



H.R. 5741 – SHARK CONSERVATION ACT OF 2008

FLOOR SITUATION

H.R. 5741 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Madeleine Bordallo (D-GU) on April 9, 2008. The House Committee on Natural Resources agreed to the bill, as amended, by voice vote on June 11, 2008.

H.R. 5741 is expected to be considered on the floor of the House on July 8, 2008.

SUMMARY

H.R. 5741 prohibits the removal of a shark's fins while at sea and prohibits having possession of shark fins (including the tail) aboard a vessel unless the fins are naturally attached to the corresponding carcass. The bill also prohibits the landing of fins that are not naturally attached to their corresponding carcass as well as the transfer of fins, while at sea, that are not naturally attached to the shark.

Additionally, the bill directs the Secretary of Commerce to include in a biennial report to Congress any nation whose vessels currently or within the previous year have engaged in fishing activities that catch sharks and has not adopted a shark conservation program comparable to that of the United States. This includes prohibiting the practice of removing the fins of the shark and discarding the remaining carcass while at sea.

BACKGROUND

Shark finning is the removal of a shark's fins while at sea and then returning the remaining carcass of the shark back into the sea. The Shark Finning Prohibition Act of 2000 prohibits any person under U.S. jurisdiction from practicing shark finning.

According to a 2007 report to Congress by the U.S. Department of Commerce and the National Oceanic and Atmospheric Administration, many shark species are characterized by slow growth and reproductive rates. These factors, along with the increased demand for the shark fins of certain species over the past decade have given rise to concern about the impact of finning on world shark populations and the Shark Finning Prohibition Act.

COST

The Congressional Budget Office "estimates that implementing H.R. 5741 would cost \$5 million over the 2009-2013 period."

[Full CBO cost estimate for H.R. 5741](#)

STAFF CONTACT

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H.R. 3981 – PRESERVE AMERICA AND SAVE AMERICA'S TREASURES ACT

FLOOR SITUATION

H.R. 3981 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Brad Miller (D-NC) on October 29, 2007. The House Committee on Natural Resources agreed to the bill, as amended, by voice vote on June 11, 2008.

H.R. 3981 is expected to be considered on the floor of the House on July 8, 2008.

SUMMARY

H.R. 3981 establishes the Preserve America Program and the Save America's Treasures Program within the Department of the Interior and administered by the National Park Service.

Preserve America Program

The Preserve America Program, which is to be administered by the National Park Service in partnership with the Advisory Council on Historic Preservation, provides competitive grants to entities designated as Preserve America Communities. To be eligible for designation as a Preserve America Community, a community must submit an application to the Council. These grants include funding to States, local governments, and Indian tribes, for use towards the research and documentation of a community's history. Such research may include surveying the historic resources of a community, creating educational programs about the history of communities, and projects to support heritage tourism in areas designated as Preserve America Communities.

The bill includes a cost sharing requirement, under which the non-federal share of costs related to the project is not to be less than half of the total cost of the project. The non-Federal share of project funding may be in the form of cash or donated supplies and related services at a value to be determined by the Secretary.

The bill authorizes \$25 million for the Preserve America Program for fiscal years 2009-2013.

Save America's Treasures Program

The Save America's Treasures Program is also established within the Department of the Interior. The Program provides competitive grants for the preservation of nationally significant artifact collections and historic properties that are endangered, listed as nationally significant in the National Register of Historic places, or have been designated as a National Historic Landmark. When awarding grants, the bill allows the Secretary of the Interior to give preference to projects that carry out the purposes of the Save America's Treasures and Preserve America Programs.

H.R. 3981 also includes a cost sharing requirement which states that the non-federal share of project costs must be no less than fifty percent of the total cost. Additionally, the Secretary must provide Congress with notice of any programs that are to be provided grants under the program no less than thirty days before the grants is to be made.

H.R. 3981 authorizes \$50 million annually for an indefinite period of time.

BACKGROUND

Preserve America is a cooperative initiative between the White House and the Advisory Council on Historic Preservation that recognizes communities that protect and celebrate their historical heritage and assets. Communities that are designated as a Preserve America Community are categorized as large



cities, local municipalities or towns, or tribes. These Communities receive benefits such as White House recognition and a Preserve America Community road sign.

There are three main criteria which a community must meet in order to qualify for designation as a Preserve America Community: 1) The community has recently supported a historic or cultural preservation project that has promoted and/or is promoting heritage tourism or otherwise fostering economic vitality, and involved a public-private partnership between government entities and at least one civic association, non-profit, and/or business enterprise; 2) the governing body of the community has adopted a resolution indicating its commitment to the preservation of its heritage assets; and 3) the community meets at least five criteria specified in three broad categories: discovering heritage through historic places, protecting historic resources, and promoting historic assets.

