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**Legislative Bulletin.....September 23, 2009**

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**S. 1677—Defense Production Act Reauthorization (*Sen. Dodd, D-CT*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** S. 1677 allows the President to authorize a guaranteeing agency to provide guarantees of loans by private institutions to finance production of deliveries and services deemed necessary to the national defense.

The bill allows the President to make provisions for loans to private business enterprises for the production of what the President deems essential materials, including the exploration, development, and mining of strategic and critical metals and minerals.

The legislation establishes a “Defense Production Act Fund,” with a balance not to exceed \$750 million, to carry out the provisions of S. 1677.

The bill also establishes a “Defense Production Act Committee” to advise the President on the use of his authority under S. 1677.

**Committee Action:** On September 16, 2009, the bill was passed by the Senate by voice vote.

**Administration Position:** No Statement of Administration Policy is available.

**Cost to Taxpayers:** A CBO cost estimate report 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?:** A CBO report containing any potential mandates is unavailable.

**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 suspension of the rules.

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

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### **H.R. 3614—To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 (*Velazquez, D-NY*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3614 will extend programs covered under the Small Business and Small Business Investment Acts through October 31, 2009. Both of these acts were part of a 2007 extension, which is now set to expire without reauthorization on September 30, 2009. This is the second temporary extension passed for these programs during the 111<sup>th</sup> Congress. The extension also amends section 355 of the Small Business Investment Act

to limit the investments at New Markets Venture Capital companies receiving grants for operational assistance to less than 10% of the private capital of the company and the total amount of leverage projected by the company in their venture capital business plan. Simply put, this provision allows new market venture capital companies operating in the United States to raise the same limit to that of other small business investment companies because new market venture capital companies are a subset of small business investment companies.

**Addition Information:** The Small Business Act (SBA) established the Small Business Administration to "encourage" and "develop" small business growth, and to aid minorities and other disadvantaged peoples in securing loans and learning management techniques in 1953. In 1958, Congress passed into law the Small Business Investment Act to ensure a "fair proportion" of government contracts and sales of surplus property include privately operated small businesses.

**Committee Action:** On September, 22, 2009 the bill was introduced and referred to the Committee on Small Business, which took no further subsequent public action.

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

**Cost to Taxpayers:** A CBO score of cost to tax payers is not available.

**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 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.

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**H.Res. 733 – Expressing condolences to the people and government of the Republic of China (Taiwan) in the aftermath of the devastating typhoon that struck the central and southern regions of the island on August 8, 2009 (Gingrey, R-GA)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 733 resolves that the House of Representatives:

- “Mourns the terrible loss of life caused by Typhoon Morakot that occurred on August 8, 2009, in Taiwan;
- “Expresses its deepest condolences to the families of the many victims;
- “Recognizes the deep ties between the United States and Taiwan and expresses continued solidarity with its people during this time of crisis; and
- “Expresses gratitude to the people of the United States who have generously supported those humanitarian aid agencies working to assist the people of Taiwan in this time of need.”

The resolution lists a number of findings, including:

- “Typhoon Morakot hit the island of Taiwan on August 8, 2009, dropping approximately 2.6 meters or 102 inches of rain, more than half the average annual rainfall in many places;
- “Infrastructure and farm losses alone have totaled approximately \$46,500,000,000 in Taiwanese dollars to date;
- “As of late August 2009, the official death toll reached 602 with an additional 81 missing, where many of those are believed to be buried by mud in the village of Hsiaolin, which was almost completely covered in a mudslide triggered by several days of extremely heavy rainfall;
- “On March 24, 2009, the House of Representatives passed H.Con.Res. 55 to mark the 30<sup>th</sup> anniversary of the enactment of the Taiwan Relations Act (Public Law 96-8), codifying in law the basis for continued commercial, cultural, and other relations between the United States and the Republic of China (Taiwan); and
- “Taiwan has been a steadfast ally of the United States and a responsible and compassionate member of the world community.”

**Committee Action:** H.Res. 733 was introduced on September 10, 2009, and referred to the House Committee on Foreign Affairs, 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. 3593—To amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia (Royce, R-CA)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3593 would extend the operation of Radio Free Asia through September 30, 2010. The authorization is currently scheduled to expire on October 1, 2009.

