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H.R. 860—Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2009 (Del. Bordallo, D-GU)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 860 would authorize \$214 million over five years to fund existing and new programs and research on conserving coral reefs with in the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior (DOI).

Specifically, the bill amends current law to expand upon community-based planning and management initiatives for coral reef protection and grants the NOAA Administrator authority to evaluate and create regulations to reduce vessel impacts and disaster-related circumstances. H.R. 860 expands the authority to enforce and recover the costs of damages under the National Marine Sanctuaries Act to apply to all coral reefs that lie in waters under U.S. jurisdiction. Exemptions are granted for damages caused by fishing activities that comply with the Magnuson-Stevens Fishery Conservation and Management Act and other federal or state laws.

Additionally, the bill amends current law for the program to incorporate greater emphasis on the importance of coral resources to local communities and take into account the “resilience” of coral reef ecosystems. The bill requires the Administrator of the NOAA to submit to Congress once every five years a report on the program.

Section II of the bill authorizes a community-based grant program to assist local coral reef protection plans and requires the NOAA to create a vessel grounding inventory for all incidents involving coral reefs (including ownership documents, restoration costs, and recommendations to prevent future incidents). The legislation allows the Administrator to enter into agreements with universities and research centers to assist with coral reef protection. Finally, this title of the bill allows the Administrator *to collect fees* for coral reef conservation permits for bona fide research

Additional Information: The U.S. Commission on Ocean Policy in 2004 reported that coral reef ecosystems provide an estimated total worldwide value of \$375 billion in goods and services. Conservation International reported more narrowly in 2008 an estimated global value for coral reefs of \$29.8 billion derived from tourism, recreation, coastal protection, fisheries and the maintenance of biodiversity. According to the Global Coral Reef Monitoring Network, over 28 percent of the world's coral reefs have been permanently lost because of a number of reasons. In the year 2000, Congress enacted the Coral Reef Conservation Act to fund coral reef conservation activities directly through grants to states, territories and other partners within the National Oceanic and Atmospheric Administration (NOAA).

Committee Action: On February 4, 2009, the bill was introduced and referred to the Committee on Natural Resources. On September 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to CBO, the amount authorized to be appropriated by H.R. 860 include between \$30 million and \$35 million annually through 2014 for NOAA's current programs and \$10 million annually through 2013 for new DOI programs. (By comparison, NOAA received an appropriation of \$29 million in 2009 for the coral reef conservation program. The Department of the Interior, primarily the U.S. Fish and Wildlife Service, also received appropriations of several million dollars for coral reef programs in 2009.)

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it expands the size and scope of a number of fishery laws.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes, because H.R. 860 imposes fees on permits to collect coral and to use such collections for research purposes. CBO estimates that the annual costs of complying with those mandates would fall below the annual thresholds established in UMRA (\$69 million for intergovernmental mandates and \$139 million for private-sector mandates in 2009, adjusted annually for inflation).

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to committee report 111 - 196 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The Committee finds that the Constitutional authority for the bill is provided by Article I, section 8 of the Constitution of the United States.

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

H.R. 1080—Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2009 (*Del. Bordallo, D-GU*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1080 amends a number of current laws to grant greater authority to the Secretary of Commerce and Coast Guard to use the services, equipment, and facilities of other federal or state agencies to enforce existing fishery laws. The bill extends enforcement authority to search and inspect facilities, detain for up to five days shipments of imported or exported fish, arrest a person suspected of committing a felony, refusing allow an officer to board, search, or inspect a vessel suspected of violating the title, and impede enforcement officers or fisheries observers.

The bill requires the Secretary to create a list of vessels that participate in illegal, unreported, and unregulated (IUU) fishing or their support vessels and to enforce laws regardless of whether the U.S. is party to the specific international fishery management agreement in question. Finally, the legislation authorizes \$25 million over five years to create a new international cooperation and assistance program to provide funding and assistance to other nations to restrict IUU fishing.

