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Legislative Bulletin.....December 14, 2010

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S. 2906 - A bill to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes
(Sen. Cantwell, D-WA)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 2906 would allow the Kalispel Tribe and the Puyallup Tribe to lease lands held in trust for up to 99 years.

This legislation would also allow the Kalispel Tribe, the Puyallup Tribe, and the Swinomish Indian Tribal Community to lease lands held in trust for up to 15 years without prior approval from the Secretary of the Interior as long as no natural resources are extracted from the leased lands.

Additional Information: According to CBO, generally under current law, tribes have the option to lease lands to schools, businesses, and public entities for 25-year terms, subject to approval of the Bureau of Indian Affairs (BIA). The Kalispel Tribe currently has the authority to lease its reservation land for up to 99 years.

Committee Action: S. 2906 was introduced on December 18, 2009, and was referred to the Senate Committee on Indian Affairs, which held a markup and reported the bill with amendments. The legislation then passed the Senate by unanimous consent on September 22, 2010. The legislation was then 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: CBO estimates that implementing S. 2906 would have no significant impact 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: [Senate Report 111-246](#) contains no mention of Constitutional Authority.

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

S. 1609 - Longline Catcher Processor Subsector Single Fishery Cooperative Act (*Sen. Cantwell, D-WA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 1609 would create a procedure by which longline fisherman in the Bering Sea/Aleutian Islands (BSAI) could establish a cooperative, authorized by the Secretary of Commerce. This new cooperative would be given an annual quota (by the Secretary) of

fish allowed to be caught in the BSAI and would then divide up that quota amongst its Members.

Additional Information: Currently, there is an annual quota by which all longline fisherman (those who fish with lines and hooks rather than nets or traps) in the BSAI adhere to. Individual license holders are allowed to catch an unlimited number of fish until the total number of fish caught reaches the quota. This legislation would allow a cooperative to be formed of at least 80% of all license holders operating in the BSAI Pacific cod fishery. The Secretary has two years to implement a cooperative after a request is submitted.

Committee Action: S. 1609 was introduced on August 6, 2009, and was referred to the Senate Committee on Commerce, Science, and Transportation, which held a markup and reported the bill. The legislation then passed the Senate by unanimous consent on November 18, 2010. The legislation was then 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: CBO estimates that implementing S. 1609 would have no significant impact 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: A committee report stating constitutional authority is unavailable.

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

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

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 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 5 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. This legislation passed the House on June 8, 2010, by a roll call vote of [347–0](#). The legislation was then referred to the Senate where it passed by unanimous consent, with amendments, on September 29, 2010.

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

Cost to Taxpayers: CBO estimates that the House-passed version of 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?: 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: 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.

S. 1405 - Longfellow House-Washington's Headquarters National Historic Site Designation Act (*Sen. Kennedy, D-MA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 1405 would redesignate the Longfellow National Historic Site in Cambridge, Massachusetts as the “Longfellow House-Washington’s Headquarters National Site.”

Additional Information: The Longfellow National Historic Site preserves the home of Henry Wadsworth Longfellow, a 19th century poet. The home served as headquarters for General George Washington during the Siege of Boston from July 1775 – April 1776. More information can be found [here](#).

Committee Action: S. 1405 was introduced on August 6, 2009, and was referred to the Senate Committee on Natural Resources, which held a markup was reported the bill, without amendment. The legislation then passed the Senate by unanimous consent on May 7, 2010. The legislation was then referred to the House Natural Resources Subcommittee on National Parks, Forests and Public Lands, which took no public action.

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

Cost to Taxpayers: CBO estimates that implementing S. 1609 would have no significant impact 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: Senate Report [111-141](#) contains no mention of Constitutional authority.

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

S. 1448 - A bill to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land (*Sen. Merkley, D-OR*)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 1448 would allow the Coquille Indian Tribe, the Confederated Tribes of the Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to lease certain lands held in trust for up to 99 years.

Additional Information: According to CBO, generally under current law, tribes have the option to lease lands to schools, businesses, and public entities for 25-year terms, subject to approval of the Bureau of Indian Affairs (BIA).

Committee Action: S. 1448 was introduced on July 14, 2009, and was referred to the Senate Committee on Indian Affairs, which held a markup was reported the bill without amendment. The legislation then passed the Senate by unanimous consent on September 22, 2010, and was 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: CBO estimates that implementing S. 1448 would have no significant impact 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: [Senate Report 111-245](#) contains no mention of constitutional authority.

