

Legislative Bulletin.....June 8, 2010

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H.Res. 989 - Expressing the sense of the House of Representatives that the United States should adopt national policies and pursue international agreements to prevent ocean acidification, to study the impacts of ocean acidification, and to address the effects of ocean acidification on marine ecosystems and coastal economies
(Inslee, D-WA)

Order of Business: The resolution is scheduled to be considered on Tuesday, June 8, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 989 would resolve that the House of Representatives:

- “Should adopt national policies and pursue international agreements to prevent ocean acidification, to study the impacts of ocean acidification, and to address the effects of ocean acidification on marine ecosystems and coastal economies.”

The resolution lists a number of findings including:

- “The world's oceans have absorbed more than a quarter of the carbon dioxide released into the atmosphere since the start of the Industrial Revolution;
- “The increased absorption of carbon dioxide by the world's oceans alters the form of nutrients and chemicals in the oceans and results in ocean acidification;
- “Ocean acidification will be accelerated in Arctic waters because carbon dioxide is more soluble in colder waters and lower salinity diminishes the capacity of oceans to buffer against acidification;

- “If current trends in global emissions of carbon dioxide continue, corals could be functionally extinct by the middle to the end of this century; and
- “The Congress has recognized the need to address the impacts of ocean acidification by enacting the Federal Ocean Acidification Research and Monitoring Act of 2009 as part of the Congress has recognized the need to address the impacts of ocean acidification by enacting the Federal Ocean Acidification Research and Monitoring Act of 2009 as part of Public Law 111-11.”

Additional Information: This legislation mentions the Federal Ocean Acidification Research and Monitoring Act of 2009, which was included in H.R. 146, the Omnibus Public Land Management Act (now public law 111-11). The roll call vote is linked here: [House passage](#), and the motion to concur on the [Senate amendments](#).

Committee Action: H.Res. 989 was introduced on December 16, 2009, and referred to the House Committee on Natural Resources, which took no 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.

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

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

H.R. 4349 - Hoover Power Allocation Act (*Napolitano, D-CA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, June 8, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4349 would revise existing regulations governing electric power allocation produced at the Hoover Dam. The current allocations expire at the end of FY 2017. The revised allocations would expire September 30, 2067. This legislation would

increase the allocation set for the Western Area Power Administration (WAPA), and would allocate unallocated electricity to various Native American Indian tribes.

Without this legislation CBO expects that:

“WAPA would allocate the electricity from the Hoover Dam by regulation. CBO estimates that any differences between the electricity allocation under H.R. 4349 and the allocations developed under such regulations would have a negligible effect on offsetting receipts (an offset to direct spending) from electricity sales because the agency is required by law to keep electric rates as low as possible while recovering all costs of generation and marketing over time. CBO also estimates that implementing the bill would have no significant impact on WAPA’s administrative costs, which are funded by appropriations and offset by proceeds from the sale of electricity.”

Committee Action: H.R. 4349 was introduced on December 16, 2009 and was referred to the House Committee on Natural Resources Subcommittee on Water and Power. A full committee markup was held on May 5, 2010. The legislation was then approved by voice vote, as amended.

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

Cost to Taxpayers: CBO estimates that enacting this legislation would “have a negligible effect on net direct spending and spending subject to appropriation.”

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: According to House report 111-502 “H.R. 4349 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.”

Constitutional Authority: House report 111-502 cites Article 1, section 8 of the Constitution for authority.

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

H.R. 2008 - Bonneville Unit Clean Hydropower Facilitation Act (Matheson, D-UT)

Order of Business: The legislation is scheduled to be considered on Tuesday, June 8, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2008 eliminates the required annual payment that developers of hydropower resources at the Diamond Fork project in Utah pay the U.S. Treasury for reimbursable expenses.

Additional Information: Currently, sponsors of hydropower resources would be required to pay around \$5.3 million annually (for 50 years) after the start of electricity production. CBO estimates that this legislation would “lead to the development of hydropower facilities by a nonfederal entity within a few years, sooner than expected under current law.”