**Additional Background:** Radio Free Asia a program aimed at promoting and advancing democracy in many Asian countries. According to their website, <http://www.rfa.org/english/>, "Radio Free Asia's mission is to provide accurate and timely news and information to Asian countries whose governments prohibit access to a free press."

**Committee Action:** On September 17, 2009, the bill was introduced and referred to the Committee on Foreign Affairs, which took no further subsequent public action.

**Administration Position:** No Statement of Administration Policy is available.

**Cost to Taxpayers:** A CBO cost estimate report is unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No, but it does extend taxes that would otherwise expire.

**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 suspension of the rules.

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

**H.Con.Res. 178 - Expressing the sense of the Congress that we honor, commemorate and celebrate the historic ties of the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today**  
*(Van Hollen, D-MD)*

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 178 resolves that the House of Representatives:

- “That it is the sense of Congress that we honor, commemorate and celebrate the historic ties and friendship between the United States and the Netherlands by recognizing the Quadricentennial celebration of the discovery of the Hudson River and the settlement and enduring values of New Netherland which permeate American society up until today.”

The resolution lists a number of findings, including:

- “The Netherlands and the United States are two countries with one spirit united by values, history and a vision for the future;
- “2009 marks the Quadricentennial year that Henry Hudson captained the ship ‘Halve Maen’, under the auspices of the Dutch East India Company, and discovered the Hudson River;
- “The Netherlands was the first country to salute the U.S. flag in 1776 at St. Eustatius; influenced the Declaration of Independence and has remained a friend and staunch ally ever since, from providing necessary loans during the Revolutionary War to standing shoulder-to-shoulder in Afghanistan in defense of values and rule of law;
- “The Netherlands provided assistance in the aftermath of Katrina and today is sharing expertise in water management and helping to rebuild New Orleans and its levees; and
- “The heritage of 400 years of friendship between the Netherlands and the United States is a laudable example and should be properly extolled.”

**Committee Action:** H.Con.Res. 178 was introduced on July 31, 2009, and referred to the House Committee on Foreign Affairs, 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. 2131—To amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy (*Watson, D-CA*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2131 would extend the United States Advisory Commission on Public Diplomacy through October 1, 2011. The authorization is currently scheduled to expire on October 1, 2009.

**Additional Background:** According to their website, “The U.S. Advisory Commission on Public Diplomacy is a bipartisan panel created by Congress and appointed by the President to appraise U.S. Government activities intended to understand, inform, and influence foreign publics.

The Commission was reauthorized in June 2007 pursuant to Public Law P.L. 110-21 (2007). It formulates and recommends to the President, the Secretary of State, and Members of Congress policies and programs to carry out the public diplomacy functions vested in the State Department, Broadcasting Board of Governors, and other government agencies. It also appraises the effectiveness of the public diplomacy policies and programs carried out by government agencies.

By law, the Commission's seven members are appointed by the President with the advice and consent of the Senate. They are selected from a cross-section of professional backgrounds and serve 3-year terms with the possibility for reappointment.”

**Committee Action:** On April 27, 2009, the bill was introduced and referred to the Committee on Foreign Affairs, which took no further subsequent public action.

**Administration Position:** No Statement of Administration Policy is available.

**Cost to Taxpayers:** A CBO cost estimate report is unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No, but it does extend taxes that would otherwise expire.

**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 suspension of the rules.

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

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**H.Con.Res. 74 – Supporting the goals and ideals of a decade of action  
for road safety with a global target to reduce by 50 percent the  
predicted increase in global road deaths between 2010 and 2020.  
(Wexler, D-FL)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 74 resolves that the House of Representatives:

- “Supports the goals and ideals of a decade of action for road safety with a global target to reduce by 50 percent the predicted increase in global road deaths between 2010 and 2020;
- “Urges the Obama Administration and the Department of State, in conjunction with the National Highway Traffic Safety Administration (NHTSA), to set ambitious road traffic casualty reduction targets for United States citizens traveling abroad;
- “Encourages international harmonization of road safety regulations and good practices through accession to and implementation of related United Nations legal instruments, resolutions, and manuals issued by the United Nations Road Safety Collaboration; and
- “Urges the Obama Administration to take a leadership role at the First Ministerial Conference on Road Safety in Moscow and for the United States to work with

nations around the world to achieve the goals and ideals of a decade of action for road safety and to reduce the impact of this health epidemic on the global community.”