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

**S.Con.Res. 72 - A concurrent resolution recognizing the 45th anniversary of the White House Fellows Program
(Sen. Brownback, R-KS)**

Order of Business: The resolution is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the resolution.

Summary: S.Con.Res. 72 resolves that the House of Representatives:

- “Recognizes the 45th anniversary of the White House Fellows program and commends the White House Fellows for their continuing lifetime commitment to public service;
- “Acknowledges the legacy of leadership provided by White House Fellows over the years in their local communities, the Nation, and the world; and
- “Expresses appreciation and support for the continuing leadership of White House Fellows in all aspects of our national life in the years ahead.”

This resolution contains a number of findings, including:

- “In 1964, John W. Gardner presented the idea of selecting a handful of outstanding men and women to travel to Washington, DC, to participate in a fellowship program that would educate such men and women about the workings of the highest levels of the Federal Government and about leadership, as they observed Federal officials in action and met with these officials and other leaders of society, thereby strengthening the abilities of such individuals to contribute to their communities, their professions, and the United States;
- “President Lyndon B. Johnson established the President's Commission on White House Fellowships, through Executive Order 11183 (as amended), to create a program that would select between 11 and 19 outstanding young citizens of the United States every year and bring them to Washington, DC, for ‘first hand, high-level experience in the workings of the Federal Government, to establish an era when the young men and women of America and their government belonged to each other--belonged to each other in fact and in spirit’;
- “The 672 White House Fellows have characterized their post-Fellowship years with a lifetime commitment to public service, including creating a White House Fellows Community of Mutual Support for leadership at every level of government and in every element of our national life; and
- “September 1, 2010, marked the 45th anniversary of the first class of White House Fellows to serve this Nation.”

Committee Action: S.Con.Res. 72 was introduced on September 22, 2010, and was referred to the Senate Judiciary Committee, where it was discharged. The legislation then passed the Senate by unanimous consent on September 29, 2010, and was referred to the House Committee on Oversight and Government Reform, which took no public action.

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

Cost to Taxpayers: A report from CBO was unavailable at press time.

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. 6205 - To designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office" (Crowley, D-NY)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6205 would designate the post office at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office."

Additional Information: Private Isaac T. Cortes was assigned to the 1st Squadron, 71st Cavalry Regiment, 1st Brigade Combat Team, 10th Mountain Division (Light Infantry), in Fort Drum, New York. He was killed on November 27, 2007, in Amerli, Iraq from wounds sustained when his vehicle encountered an improvised explosive device.

Committee Action: H.R. 6025 was introduced on September 23, 2010, and referred to the House Oversight and Government Reform Committee, which took no public action.

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

Cost to Taxpayers: A report from CBO was unavailable at press time.

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: 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.

S. 3794 - FOR VETS Act of 2010 (*Sen. Leahy, D-VT*)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 3794 would amend federal law dealing with the disposal of federal property. Under current regulations, state and local governments, and certain nonprofit organizations, are able to obtain federal property at no cost. This is done through the Federal Surplus Personal Property Donation Program, administered through the GSA. This property can be items such as appliances, boats, clothing, communications and electronic equipment, furniture, medical supplies, motor vehicles, and office machines and supplies. S. 3794 would expand the program to include veterans' organizations.

Committee Action: S.3794 was introduced on September 16, 2010, and referred to the Senate Homeland Security and Governmental Affairs, which held a markup and reported the bill. The legislation then passed the Senate on September 29, 2010, by unanimous consent, and was referred to the House Committee on Oversight Government Reform, which took no public action.

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

Cost to Taxpayers: CBO estimates that implementing the legislation would have no significant impact 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: A committee report stating constitutional authority is unavailable.

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

**H.Res. 1743 - Congratulating Gerda Weissmann Klein on being
selected to receive the Presidential Medal of Freedom
(*Mitchell, D-AZ*)**

Order of Business: The resolution is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1743 resolves that the House of Representatives:

- “Congratulates Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom.

This resolution contains a number of findings, including:

- “Gerda Weissmann was born in Bielsko, Poland in 1924;
- “Ms. Weissmann was soon separated from her parents, who were sent to Auschwitz;
- “In 1945, Ms. Weissmann was forced to walk in a 350-mile death march during which 2,000 women, including Ms. Weissmann, were subjected to starvation, exposure, and arbitrary execution;
- “Upon moving to the United States, Mrs. Weissmann Klein worked vigilantly to promote Holocaust education and remembrance, teach tolerance, and combat hunger; and
- “On November 17, 2010, President Barack Obama announced that Gerda Weissmann Klein would be awarded the Presidential Medal of Freedom.”