Additional Information: According to the committee, because of the persistence of illegal, unreported, and unregulated (IUU) fishing, seventy percent of marine fish stocks

are “exploited” because of non-compliance of reporting violations to regional fishery management organizations (RFMOs). Unreported fishing is fishing that is not reported or is misreported when such reporting is required by the relevant national authority or RFMO. Unregulated fishing refers to fishing by vessels without nationality or vessels flying the flag of a country not party to the relevant RFMO.

Committee Action: On February 13, 2009, the bill was introduced and referred to the Committee on Natural Resources. On September 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to CBO, H.R. 1080 authorizes \$64 million over five years and would “increase spending by \$55 million over the 2010-2014 period. Enacting H.R. 1080 could increase revenues (from civil and criminal penalties) and associated direct spending, but CBO estimates that such increases would be less than \$500,000 annually and would offset each other in most years.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the bill expands the enforcement powers of the Department of Commerce on at least 12 existing laws involving fishery regulation.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? According to CBO “H.R. 1080 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.”

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to committee report 111 - 228 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The Committee finds that the Constitutional authority for the bill is provided by Article I, section 8 of the Constitution of the United States.

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

H.R. 2802—To provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy (*Delahunt, D-MA*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2802 would provide for a four year (though 2013) extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams. The foundation is a non profit entity collecting private funding to construct a memorial to the former president on federal lands within the District of Columbia. The foundation has been unable to raise the necessary funds, but still desires to pursue the project.

Additional Information: President John Adams was the second President of the United States from 1797 through 1801. In addition, Adams was our nations' first Vice President (1789-1797) under George Washington. Adams was born on October 30, 1735 in what is now Quincy, Massachusetts and became a prominent figure in the first and second continental Congress. For all the additional information you will ever need about our second President, rent this award winning [miniseries](#) or read this best selling [book](#).

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

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

Cost to Taxpayers: According to CBO "enacting H.R. 2802 would have no 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 Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No explanation of constitutional authority is provided for H.R. 2802.

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

H.R. 3113—Upper Elk River Wild and Scenic Study Act
(Rahall, D-WV)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: The legislation amends the Wild and Scenic Rivers Act to designate a segment of the Elk River in the state of West Virginia for study for potential addition to the National Wild and Scenic Rivers System. The area consists of a five mile segment of the river within the Monongahela National Forest.

Additional Information: Created though Congress in 1968, the [National Wild and Scenic Rivers System](#) allows the Department of Interior to select certain rivers of the Nation which are deemed to have natural, cultural, and recreational values and preserve them and immediately surrounding areas, in a free-flowing natural condition.

Committee Action: On July 7, 2009, the bill was introduced and referred to the Committee on Natural Resources. On September 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: According to the CBO, “assuming the availability of appropriated funds, CBO estimates that preparing the study required by H.R. 3113 would cost about \$300,000 over the next three years.

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

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

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

Constitutional Authority: No explanation of constitutional authority is provided for H.R. 3113.

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H.R. 2265—Magna Water District Water Reuse and Groundwater Recharge Act of 2009 (Chaffetz, R-UT)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2265 would amend current law to authorize \$12 million to allow the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project. According to the bill's sponsor, the project is necessary to help cover the costs to clean up groundwater contaminated by the Department of Defense and defense contractors. Local taxpayers and ratepayers are covering the other \$39 million.

Additional Information: Utah is the second driest state in the nation.

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

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

Cost to Taxpayers: A CBO cost estimate report for H.R. 2265 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? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No explanation of constitutional authority is provided for H.R. 2265.