The resolution lists a number of findings, including:

- “According to the 2004 World Report on Road Traffic Injury Prevention, 40,000 people in the United States and 1,300,000 people globally die in road crashes each year;
- “According to the World Health Organization, over 90 percent of motorist-related deaths occur in low- and middle-income countries;
- “The United States, United Nations, and international community should promote the improvement of data collection and comparability, including by adopting the standard definition of a road death as ‘any person killed immediately or dying within 30 days as a result of a road traffic crash’ as standard definitions of injury, and the facilitation of international cooperation to develop reliable data systems and analytical capability;
- “It is critical that the international community support collaborative action to enhance global road safety and reduce the risk of road crash death and injury around the world by fostering partnerships and cooperation between governments, private and public sectors, and within civil society, as well as relationships between the National Highway Traffic Safety Administration (NHTSA) and other national and international road safety authorities; and
- “The Ministerial Consultative Committee of the First Global Ministerial Conference on Road Safety in Moscow has drafted a declaration to designate 2010-2020 as the ‘Decade of Action for Road Safety’.”

**Potential Conservative Concern:** Some conservatives might be concerned that the resolution “**Encourages international harmonization of road safety regulations** and good practices through accession to and implementation of related United Nations legal instruments, **resolutions**, and manuals issued by the United Nations Road Safety Collaboration.” Some conservatives might question the role of the United States Congress in encouraging the United Nations to pass resolutions that would attempt to standardize road safety regulations.

**Committee Action:** H.Con.Res. 74 was introduced on March 16, 2009, and referred to the House Committee on Foreign Affairs, 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.Res. 491 – Encouraging each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium (Adler, D-NJ)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009 under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 491 resolves that the House of Representatives:

- “Encourages each institution of higher education in the country to seek membership in the Servicemembers Opportunity Colleges (SOC) Consortium; and
- “Recognizes the institutions of higher education that are currently members of the SOC Consortium.”

The resolution lists a number of findings, including:

- “In order to enhance their military effectiveness and to achieve their educational, vocational, and career goals, servicemembers should share in the same postsecondary educational opportunities that are available to other citizens;
- “To enhance access to undergraduate educational opportunities for servicemembers, institutions should maintain a necessary flexibility of programs and procedures, particularly in admissions, credit transfer, and recognition of other applicable learning, including that gained in the military, in scheduling and format of courses, and in academic residency requirements to offset servicemembers' mobility, isolation from campuses, and part-time student status;
- “The Servicemembers Opportunity Colleges (SOC) Consortium, which was created in 1972 to provide educational opportunities to servicemembers who had trouble completing college degrees because of their frequent relocations, today includes more than 1,800 colleges and universities among its members;
- “The SOC Consortium is a vehicle to help coordinate voluntary postsecondary educational opportunities for servicemembers by advocating for the flexibility needed to improve access to and availability of educational programs for servicemembers, helping the military and higher education communities

- understand and respond to each other's resources, limits, and requirements for meeting the education and training needs of servicemembers, and strengthening the working relationships among military and higher education representatives;
- “Each year, hundreds of thousands of servicemembers and their family members enroll in associate, bachelor, and graduate level degree programs offered by SOC Consortium members on school campuses, military installations, and armories within the United States and overseas;
  - “SOC Consortium member institutions provide flexibility to servicemembers, their families, and veterans seeking college degrees and, in turn, these institutions benefit from the enrollment of mature, highly motivated adult students who are making use of tuition assistance or Montgomery GI Bill benefits to pay their education costs; and
  - “In gratitude and respect for their service to the United States, all institutions of higher education in the country should strive to provide our servicemembers with the tools and opportunities they need to achieve their educational, vocational, and career goals.”