According to the [Preserve America.gov website](http://PreserveAmerica.gov), the 2007 federal budget included about \$5 million for grants to support Preserve America Communities, with 72 communities receiving grants for developing resource management strategies and business practices that help preserve and promote historic assets. There are four application and designation cycles that occur annually, with the 2008 application deadlines set at March 1, June 1, September 1, and December 1.

The Save America's Treasures Program is a national effort to protect threatened cultural collections, works of art, maps and journals that relate to the history and culture of the United States. The program was created by an Executive Order of President Clinton in 1998. The program is a public-private partnership which incorporates the National Park Service and the National Trust for Historic Preservation. The program administers federal grants through the National Parks System for preservation and conservation projects. These grants are awarded to Federal, state, local, and tribal government entities, and non-profit organizations. The Save America's Treasures Program is currently co-chaired by First Lady Laura Bush, author Susan Eisenhower, and President of the National Trust for Historic Preservation William Moe.

COST

The Congressional Budget Office estimates that "implementing H.R. 3981 would cost \$300 million over the 2009-2013 period."

[Full CBO cost estimate for H.R. 3981](#)

STAFF CONTACT

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H.R. 1423 – THE DOROTHY BUELL MEMORIAL VISITOR CENTER LEASE ACT

FLOOR SITUATION

H.R. 1423 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Peter Visclosky (D-IN) on March 8, 2007. The House Committee on Natural Resources ordered the bill to be reported, as amended, by unanimous consent on June 11, 2008.

H.R. 1423 is expected to be considered on the floor of the House on July 8, 2008.

SUMMARY

H.R. 1423 authorizes the Secretary of the Interior to enter into a memorandum of understanding with the Porter County Convention, Recreation and Visitor Commission. This memorandum is to establish the management and operational duties for the Dorothy Buell Memorial Visitor Center.

After entering into a memorandum of understanding, the Secretary and the Commission may then lease space in the Visitor Center to be used as a visitor informational center for Indiana Dunes National Lakeshore. The Secretary may install exhibits and information centers related to the use and resources of the Indiana Dunes National Lakeshore costing no more than \$1.5 million. Additionally, the Secretary may use park staff from the Indiana Dunes to provide visitors with information at the exhibit and information center.

BACKGROUND

The [Dorothy Buell Memorial Visitor Center](#) is located in northwest Indiana along the southern tip of Lake Michigan. Dorothy Buell was president of the Save the Dunes Council. Through the efforts of the Save the Dunes Council and other organizations, the 89th Congress designated 8,330 acres of land and water as the Indiana Dunes National Lakeshore. Today, the Dunes consist of over 15,000 acres of Federally protected park land.

The Dunes are home to sandy beaches along Lake Michigan, as well as a variety of plant and wild life. The Indiana Dunes National Lakeshore was recognized by Congress in 1966 through the efforts of Henry Cowles, a University of Chicago botanist, Illinois Senator Paul H. Douglas, and Ms. Buell, who lived near the Dunes and was an English teacher.

COST

The Congressional Budget Office estimates that “the NPS would spend \$1.5 million over the 2009-2013 period for exhibits in the new visitor facility. CBO also estimates that the leasing provisions of the bill would create budget authority of about \$2 million in 2009 for a capital lease that would be executed with the Porter County Convention, Recreation, and Visitor Commission (PCCRVA, the owner of the visitor center). We estimate that annual lease payments under the new contract would increase direct spending by about \$1 million over the 2009-2018 period.” [Full CBO cost estimate for H.R. 1423](#)

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H.R. 4199 – TO AMEND THE DAYTON AVIATION HERITAGE PRESERVATION ACT OF 1992 TO ADD SITES TO THE DAYTON AVIATION HERITAGE NATIONAL HISTORICAL PARK, AND FOR OTHER PURPOSES

FLOOR SITUATION

H.R. 4199 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Michael R. Turner (R-OH) on November 15, 2007. The House Committee on Natural Resources agreed to the bill, as amended, on June 11, 2008.

H.R. 4199 is expected to be considered on the floor of the House on July 8, 2008.

SUMMARY

H.R. 4199 redesignates the Dayton Aviation Heritage National Historical Park in Ohio as the "Wright Brothers-Dunbar National Historical Park." In addition to the sites already included in the Historical Park, the legislation adds Hawthorn Hill in Oakwood, Ohio and the Wright Company factory located in Dayton, Ohio (and all associated lands and buildings) as part of the Wright Brothers-Dunbar National Historical Park.

The legislation authorizes the Secretary of the Interior to make grants to the parks' private partners for projects. The grants will be limited to construction and development on non-Federal property within the boundaries of the park.

****Note: H.R. 4191, which previously passed the House on March 5, 2008 by a vote of 407-4, is legislation similar to H.R. 4199 but did not include Hawthorne Hill or the Wright Factory as sites included in the National Historical Park.*

BACKGROUND

Currently, there are four National Historic Landmarks and a National Register Historic District located within Dayton Aviation Heritage National Historical Park. These include The Wright Cycle Company building, Hoover Block, Huffman Prairie Flying Field, 1905 Wright Flyer III, and the Paul Laurence Dunbar State Memorial. Together these sites tell the story of the lives and legacies of Wilbur Wright, Orville Wright, and Paul Laurence Dunbar.