Committee Action: H.Res. 1743 was introduced on December 1, 2010, and was referred to the House Committee on Oversight and Government Reform, which took no public action.

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

Cost to Taxpayers: A report from CBO was unavailable at press time.

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. 5446 - To designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office" (Posey, R-FL)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5446 would designate the post office at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office."

Additional Information: Harry T. Moore and Harriette Moore were civil rights activists in Florida. Harry T. Moore organized the first Brevard County NAACP branch in 1934. In 1941 he organized and became President of the Florida State Conference of NAACP branches. In 1945 Mr. Moore formed the Florida Progressive Voter's League and became the first Executive Director.

Committee Action: H.R. 5446 was introduced on May 27, 2010, and referred to the House Oversight and Government Reform Committee, which took no public action.

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

Cost to Taxpayers: A report from CBO was unavailable at press time.

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: 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.

S. 3167 - Census Oversight Efficiency and Management Reform Act of 2010 (*Sen. Carper, D-DE*)

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 3167 would amend U.S. Code to provide for a five year term for the Director of the Census, beginning on January 1, 2012. This position will be filled by an appointment by the President, and confirmed by the Senate. No individual may serve more than 2 five year terms. This legislation also designates a position for the Deputy Director of the Census, to serve with the Director.

Within 180 days of enactment, the Director of the Census shall provide to Congress a plan on how the Census Bureau will test, develop, and implement an Internet response option for the 2020 Census and the American Community Survey.

This legislation would require an annual report to Congress on the next decennial census. The report shall include the following:

- “A description of the Bureau's performance goals for each significant decennial operation, including the performance measures for each operation.
- “An assessment of the risks associated with each significant decennial operation, including the interrelationships between the operations and a description of relevant mitigation plans.
- “Detailed milestone estimates for each significant decennial operation, including estimated testing dates, and justification for any changes to milestone estimates.
- “Updated cost estimates for the life cycle of the decennial census, including sensitivity analysis and an explanation of significant changes in the assumptions on which such cost estimates are based.
- “A detailed description of all contracts over \$50,000,000 entered into for each significant decennial operation, including--
 - “Any changes made to the contracts from the previous fiscal year;
 - “Justification for the changes; and
 - “Actions planned or taken to control growth in such contract costs.

Additional Information: The American Community Survey is a nationwide survey that collects population and housing characteristics. More information can be found [here](#).

Committee Action: S. 3167 was introduced on March 25, 2010, and referred to the Senate Committee on Homeland Security and Governmental Affairs, that held a markup

and amended the legislation. S. 3167 passed the Senate on December 8, 2010, by unanimous consent. The legislation was then held at the desk.

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

Cost to Taxpayers: Based on information from the Bureau of the Census, CBO estimates that implementing the provisions of S. 3167 would not significantly increase spending subject to appropriation because efforts to plan for an Internet response option are already underway.

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: Senate Report [111-351](#) does not contain an explanation of constitutional authority, however Article I, Section 2 of the U.S. Constitution empowers Congress to carry out the census "in such Manner as they shall by Law direct."

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

**H.R. 6516—To make technical corrections to provisions of law enacted
by the Coast Guard Authorization Act
(Oberstar, D-MN)**

Order of Business: H.R. 6516 is scheduled to be considered on Tuesday, December 14, 2010 under a motion to suspend the rules and pass the bill.

Summary: The legislation makes several technical changes to the Coast Guard Reauthorization Act of 2010 (P.L. 111-281) including renumbering sections, changing capitalization, and replacing "Great Lake" with "Great Lakes."

Additional Background: For a summary of the Coast Guard Authorization Act of 2010, see [here](#).

Committee Action: The legislation has yet to be introduced.

Cost to Taxpayers: No CBO score is 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 report listing any such information is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No committee report is available, but the legislation does not appear to contain any earmarks.

Constitutional Authority: No committee report citing constitutional authority is available.

RSC Staff Contact: Brad Watson; brad.watson@mail.house.gov; 202-226-9719

H.R. 6510—To direct the Administrator of General Services to convey a parcel of real property in Houston, Texas to the Military Museum of Texas (*Rep. Sheila Jackson-Lee, D-TX*)

Order of Business: H.R. 6510 is scheduled to be considered on Tuesday, December 14, 2010 under a motion to suspend the rules and pass the bill.