**Committee Action:** H.Res. 491 was introduced on June 2, 2009, and referred to the House Committee on Education and Labor, 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.Res. 684 – Recognizing and honoring Howard University School of Law's 140-year legacy of social justice and its continued commitment to the training of capable and compassionate legal practitioners and scholars (*Kilpatrick, D-MI*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009 under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 684 resolves that the House of Representatives:

- “Recognizes Howard University School of Law's profound achievements and unwavering commitment to social justice for all people;
- “Encourages the continued dedication to the first-rate training of social engineers; and
- “Congratulates Howard University President, Sidney A. Ribeau, Ph.D., Howard University School of Law Dean, Kurt L. Schmoke, J.D., and the faculty, staff, students, and alumni of Howard Law School on the momentous occasion of its 140th anniversary.”

The resolution lists a number of findings, including:

- “In 1867, shortly after the end of the Civil War, with funds provided by the Freedman's Bureau, Howard Normal and Theological Institute was established;
- “The following year, the Board of Trustees voted to expand the institute's curriculum and change the name to Howard University;
- “In 1869, Howard University School of Law, which shares Howard University's founding principles: Veritas et Utilitas (Truth and Service), was opened in an effort to address the great need to train lawyers who would have a strong commitment to helping African-Americans secure and protect their newly established rights granted by the 13th and 14th amendments to the Constitution;
- “Roland Burris (class of 1963) is a Member of the Senate;
- “Gregory Meeks (class of 1978) is a Member of the House of Representatives; and
- “There is no greater illustration of Howard Law School's motto, ‘Leadership for America and the Global Community’, than the faculty, staff, students, and alumni of Howard University School of Law.”

**Committee Action:** H.Res. 684 was introduced on July 28, 2009, and referred to the House Committee on Education and Labor, 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.Res. 696 – Acknowledging and congratulating Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming (Lummis, R-WY)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 696 resolves that the House of Representatives:

- “Acknowledges and congratulates Western Wyoming Community College in Southwest Wyoming on the occasion of its 50th anniversary of service to the students and citizens of the State of Wyoming.”

The resolution lists a number of findings, including:

- “Western Wyoming Community College was established in 1959 through the efforts of a citizens committee and a general election that formed the original district;
- “The College has grown from serving 40 students during the fall semester of 1959 to currently serving over 4,000 credit and 2,000 community education students each semester;
- “The College adheres to its Guiding Principles: ‘Learning is our Purpose’, ‘Students are our Focus’, ‘Employees are our Most Important Resource’, ‘The Community is our Partner’, ‘Adapting to Change Defines our Future’, and ‘Ethical Standards Guide our Actions’;
- “The transfer agreement between Wyoming's community colleges and the University of Wyoming creates a seamless transition for students wishing to continue their education; and
- “The fall of 2009 marks the 50th anniversary of the establishment of Western Wyoming Community College.”

**Committee Action:** H.Res. 696 was introduced on July 30, 2009, and referred to the House Committee on Education and Labor, 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.Res. 455 — Congratulating the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.  
(Tiahrt, R-KS)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 455 resolves that the House of Representatives:

- “Congratulates and commends the Wichita State University men's and women's bowling teams for winning the 2009 United States Bowling Congress Intercollegiate Bowling National Championship.”

The resolution lists a number of findings, including:

- “The Wichita State University (WSU) men's and women's bowling teams won the 2009 United States Bowling Congress (USBC) Intercollegiate Bowling National Championship in Rockford, Illinois, on April 15-18, 2009;
- “The WSU men's team defeated the University of Nebraska-Lincoln and Webber International University and advanced to the finals, where they defeated Saginaw Valley State University two games to one in a best of three series to win the championship;
- “The WSU women's team defeated Ball State University, Fresno State University, and McKendree University and advanced to the finals, where they defeated Lindenwood University two games to zero to win the championship; and
- “Head coach Gordon Vadakin has led the men's and women's teams to a combined 32 USBC Intercollegiate Bowling National Championship tournaments and 16 national titles since he began coaching in 1978.”

