

Legislative Bulletin.....September 29, 2010

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H.R. 3940 - To authorize the Secretary of the Interior to extend grants and other assistance to facilitate a political status public education program for the people of Guam (*Bordallo, D-GU*)

Order of Business: The bill is scheduled to be considered on Wednesday, September 29, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3940 will delay the minimum wage increase in American Samoa and the Commonwealth of the Northern Mariana Islands. It will delay the increase in American Samoa for 2010 and 2011. It will delay the increase in the Commonwealth of the Northern Mariana Islands in 2010 but not in 2011.

H.R. 3940 requires the Government Accountability Office (GAO) to report on the impact of minimum wage increases that will occur. The report will be submitted by September 1, 2011 to Congress. The GAO will submit subsequent reports no later than April 1, 2013, and every 2 years thereafter until the minimum wage in the territory meets the federal minimum wage.

Democrat Inconsistency Alert: Congressional Democrats have allowed the unemployment rate to double since their 2007 mandated increase. They are bringing forth this legislation to help with the unemployment rate in American Samoa and the Commonwealth of the Northern Mariana Islands, yet have done nothing to help the millions of other Americans unemployed due to this law. Since the minimum wage increase has taken affect in American Samoa and the Commonwealth of the Northern Mariana Islands thousands of jobs have been lost to Taiwan. In a [press release](#), Rep. Faleomavaega (Del-D-AS) admits that the minimum wage increase harms businesses and workers.

Additional Information: In 2007, when the federal minimum wage was mandated to be increased, American Samoa and the Commonwealth of the Northern Mariana Islands were given a transition period. Every year they are to increase their minimum wage by

\$0.50. Currently the minimum wage in American Samoa is \$4.76, and in the Commonwealth of the Northern Mariana Islands it is \$4.55.

Committee Action: H.R. 3940 was introduced on October 27, 2009, and was referred to the Natural Resources Subcommittee on Insular Affairs, Oceans and Wildlife. The full committee held a markup on Wednesday, November 18, 2009. An amendment in the nature of a substitute was offered by Rep. Bordallo and was agreed to by unanimous consent. This legislation passed the House on December 7, 2009, by voice vote and was referred to the Senate Committee on Energy and Natural Resources. The legislation was amended on the floor, and passed the Senate on September 28, 2009 by unanimous consent.

Cost to Taxpayers: An updated CBO 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?: According to [House Report 111-357](#), H.R. 3940 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 111-357](#) cites article IV, section 3 of the Constitution of the United States for authority to enact this legislation.

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