Summary: The legislation requires the Administrator of General Services to convey to (at the market value determined per the bill) the Military Museum of Texas all right, title, and interest of the United States in the parcel of real property located at 8611 Wallisville Road in Houston, Texas.

The bill requires, as a condition of the conveyance, the Military Museum of Texas to use and maintain the real property conveyed, for a minimum period of 30 years, in a manner consistent with the use of the property at the time of the conveyance. The bill requires the Military Museum of Texas to be responsible for all reasonable and necessary costs associated with the conveyance, including real estate transaction and environmental documentation costs.

Committee Action: The legislation was introduced on December 9, 2010.

Cost to Taxpayers: No CBO score is 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 report listing any such information is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No committee report is available, but the legislation does not appear to contain any earmarks.

Constitutional Authority: No committee report citing constitutional authority is available.

RSC Staff Contact: Brad Watson; brad.watson@mail.house.gov; 202-226-9719

S. 3984 – Museum and Library Services Act of 2010 *(Sen. Reed, D-RI)*

Order of Business: The legislation is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the bill. The bill passed the Senate by unanimous consent on December 7, 2010.

Summary: S. 3984 would amend and extend the Museum and Library Service Act. Highlights of the bill include the following:

Cost .

- The bill authorizes approximately over \$290 million in new spending in FY 2011 subject to appropriation, and such sums for FY2012 through FY2016.

Director Duties.

- Adds duties to the Director of Museum and Library services. Specifically, the director shall have primary responsibility for the development and implementation of policy to ensure the availability of museum, library, and information services adequate to meet the needs of the people of the U.S. In order to do this, the Director must:
 - Advise the President, Congress, and other federal agencies and offices on museum, library, and information services.
 - Engage federal, state, and local governmental agencies and private entities in assessing the museum, library, and information services needs of the people of the U.S.
 - Carry out research and development programs, and data collection and financial assistance programs to improve museum, library and information services.
- Allows the Director to enter into interagency agreements to promote or assist with the museum, library, and information services-related activities of other federal agencies;
- Requires the Director to ensure coordination of policies and activities of the Institute with the policies and activities of other agencies; and

- Requires the Director to work with individuals heading relevant federal agencies on initiatives, materials, or technology to support workforce development activities undertaken by libraries, among other things.

Awards and Medals.

- Allows the Director to annually award national awards and medals for library and museum services to outstanding libraries and museums that have made significant contributions in service to their communities.

Policy Research, Analysis, Data Collection, and Dissemination.

- Requires the Director to annually conduct policy research, analysis, and data collection to extend and improve the nation's museum, library, and information services.

Library Services and Technology

- Expands the purposes of the Act to, among other things, add:
 - Promoting literacy, education, and lifelong learning and to enhance and expand the services and resources provided by libraries;
 - Enhancing the skills of the current library workforce and to recruit future professionals to the field of library and information services; and
 - Ensuring the preservation of knowledge and library collections in all formats.

State Plans.

- Adds a section describing how the state library administrative agency will work with other state agencies and offices to coordinate resources, programs, and activities.

Laura Bush 21st Century Librarian Program.

- Establishes a new program that would develop a diverse workforce of librarians.

Repeal of the National Commission on Libraries and Information Science Act.

- Transfers the functions and personnel of the National Commission on Libraries and Information Science to the Institute of Museum and Library Services.

Additional Background: The Museum and Library Services Act was last reauthorized in 2003, by a roll call vote of [416-2](#). It expired in 2009.

Potential Conservative Concerns: Some conservatives might be concerned that this bill authorizes approximately over \$290 million in new spending in FY 2011 subject to

appropriation, and such sums for FY2012 through FY2016. During a time of economic hardship, it is difficult to justify new spending on such measures, especially during a lame duck session of Congress and on the suspension calendar with no opportunity to amend. Many conservatives may believe that this spending should be provided instead by states, localities, or the private sector. Some conservatives may argue that this program should not receive any federal funding.

Committee Action: S. 3984 was introduced on November 29, 2010 and referred to the Senate Committee on the Health, Education, Labor, and Pensions. The bill then passed the Senate by unanimous consent and was referred to the House Committee on Education and Labor. No further public action was taken.