**Committee Action:** H.Res. 455 was introduced on May 18, 2009, and referred to the House Committee on Education and Labor, 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. 3607—Fiscal Year 2010 Federal Aviation Administration Extension Act (*Oberstar, D-MN*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3607 would extend the Federal Aviation Administration's (FAA) authority to collect taxes and administer FAA programs by three months—through December 31, 2009 (under current law this authority lapses on September 30, 2009). Specifically, the legislation:

**Extends Expiring Aviation Taxes:** H.R. 3607 extends the federal taxes dedicated to the FAA's Airport and Airway Trust Fund (AATF), through the end of the current fiscal year, at *current rates*. Present-law taxes extended by the bill include the 7.5% Passenger Ticket Tax, the \$3.40 per flight Segment Tax, and the 6.25% Cargo Waybill Tax. According to CBO, in FY 2007, AATF-dedicated taxes amounted to \$11 billion.

**Extends FAA Spending Authority:** H.R. 3607 extends present-law spending authority for the AATF through the end of 2009. This spending authority is used to pay for most of the FAA's functions, including the FAA's facilities and equipment program, the research, engineering and development (RE&D) program, and the operations and maintenance program.

**Sets Authorized Spending Levels:** H.R. 3607 authorizes the following FAA programs for three months (covering the last three months of 2009), and set authorized funding levels (subject to appropriation) as follows:

- **Airport Improvement Program**, \$1 billion
- **FAA Operations**, \$2.34 billion
- **Air Navigation Facilities and Equipment**, \$733.4 million
- **Research, Engineering, and Development**, \$46.3 million

**Additional Background:** The FAA’s authority to collect taxes and administer AATF programs has been extended seven times since FY 2007. The last such extension, the [Federal Aviation Administration Extension Act of 2009](#), was enacted on March 30, 2009. Without an extension, the FAA’s authority to collect and spend these taxes will expire on September 30, 2009. In May of this year, the House passed [H.R. 915](#), a long-term reauthorization of FAA programs

**Committee Action:** On September 21, 2009, the bill was introduced and referred to the Committee on Transportation and Infrastructure, which took no further subsequent public action.

**Administration Position:** No Statement of Administration Policy is available.

**Cost to Taxpayers:** A CBO cost estimate report is unavailable.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No, but it does extend taxes that would otherwise expire.

**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 suspension of the rules.

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

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**H.R. 3617—To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of**

**the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs. (*Oberstar, D-MN*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3617 generally extends programs under the Highway Trust Fund by three months (through December 31, 2009), and authorizes \$9.85 billion for the Highway Trust Fund for this period. The following are some examples of specific authorization amounts for programs in the Highway Trust Fund:

- **Highway Program Administration Expenses**, \$105.9 million
- **Federal Lands Highway Program**, \$112.5 million
- **Park Roads and Parkways**, \$60 million
- **Refuge Roads**, \$7.3 million
- **Public Lands Highways**, \$75 million
- **BIA Administrative Expenses**, \$6.75 million
- **Indian Reservation Road Bridges**, \$3.5 million
- **National Corridor Infrastructure Improvement Program**, \$97.4 million
- **National Scenic Byways Program**, \$10.9 million
- **Resource Center**, \$750,000
- **Construction of Ferry Boats and Ferry Terminal Facilities**, \$16.8 million
- **Puerto Rico Highway Program**, \$37.5 million
- **Projects of National and Regional Significance**, \$88.95 million
- **Deployment of Magnetic Levitation Transportation Projects**, \$11.3 million
- **Highways for Life**, \$5 million
- **Highway Use Tax Evasion Projects**, \$3 million
- **Transportation, Community, and System Preservation Program**, \$15.3 million
- **Truck Parking Facilities**, \$1.6 million
- **Delta Region Transportation Development Program**, \$2.5 million
- **Work Zone Safety Grants**, \$1.25 million
- **Roadway Safety**, \$125,000
- **National Historic Covered Bridge Preservation**, \$2.5 million
- **Indian Reservations**, \$750,000
- **Nonmotorized Transportation Pilot Program**, \$6.3 million
- **Grant Program to Prohibit Racial Profiling**, \$1.875 million
- **Going-to-the Sun Road (MT)**, \$4.2 million
- **Great Lakes ITS Implementation**, \$750,000
- **Denali Access System Program**, \$3.8 million
- **Surface Transportation Research, Development, and Deployment**, \$49.1 million
- **Training and Education**, \$6.7 million
- **Bureau of Transportation Statistics**, \$6.8 million
- **University Transportation Research**, \$78.9 million
- **Intelligent Transportation System Research**, \$27.5 million