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

H.Res. 670 — Congratulating and saluting the Hawk Mountain Sanctuary for celebrating its 75th anniversary, commending the Hawk Mountain Sanctuary for its contributions to the preservation of wildlife and the native ecology of the Appalachian Mountains and eastern Pennsylvania, and commending the Hawk Mountain Sanctuary for its dedication to educating the public and the international community about wildlife conservation. (Dent, R-PA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 670 express the sense of the House of Representatives that:

- “Congratulates and salutes the Hawk Mountain Sanctuary for celebrating its 75th anniversary;
- “Commends the Hawk Mountain Sanctuary for its contributions to the preservation of wildlife, especially birds of prey, and the native ecology of the Appalachian Mountains and eastern Pennsylvania; and
- “Commends the Hawk Mountain Sanctuary for its dedication to educating the public and the international community about wildlife conservation.”

The resolution lists a number of findings, including:

- “Hawk Mountain Sanctuary is a year-round wildlife sanctuary that introduces students and visitors to the natural beauty of the central Appalachian Mountains of eastern Pennsylvania;
- “Hawk Mountain Sanctuary was the first refuge for birds of prey in the world;
- “The springs, ephemeral streams, vernal pools, and four small ponds of the mountains, as well as the nearby Little Schuylkill River and Kettle Creek, provide a crucial habitat for rare plants, invertebrates, and amphibians;
- “In 1965, the Secretary of the Interior designated the Hawk Mountain Sanctuary as a registered natural landmark; and
- “In 1987, Hawk Mountain Sanctuary received the prestigious Chevron Conservation Award.”

Committee Action: H.Res. 670 was introduced on July 22, 2009, and referred to the House Committee on Natural Resources, and the Subcommittee on Insular Affairs, Oceans and Wildlife, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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

H.Res. 599 — Honoring the Minute Man National Historical Park on the occasion of its 50th Anniversary. (Markey, D-MA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 599 resolves that the House of Representatives:

- “Minute Man National Historical Park serves an essential role in preserving the sites and landscapes in New England where the American Revolution began, and in educating the public about these historic events;
- “Minute Man National Historical Park honors and commemorates the ideals of democracy, liberty, and freedom that are the foundation of the Nation and sources of inspiration for people everywhere; and
- “The creation of Minute Man National Historical Park 50 years ago represents a remarkable achievement that continues to benefit Americans around the Nation, to preserve the proud legacy of the American Revolution, and to serve as an enduring resource for future generations.”

The resolution lists a number of findings, including:

- “Since September 21, 1959, Minute Man National Historical Park has preserved key sites where the first battles of the American Revolutionary War occurred, and educated millions of Americans about the extraordinary events that led to the birth of the Nation and the ideals embodied in those courageous actions;
- “Minute Man National Historical Park encompasses more than 1,000 acres in the historic communities of Lexington, Lincoln, and Concord that were at the center of the American Revolution;
- “The Minute Man National Historical Park includes multiple sites and landscapes along the route from Boston to Concord, known as the Battle Road, where American Militia and British soldiers fought numerous times on April 19, 1775;
- “American militia were first ordered to return British fire at Concord's North Bridge, a heroic action commemorated by American poet Ralph Waldo Emerson in his poem ‘The Concord Hymn’ as the ‘shot heard ‘round the world’; and
- “More than one million Americans from States across the Nation and people from around the globe visit Minute Man National Historical Park every year to learn about the role that these New England communities played in the American Revolution.”

Committee Action: H.Res. 599 was introduced on June 26, 2009, and referred to the House Committee on Natural Resources, and the Subcommittee on National Parks, Forests and Public Lands, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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

H.Res. 688 —Expressing support for the goals and ideals of the first annual National Wild Horse and Burro Adoption Day taking place on September 26, 2009. (*Titus, D-NV*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 688 resolves that the House of Representatives:

- “Supports the goals of a National Wild Horse and Burro Adoption Day to be held annually in coordination with the Secretary of Interior and the Secretary of Agriculture;
- “Recognizes that creating a successful adoption model for wild horses and burros is consistent with Public Law 92-195 (commonly known as the `Wild Free-Roaming Horses and Burros Act') (16 U.S.C. 1331 et seq.) and beneficial to the long-term interests of the people of the United States in protecting wild horses and burros; and
- “Encourages citizens of the United States to adopt a wild horse or burro so as to own a living symbol of the historic and pioneer spirit of the West.”

