The quality of early care and education programs is directly linked to the quality of early childhood educators;
- “The turnover rate of early childhood program staff is roughly 30 percent per year, and low wages and lack of benefits, among other factors, make it difficult to retain high quality educators who have the consistent, caring relationships with young children that are important to children's development;
- “The compensation of early childhood program staff should be commensurate with the importance of the job of helping the young children of the Nation develop their social, emotional, physical, and cognitive skills, and to help them be ready for school;
- “Providing adequate compensation to early childhood program staff should be a priority, and resources may be allocated to improve the compensation of early childhood educators to ensure that quality care and education are accessible for all families;
- “Additional training and education for the early childhood workforce is critical to ensuring high-quality early learning environments;
- “Early childhood educators should receive compensation commensurate with such training and experience; and
- “The Center for the Child Care Workforce, a project of the American Federation of Teachers Educational Foundation, with support by the National Association for the Education of Young Children and other early childhood organizations, recognizes May 1 as National Early Educator Worthy Wage Day.”

Possible Conservative Concerns: Some conservatives may be concerned that the resolution makes an attempt to establish what is or is not a worthy wage. It singles out a particular occupation (early childhood educators) and implies that early educators are not receiving “adequate compensation” for the job they are doing. Congress should not be in the business of establishing a “worthy wage” for a particular occupation.

Committee Action: H.Con.Res. 99 was introduced on April 2, 2009 and referred to the House Committee on Education and Labor, which took no subsequent public action.

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

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

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

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

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

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H.Res. 335—Supporting the goals and ideals of National Volunteer Week (Platts, R-PA)

Order of Business: The resolution is scheduled to be considered on Monday, April 27, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 335 resolves that the House of Representatives:

- “Supports the goals and ideals of National Volunteer Week;
- “Recognizes the critical role of our national and community service programs;
- “Honors the contributions of all those hard-working American volunteers who make a difference in their communities every day of the year; and
- “Invites all Americans to answer the call to serve through volunteerism in any form.”

The resolution lists a number of findings including:

- “National Volunteer Week will be observed during the week of April 19 through April 25, 2009;
- “National Volunteer Week honors the nationwide impact of volunteers in every day American communities;
- “The theme of this year's National Volunteer Week is ‘Celebrating People in Action’, which recognizes individuals who dedicate themselves to taking action and solving problems in their communities;

- “National Volunteer Week has been an annual celebration since 1974 and every President since that time has signed a proclamation honoring National Volunteer Week;
- “Many State and local officials from around the country have actively engaged their communities in celebrating National Volunteer Week;
- “Data from the Corporation for National and Community Service shows that 61,803,000 volunteers dedicated 8,003,840,108 hours of service to community organizations in 2008;
- “Volunteers can play a critical role in helping struggling nonprofit organizations with fundraising, directing services to individuals and communities in need, and other skill-based assistance;
- “Nonprofit organizations are reporting an increase in the number of inquiries from both baby boomers and young people who are ready to serve our Nation;
- “‘Celebrating People in Action’ is the recognition that every citizen can make a difference in their community by taking action through activities like building a ramp to ensure accessibility for people with disabilities, tutoring a child struggling to read, serving food at a homeless shelter, assisting the unemployed with job readiness skills, and many other services; and
- “National Volunteer Week provides a moment in time to honor all those who serve locally, nationally and internationally to change lives, rejuvenate communities, and embody the best of the American spirit of responsibility and civic engagement.”

Committee Action: H.Res. 335 was introduced on April 21, 2009 and referred to the House Committee on Education and Labor, which took no subsequent public action.