- **Future Strategic Highway Research Program**, \$13.1 million
- **Recreational Trails Administration**, \$210,000
- **Nondiscrimination Skills Training**, \$2.5 million
- **Interstate Maintenance Discretionary**, \$25 million
- **Alaska Highway**, \$7.5 million
- **Territories**, \$12.5 million
- **On-the-Job Training**, \$2.5 million
- **Alaska Highway**, \$7.5 million
- **Railway-Highway Crossing**, \$3.75 million
- **Transportation Infrastructure Finance and Innovation**, \$30.5 million
- **Safety Programs**, \$26.4 million
- **Sunbelt Performance Grants**, \$31.1 million
- **State Traffic Safety Information System Improvements**, \$8.6 million
- **Alcohol-Impaired Driving Countermeasures**, \$34.75 million
- **High Visibility Enforcement Program**, \$7.3 million
- **Motorcyclist Safety**, \$1.75 million
- **Child Safety and Child Booster Seat Safety Incentive Grants**, \$1.75 million
- **Older Driver Safety Law**, \$500,000
- **Federal Motor Carrier Safety/Administration**, \$111 million
- **High Priority Activities**, \$3.8 million
- **Formula and Bus Grants**, \$2.09 billion
- **Capital Investment Grants**, \$452.3 million
- **Hazardous Materials Research**, \$312,500

**Potential Conservative Concerns:** The Highway Trust Fund is on an unsustainable path. Many conservatives believe that the solution to this problem is to reprioritize spending on transportation programs, instead of relying on either tax increases or deficit spending. Some of the programs that are extended by this legislation are, in the view of some conservatives, examples of programs that should not be funded by the Highway Trust Fund.

**Committee Action:** On September 22, 2009, the bill was introduced in the House and referred to four committees, none of which took any official action.

**Administration Position:** No Statement of Administration Policy is available.

**Cost to Taxpayers:** A CBO cost estimate report 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?:** A CBO report containing any potential mandates is unavailable.

**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 suspension of the rules.

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

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**H.Res. \_\_ - Expressing condolences to the families of the individuals killed during storms and floods in the State of Georgia between September 18 and 21, 2009, and expressing gratitude to all of the emergency personnel who continue to work with unyielding determination to meet the needs of Georgia’s residents (*Lewis, D-GA*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, September 23, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. \_\_\_\_ resolves that the House of Representatives:

- “Offers its deepest sympathy and condolences to the families of those who lost their lives in the flooding in the State of Georgia;
- “Expresses its condolences to the families who lost their homes and other property in the floods; and
- “Expresses gratitude and appreciation to the people of the State of Georgia and the surrounding states who continue to work to protect people from the still rising floodwaters.”

The resolution lists a number of findings, including:

- “The State of Georgia has been hit by days of unusually strong storms that have resulted in downpours and flooding, beginning on September 18, 2009;
- “The storms and floods have taken human life;
- “The floodwater has destroyed homes, flooded roadways, including major highways, compromised drinking water, severely damaged plumbing systems and caused significant damage to homes and businesses;
- “On September 21, 2009, Georgia Governor Sonny Perdue declared a state of emergency in 17 counties, including Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Crawford, DeKalb, Douglas, Forsyth, Fulton, Gwinnett, Newton, Paulding, Rockdale, Stephens and Walker Counties;
- “Hundreds of Georgians have been evacuated from their homes and over 300 people are seeking refuge in shelters;
- “The Georgia Emergency Management Agency has coordinated with local emergency personnel and has worked tirelessly to protect human lives and rescue those threatened by the floods; and

- “Volunteers are giving their time to help ensure that evacuees are sheltered, clothed, fed, and emotionally comforted through this traumatic event.”

**Committee Action:** H.Res. \_\_\_\_ was introduced on September 23, 2009, and referred to the House Committee on Transportation and Infrastructure, 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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