The resolution lists a number of findings, including:

- “In 1971, in Public Law 92-195 (commonly known as the `Wild Free-Roaming Horses and Burros Act') (16 U.S.C. 1331 et seq.), Congress declared that wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West;
- “Under that Act, the Secretary of the Interior and the Secretary of Agriculture have responsibility for the humane capture, removal, and adoption of wild horses and burros;

- “The Bureau of Land Management and the Forest Service are the Federal agencies responsible for carrying out the provisions of the Act;
- “A number of private organizations will assist with the adoption of excess wild horses and burros, in conjunction with the first National Wild Horse and Burro Adoption Day; and
- “There are approximately 31,000 wild horses in short-term and long-term holding facilities, with 18,000 young horses awaiting adoption.”

Committee Action: H.Res. 688 was introduced on July 28, 2009, and referred to the House Committee on Natural Resources, and the Subcommittee on National Parks, Forests and Public Lands, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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

H.R. 2522—To raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project (Gallegly, R-CA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2522 would authorize \$40 million and raise the ceiling on the federal share of the cost of the Calleguas Municipal Water District Recycling Project. Current federal law limits the Federal share of individual project costs to 25 percent of the total cost.

Additional Information: According to the testimony provided to the committee from the Department of the Interior: “in 2003, a cooperative agreement was executed to provide federal funding for the Regional Brine Line component. To date, Reclamation has provided about \$10 million to the District as the federal share of costs for this facility,

which will provide a means to dispose of brine wastes from facilities such as brackish groundwater recovery projects throughout Ventura County. The FY 2010 Budget requested \$1.4 million for the project.

Committee Action: On May 5, 2009, the bill was introduced and referred to the Committee on Natural Resources. On September 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: A CBO cost estimate for H.R. 2522 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? Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No explanation of constitutional authority is provided for H.R. 2522.

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

H.R. 2741—To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project (Walden, R-OR)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2741 would authorize the Interior secretary to participate in a water recycling and reuse project in the city of Hermiston, Oregon. The Federal share of the costs of the project shall not exceed 25 percent of the total cost.

Additional Information: According to the bill's sponsor, the bill is needed to "allow the city of Hermiston to participate in a wastewater reuse program that will help the city comply with federal pollution standards for over the next 20 years, allow the water

supply to keep up with the growing population, and return water into the Umatilla River to benefit threatened salmon species.”

Committee Action: On June 4, 2009, the bill was introduced and referred to the Committee on Natural Resources. On September 10, 2009, the committee held a mark-up and ordered the bill to be reported by unanimous consent.

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

Cost to Taxpayers: A CBO cost estimate report for H.R. 2522 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? Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No explanation of constitutional authority is provided for H.R. 2741.

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

H.R. 2971 – To designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office". (Blumenauer, D-OR)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.R. 2971 would designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the “Dr. Martin Luther King, Jr. Post Office.”

Additional Information: A similar bill was introduced in the Senate as S. 1314 by Sen. Wyden (D-OR) and passed on August 4, 2009. This bill was also introduced in the 110th Congress by Rep. Blumenauer as H.R. 1734. It passed the House by a voice vote on June 3, 2008.

Committee Action: H.R. 2971 was introduced on June 19, 2009, and referred to the House Committee on Oversight and Government Reform, which took no public action.