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

Cost to Taxpayers: No CBO score was available at press time. However, last year the programs under Museum and Library Services received \$282 million. This legislation proposes an increase over that level (over \$290 million in new spending in FY 2011 subject to appropriation, and such sums for FY2012 through FY2016).

Does the Bill Expand the Size and Scope of the Federal Government? Yes. The legislation increases authorized spending subject to appropriation, without any offsets.

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? Although the bill contains no earmarks, and there is 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.

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S. 1275—National Foundation on Fitness, Sports, and Nutrition Establishment Act (*Senator Warner, D-VA*)

Order of Business: S. 1275 is scheduled to be considered on Tuesday, December 14, 2010 under a motion to suspend the rules and pass the bill.

Summary: The legislation establishes a National Foundation on Fitness, Sports, and Nutrition. The foundation would be a charitable and nonprofit corporation. The foundation would be intended to further the purposes of the President's Council on Fitness, Sports, and Nutrition. Per the bill, the purposes of the foundation would be:

- “in conjunction with the Office of the President's Council on Fitness, Sports and Nutrition, to develop a list and description of programs, events and other activities which would further the purposes and functions outlined in Executive Order 13265, as amended, and with respect to which combined private and governmental efforts would be beneficial;
- “to encourage and promote the participation by private organizations in the activities referred to in subsection (b)(1) and to encourage and promote private gifts of money and other property to support those activities; and
- “in consultation with such Office, to undertake and support activities to further the purposes and functions of such Executive Order.”

The legislation *prohibits* the foundation from accepting any federal funds.

The legislation requires the foundation to have a governing Board of Directors consisting of 9 members to be appointed by the Secretary of Health and Human Services (HHS) in consultation with congressional leadership.

Conservative Concerns: The bill creates a foundation to receive private money to aid the aims of the President’s Council on Physical Fitness. Many conservatives would argue that, to the extent the Council exists as a federally-created entity, it should receive funding from donations instead of federal appropriations (as per the bill). On the other hand, some conservatives may be concerned that some future Congress might do away with the prohibition against federal money flowing to the foundation. Some conservatives may also believe that the Council is not an appropriate federal power, and that the federal government therefore has no role in sponsoring a foundation aimed at supporting the Council. Finally, some conservatives may be concerned that, since the Council the foundation would support was created by executive order, Congress would have insufficient oversight authority over the activities of the foundation.

RSC Bonus Fact: The current co-chairs of the President’s Council on Fitness, Sports, and Nutrition are Drew Brees and Dominique Dawes. See [here](#).

Committee Action: The bill was introduced on June 16, 2009 and referred to the Senate Committee on Health, Education, Labor, and Pensions. The bill was reported by the committee, with an amendment in the nature of a substitute, on December 7, 2010. The legislation passed the Senate by unanimous consent on December 9, 2010.

Cost to Taxpayers: CBO estimates the legislation would have no impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the legislation creates a new federally-sponsored foundation.

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?: No committee report is available, but the legislation does not appear to contain any earmarks.

Constitutional Authority: No committee report citing constitutional authority is available.

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H.Res. __ - Expressing support for designation of January 23rd as "Ed Roberts Day" (Miller, D-CA)

Order of Business: The resolution is scheduled to be considered on Tuesday, December 14, 2010, under a motion to suspend the rules and pass the resolution.

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

- “Supports the designation of an “Ed Roberts Day”; and
- “Acknowledges the accomplishments of Ed Roberts in helping reduce barriers, increase access, and improve lives for persons with disabilities.”

The legislation contains a number of findings, including:

- “Roberts acquired polio as an adolescent in 1953 and had to spend vast expanses of time in an iron lung;
- “Roberts’ career as an advocate began when a high school administrator threatened to deny him a diploma because he had not completed driver’s education and physical education;
- “When his search for housing at the university met resistance, the director of the campus hospital offered Roberts a room in an empty wing, which Roberts accepted on the condition that it was considered a dormitory space;
- “Roberts assumed leadership of the Center for Independent Living, Berkeley and guided its development as a model for disability advocacy and self-help services across the Nation and around the world;
- “In 1983 Roberts co-founded the World Institute on Disability, an organization committed to eliminating barriers to full social integration for persons with disabilities; and
- “Ed Roberts was a leader and champion in the disability rights movement.”

Committee Action: H.Res.__ has yet to be introduced.

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

Cost to Taxpayers: A report from CBO was unavailable at press time.

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 committee report citing constitutional authority is available.

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