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

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

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

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

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

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H.Res. 344—Commending the University of Connecticut Huskies for their historic win in the 2009 National Collegiate Athletic Association Division I Women’s Basketball Tournament (*Courtney, D-CT*)

Order of Business: The resolution is scheduled to be considered on Monday, April 27, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 344 resolves that the House of Representatives:

- “Commends the University of Connecticut Huskies for their historic win in the 2009 National Collegiate Athletic Association Division I Women's Basketball Tournament;
- “Recognizes the achievements of the players, coaches, students, and support staff who were instrumental in the Huskies' victory; and
- “Directs the Clerk of the House of Representatives to transmit a copy of this resolution to University of Connecticut President Michael Hogan and head coach Geno Auriemma for appropriate display.”

The resolution lists a number of findings including:

- “On April 7, 2009, the University of Connecticut Huskies defeated the University of Louisville Cardinals 76 to 54 in the final game of the NCAA Division I Women's Basketball Tournament in St. Louis, Missouri;
- “The Huskies were undefeated with a record of 39-0, defeating each of their opponents by more than double digits;
- “The Huskies were undefeated for the third time since 1994-1995;
- “The Huskies have won 6 national titles, second most in NCAA Division I women's basketball history;
- “Sophomore forward Maya Moore was chosen as the Naismith Award winner, Wooden Award Winner, State Farm Wade Trophy Winner, United States Basketball Writers Association player of the year, and Associated Press player of the year;
- “Senior Point Guard Renee Montgomery was chosen as the Nancy Lieberman award winner given to the Nation's top point guard;
- “Sophomore forward Maya Moore, senior point guard Renee Montgomery, and junior center Tina Charles were chosen as State Farm First Team All-Americans;
- “Junior center Tina Charles was chosen as the Women's Final Four Most Valuable Player;
- “Sophomore forward Maya Moore, senior point guard Renee Montgomery, and junior center Tina Charles were chosen as members of the Final Four First All Tournament Team;
- “Coach Geno Auriemma was chosen as the Associated Press Coach of the Year;
- “The University of Connecticut Women's Basketball program has a 100 percent graduation rate among 4-year players, representing the team's commitment to achievement in the classroom as well as on the court;

- “Each player, coach, athletic trainer, and staff member of the University of Connecticut Huskies dedicated their season and their tireless efforts to their perfect record and the NCAA championship; and
- “Residents of Connecticut and Huskies fans worldwide are to be commended for their longstanding support, perseverance, and pride in this team.”

Committee Action: H.Res. 344 was introduced on April 21, 2009 and referred to the House Committee on Education and Labor, which took no subsequent public action.

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

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

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

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

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

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H.Res. 337—Supporting the observance of National Child Abuse Prevention Month (Granger,R-TX)

Order of Business: The resolution is scheduled to be considered on Monday, April 27, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 337 resolves that the House of Representatives:

- “Supports the observance of National Child Abuse Prevention Month in order to increase awareness of child maltreatment and encourage individuals and communities to support children and families;
- “Recognizes and applauds the national and community organizations for their work in promoting awareness about child maltreatment including identifying risk factors and developing prevention strategies; and
- “Urges families and individuals to report abuse or get help by calling the National Child Abuse Hotline at 1-800-4-A-Child (1-800-422-4453).”

The resolution lists a number of findings including:

- “According the most recent annual estimates, State and local child protective services investigated nearly 5,800,000 children in the United States who were reported to be abused or neglected in 2007;
- “According the most recent annual estimates, 1,760 children died in the United States in 2007 from abuse and neglect;
- “According the most recent annual estimates, 794,000 children in the United States were confirmed by protective services as being victims of child maltreatment in 2007;
- “59 percent of the children were classified as victims of child neglect;
- “4.2 percent of the children were classified as victims of psychological maltreatment;
- “7.6 percent of the children were classified as victims of sexual abuse;
- “10.8 percent of the children were classified as victims of physical abuse;
- “1 percent of the children were classified as victims of medical maltreatment;
- “13.1 percent of the children were classified as victims of multiple maltreatments;
- “More than three-quarters of the children who died due to child abuse and neglect were younger than four years old;
- “These figures represent only reported cases of abuse, many cases are not reported to police or social services;
- “Child abuse and neglect have great long-term costs for children, families, and society which timely and effective community-based prevention services can reduce, improving the lives and prospects of thousands of children and families; and
- “Observing National Child Abuse Prevention Month during the month of April provides a special opportunity to raise awareness about the serious threat that child abuse and neglect poses to our Nation's children.”