Cost to Taxpayers: A CBO score for H.R. 2971 is unavailable, but the only costs associated with a U.S. federal building 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: 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: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576

H.Res. 441 – Honoring the historical contributions of Catholic sisters in the United States. (*Kaptur, D-OH*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 441 resolves that the House of Representatives:

- “Honors and commends Catholic sisters for their humble service and courageous sacrifice throughout the history of this Nation; and
- “Supports the goals of the Women & Spirit: Catholic Sisters in America Traveling Exhibit, a project sponsored by the Leadership Conference of Women Religious (LCWR) in association with Cincinnati Museum Center and established to recognize the historical contributions of Catholic sisters in the United States.”

The resolution lists a number of findings, including:

- “The social, cultural, and political contributions of Catholic sisters have played a vital role in shaping life in the United States;
- “Such women have joined in unique forms of intentional communitarian life dedicated to prayer and service since the very beginnings of our Nation's history, fearlessly and often sacrificially committing their personal lives to teaching, healing, and social action;

- “At least nine sisters from the United States have been martyred since 1980 while working for social justice and human rights overseas;
- “Catholic sisters participated in the opening of the West, traveling vast distances to minister in remote locations, setting up schools and hospitals, and working among native populations on distant reservations; and
- “The humanitarian work of Catholic sisters with communities in crisis and refuge throughout the world positions them as activists and diplomats of peace and justice for the some of the most at risk populations.”

Committee Action: H.Res. 441 was introduced on May 14, 2009, and referred to the House Committee on Oversight and Government Reform, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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

H.R. 2215 – To designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the "John J. Shivnen Post Office Building". (McCotter, R-MI)

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.R. 2215 would designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the “John J. Shivnen Post Office Building.”

Additional Information: John Shivnen was postmaster of Garden City for 30 years.

Committee Action: H.R. 2215 was introduced on April 30, 2009, and referred to the House Committee on Oversight and Government Reform, which held a markup. The bill was considered in block and passed by unanimous consent.

Cost to Taxpayers: A CBO score for H.R. 2215 is unavailable, but the only costs associated with a U.S. federal building 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?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

Constitutional Authority: 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.

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**H.Con.Res. 163 – Expressing support for designation of September 23, 2009, as "National Job Corps Day".
(Moran, R-KS)**

Order of Business: The bill is scheduled to be considered on Tuesday, September 15, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 163 resolves that the House of Representatives:

- “Supports the designation of `National Job Corps Day'; and
- “Encourages State and local governments to observe the day with appropriate activities that promote awareness of Job Corps.”

The resolution lists a number of findings, including:

- “Over the course of 45 years, nearly 3,000,000 youth in the United States have been provided a safe living and learning environment on Job Corps campuses nationwide;

- “Throughout its more than four decades of existence, Job Corps has successfully provided the Nation's economically disadvantaged youth with critical residential, academic, and vocational services;
- “Job Corps is considered the Nation's largest and most successful high school dropout recovery and youth empowerment program;
- “This public-private partnership of American ingenuity has led to local and large employers and labor representatives providing Job Corps students hands-on, practical experience through internships and helping during the transition from student to employee; and
- “September 23, 2009, would be an appropriate day to designate as ‘National Job Corps Day’, in honor of the 45th anniversary of Job Corps.”

Conservative Concerns: According to a recent [Heritage WebMemo](#) from May 2009, the *American Economic Review* issue of December 2008 recently did a study of Job Corps which found the following:

- “Compared to non-participants, Job Corp participants were less likely to earn a high school diploma (7.5 percent versus 5.3 percent); and
- “Compared to non-participants, Job Corp participants were no more likely to attend or complete college.”

Some conservatives might be concerned that taxpayers spend approximately \$1.5 billion (\$25,000 per Job Corps participant) on a program has shown few positive results.

Committee Action: H.Con.Res. 163 was introduced on April 2, 2009, and referred to the House Committee on Oversight and government Reform, which took no public action.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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H.R. 3548—Unemployment Compensation Extension Act of 2009
(*McDermott, D-WA*)

Potential Conservative Concerns

Take-Away Points

--***Extension of Federal Unemployment Surtax.*** The legislation extends the 0.2% federal unemployment surtax through 2010. This tax would otherwise lapse at the end of this year. Many conservatives have previously argued that this tax should lapse on schedule (or be repealed earlier than that).