Committee Action: H.R. 2008 was introduced on April 21, 2009 and referred to the House Committee on Natural Resources Subcommittee on Water and Power. A subcommittee markup was held on May 14, 2009. A full committee markup was held on September 10, 2009. A substitute amendment was offered by Rep. Napolitano and agreed to by unanimous consent. The legislation was then approved by unanimous consent.

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

Cost to Taxpayers: CBO estimates that enacting H.R. 2008 would “increase offsetting receipts (a credit against direct spending) by \$400,000 a year over the 2015-2019 period, or a total collection of \$2 million.”

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: According to House Report 111-308, “H.R. 1061 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.”

Constitutional Authority: House Report 111-308 cites Article I, section 8 of the Constitution for the authority to enact this bill.

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

H.R. 1061 - Hoh Indian Tribe Safe Homelands Act (*Dicks, D-WA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, June 8, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1061 places certain lands in a trust held by the U.S. under the Secretary of Interior, for the benefit of the Hoh Indian Tribe. This land will not include federal land within the boundaries of Olympic National Park. This land includes land owned by the tribe, and certain federal land managed by the National Park Service (estimated at 37 acres by CBO). The lands taken into trust under this legislation will become part of the Hoh Indian Reservation.

This legislation states that it is the intent of Congress that:

- “The condition of the Federal land at the time of the transfer under this section should be preserved and protected;
- That the natural environment existing on the Federal land at the time of the transfer under this section should not be altered, except as described in this Act; and
- The Tribe and the National Park Service shall work cooperatively on issues of mutual concern related to this Act.”

The legislation contains several restrictions on the federal land being placed into the trust, so as to preserve the land in its current state. Section 7 of the legislation prohibits gambling on the land in the trust.

Committee Action: H.R. 1061 was introduced on February 13, 2009 and referred to the House Committee on Natural Resources. A markup was held on July 9, 2009. A substitute amendment was offered by Rep. Rahall and agreed to by voice vote. The legislation was then approved by voice vote.

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

Cost to Taxpayers: CBO estimates that H.R. 1061 would cost less than \$500,000 over the 2010 – 2014 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The legislation places certain land into a trust held by the government.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: According to House Report 111-306, “H.R. 1061 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.”

Constitutional Authority: House Report 111-306 cites Article I, section 8 of the Constitution for the authority to enact this bill.

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

**H.Res. 518 - Honoring the life of Jacques-Yves Cousteau, explorer,
researcher, and pioneer in the field of marine conservation
(Ros-Lehtinen, R-FL)**

Order of Business: The resolution is scheduled to be considered on Tuesday, June 8, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 518 would resolve that the House of Representatives:

- “Honors the life, achievements, and distinguished career of Jacques-Yves Cousteau, explorer, researcher, and pioneer in the field of marine conservation.”

The resolution lists a number of findings including:

- “Jacques-Yves Cousteau in 1930, after having made his preparatory studies at the College Stanislas in Paris, entered the Naval Academy in Brest and became an officer gunner;
- “In 1950, Jacques-Yves Cousteau founded the French Oceanographic Campaigns (COF), and he leased a ship called Calypso and equipped her as a mobile laboratory for field research and as a support base for diving and filming where he traversed the most interesting seas of the planet as well as big and small rivers;
- “In 1973, Jacques-Yves Cousteau, with his two sons Jean-Michel and Philippe, and Frederick Hyman, created the Cousteau Society for the Protection of Ocean Life, today boasting a membership of over 360,000 people;
- “In 1977, Jacques-Yves Cousteau and Peter Scott were awarded the United Nations International Environment prize for outstanding contributions in environmental advocacy;
- “In 1985, in honor of his achievements, Jacques-Yves Cousteau received the Grand Croix dans l'Ordre National du Merite from the French government and the United States Presidential Medal of Freedom from President Ronald Reagan; and
- “Jacques-Yves Cousteau passed away in Paris on June 25, 1997, after spending a lifetime of 87 years inventing, exploring, and storytelling.”

Committee Action: H.Res. 518 was introduced on June 8, 2009, and was referred to the House Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife, which took no public action.

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

Cost to Taxpayers: The resolution does not authorize 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.

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