Committee Action: H.Res. 337 was introduced on April 21, 2009 and referred to the House Committee on Education and Labor, which took no subsequent public action.

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

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

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

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

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

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H.R. 1746 – Pre-Disaster Mitigation Act of 2009 (*Oberstar, D-MN*)

Order of Business: H.R. 1746 is scheduled to be considered on Monday, April 27, 2009 under a motion to suspend the rules and pass the bill.

Summary: H.R. 1746 authorizes \$250 million in each of fiscal years 2010, 2011, and 2012, \$750 million total, for Federal Emergency Management Agency (FEMA) pre-disaster mitigation programs. According to CBO, these grants may be used by states and localities for pre-disaster mitigation programs, such as constructing levies, relocating homes from prone-flood areas, and retrofitting buildings in earthquake zones. The legislation requires that funding made available to a state under the legislation be at least \$575,000 or one percent of the total funding made available under the program, and not more than 15% of the total funding available under the program.

Additional Background: According to the [committee report](#) (House Report 111-083): “Examples of mitigation activities include the seismic strengthening of buildings and infrastructure, acquiring repetitively flooded homes, installing shutters and shatter resistant windows in hurricane-prone areas, and the building of ‘safe rooms’ in houses and other buildings to protect from high winds.”

Similar legislation (H.R. 6109) was considered by the 110th Congress on June 23, 2008, and passed by voice vote.

Possible Conservative Concerns: Some conservatives may be concerned that the legislation authorizes funding levels that would represent a significant increase compared to recent appropriations for the program. For example, compared to the FY 2009 regular appropriation level of \$90 million, H.R. 1746 proposes a \$160 million annual increase.

Committee Action: H.R. 1746 was introduced on March 26, 2009 and referred to the House Transportation and Infrastructure Committee. On April 2, 2009, the committee held a mark-up and reported the bill by voice vote.

Cost to Taxpayers: H.R. 1746 authorizes \$250 million in FY 2010, and a total of \$750 million in FY 2010-2012.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill authorizes \$750 million over three years of new spending.

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 the House Committee on Transportation and Infrastructure, in House Report 111-083, the bill contains no earmarks.

Constitutional Authority: The House Committee on Transportation and Infrastructure, in House Report 111-083, cites Authority from Article I, Section 8, but does not cite a specific clause. 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]*

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H.R. 1747 – Great Lakes Icebreaker Replacement Act (*Oberstar, D-MN*)

Order of Business: H.R. 1747 is scheduled to be considered on Monday, April 27, 2009 under a motion to suspend the rules and pass the bill.

Summary: H.R. 1747 authorizes \$153 million for necessary expenses of the Coast Guard for the design, acquisition, and construction of an icebreaker ship.

Additional Background: According to the [committee report](#) (House Report 111-081): “Five of the Coast Guard's icebreakers on the Great Lakes are nearing the end of their useful lives and two of the buoy tenders that the Coast Guard uses to break ice cannot handle heavy ice conditions.”

Committee Action: H.R. 1747 was introduced on March 26, 2009 and referred to the House Transportation and Infrastructure Committee. On April 2, 2009, the committee held a mark-up and reported the bill by voice vote.

Cost to Taxpayers: H.R. 1746 authorizes \$153 million in FY 2010 (subject to appropriation).

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill authorizes \$153 million (subject to appropriation) of new spending.

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 the House Committee on Transportation and Infrastructure, in House Report 111-081, the bill contains no earmarks.

Constitutional Authority: The House Committee on Transportation and Infrastructure, in House Report 111-081, cites Authority from Article I, Section 8, but does not cite a specific clause. 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]*

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