--***Questionable Economic Benefit.*** Some economists argue that extending unemployment compensation benefits creates incentives to delay returning to the workforce. As Martin Feldstein stated in testimony before the Senate Finance Committee in 2008: “While raising unemployment benefits or extending the duration of benefits beyond 26 weeks would help some individuals... it would also create undesirable incentives for individuals to delay returning to work. That would lower earnings and total spending.”

For more details, see below.

Order of Business: The bill is scheduled to be considered on Tuesday, September 22, 2009, under a motion to suspend the rules and pass the bill.

Summary: Title IV of the FY 2008 supplemental ([H.R. 2642](#)) created a temporary program to extend unemployment benefits for 13 weeks beyond the 26 weeks provided under current law for individuals (in all states) who exhausted their regular unemployment compensation benefit.

This program was subsequently extended, and expanded, as part of the [Unemployment Compensation Extension Act of 2008](#), and then as part of the [American Economic Recovery and Reinvestment Act](#) (the so-called “stimulus”).

H.R. 3548 would further extend the unemployment benefits extension program by *13 weeks* for states with unemployment rates in excess of 8.5%. 29 states currently have unemployment rates in excess of this level. Individuals in these states would, with enactment of H.R. 3548, be eligible for unemployment benefits for a record total of **92 weeks**.

The bill also extends the 0.2% Federal Unemployment Tax on employers through 2010, which is otherwise set to expire at the end of this year.

Background: The unemployment compensation program provides up to 26 weeks of benefits. On occasion, with the intent of addressing periods of higher unemployment, Congress has created a temporary program to extend benefits beyond the normal period. Congress has enacted legislation to this effect in 1958, 1961, 1972, 1975, 1982, 1991, 2002, and most recently in June of the 2008 through Title IV of [H.R. 2642](#) (the FY 2008 war supplemental). This legislation created a temporary program to extend unemployment benefits for 13 weeks beyond the 26 weeks provided under current law

for individuals (in all states) who have exhausted their regular unemployment compensation benefit. The legislation was subsequently expanded in the Unemployment Compensation Extension Act of 2008, and then as one provision in the American Economic Recovery and Reinvestment Act.

H.R. 3548 would cause the duration of maximum unemployment benefits available to far exceed what was available during previous recessions. According to Ways and Means Committee Republicans, H.R. 3548 would cause a total *extension* of unemployment benefits of 66 weeks—which far exceeds the previous record (33 weeks in 1992). By comparison, after the 2001 recession, unemployment benefits were extended for 26 weeks.

Potential Conservative Concerns: Some conservatives may have concerns with this legislation, including:

Extension of Federal Unemployment Surtax: The bill extends the 0.2% Federal Unemployment Tax on employers through 2010 (otherwise set to expire at the end of this year). Many conservatives may have concerns with extending a tax that would otherwise expire.

Extension of unemployment benefits creates disincentive to find work: Many economists argue that extending unemployment benefits creates incentives to delay returning to work, which has a negative effect on the economy. As Martin Feldstein states in testimony before the Senate Finance Committee in January of this year:

"[w]hile raising unemployment benefits or extending the duration of benefits beyond 26 weeks would help some individuals ... it would also create undesirable incentives for individuals to delay returning to work. That would lower earnings and total spending."

Committee Action: The legislation was introduced on September 10, 2009 and referred to the House Ways and Means Committee, which took no official action.

Administration Position: A Statement of Administration Policy (SAP) for H.R. 3548 is not available at press time.

Cost to Taxpayers: No CBO score is available for H.R. 3548

Does the Bill Expand the Size and Scope of the Federal Government?: Yes.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No CBO score listing any potential mandates is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No committee report listing any potential earmarks is available.

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

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