Orville and Wilbur Wright are two American brothers who are credited the world's first controlled and powered flight at Kitty Hawk, North Carolina on December 17, 1903. The brothers are additionally credited with the invention and construction of the world's first successful airplane. Neither Orville nor Wilbur received high school diplomas. They owned their own newspaper and bicycle shop prior to their aeronautical accomplishments. The Wrights had a large home built at Hawthorn Hill in Oakwood, Ohio. The brothers had originally intended to share the house which was completed in 1914, but Wilbur died in 1912. The house was shared by Orville with his father and sister. Today, the house is owned by the Wright Family Foundation.

Paul Laurence Dunbar is considered as being among the first African-Americans to gain a national reputation as a poet. He was born in 1872 in Dayton, Ohio, as the son of ex-slaves and was classmates with Orville Wright. Paul writings include short stories, novels, librettos, plays, songs and essays as well as poetry. His work often addressed the difficulties encountered by members of his race and the efforts of African-Americans to achieve equality in America.



LEGISLATIVE DIGEST

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COST

The Congressional Budget Office estimated that “implementing H.R. 4199 would cost \$15 million over the 2009-2013 period and \$1 million annually thereafter for ongoing operations.”

[Full CBO cost estimate for H.R. 4199](#)

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H.R. 802 – MARITIME POLLUTION PREVENTION ACT OF 2007

FLOOR SITUATION

H.R. 802 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative James Oberstar (D-MN) on February 5, 2007, and was passed by the House on March 26, 2007 by a vote of 359-48. The Senate subsequently agreed to an amended version of the bill by unanimous consent on June 23, 2008.

H.R. 802 is expected to be considered on the floor of the House on July 8, 2008.

SUMMARY

H.R. 802 implements international regulations on air pollution from ships that were adopted in the Protocol of 1997 to the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL).

**Note: The MARPOL protocol of 1997 was targeted at ships that are engaged in international trade and applies to ships with diesel engines rated above 175 horsepower.*

The bill requires the Administrator of the EPA to work in coordination with the Coast Guard to develop regulations that will codify U.S. laws with the international ship emissions regulations. The regulations are to take effect six months after they are developed. Additionally, the legislation requires that all maritime vessels in excess of 400 tons to be certified that the vessel and the vessel's equipment are in compliance with the international ship emissions regulations.

H.R. 802 requires all U.S. ports to provide facilities to receive ozone depleting substances and exhaust gas cleaning residues. The bill authorizes the Coast Guard to inspect ships to verify that they are compliant with the international ship emissions regulation and authorizes the Administrator of the EPA, in coordination with the Coast Guard, to assess civil penalties for violations of the international ship emissions regulations.

H.R. 802, as amended by the Senate, includes a provision which allows persons who have been adversely affected by the Administrator's failure to perform duties under this legislation to file suit against the Administrator. Additionally, the Senate amended version of the bill includes a clause stating that nothing in the bill is to be understood as restricting any existing international or U.S. navigational law.

BACKGROUND

The International Maritime Organization (IMO) was established by the United Nations in 1948 to address safety, navigation, and pollution prevention for ships engaged in international trade. The IMO drafted the International Convention on the Prevention of Pollution from Ships, 1972 (MARPOL). MARPOL is an international treaty designed to reduce pollution from all aspects of marine vessel operation.

In 1997, the IMO met to set standards for controlling air pollution from ships and adopted the Protocol of 1997 (MARPOL Annex VI) establishing international regulations on air pollution from ships in the areas of:

- Ozone depleting substances
- Incinerators
- Emissions from tanker operations
- Ship engine emissions of Sulfur oxides and nitrogen oxides



The Protocol of 1997 applies to larger marine diesel engines and it went into effect internationally on May 19, 2005, but the regulations apply retroactively to all diesel marine engines rated above 175 horsepower that are/have been purchased or modified since January 1, 2000. Engine manufacturers are to provide regulators with data to certify that each engine they sell is compliant. Customers receive a certificate upon purchase of an engine that it is compliant, and the certificate serves as evidence of compliance with international air pollution regulations for the life of the engine.

In October of 1999, the EPA established a voluntary certification program so engine manufacturers could certify that the engines they sell are compliant.

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 802 would cost about \$4 million over the next five years.

[Full CBO cost estimate for H.R. 802](#)

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SUSPENSIONS NAMING UNITED STATES FEDERAL BUILDINGS

FLOOR SITUATION

The following bills are being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage.

These bills are expected to be considered on the floor on July 8, 2008.

SUMMARY

H.R. 5975 designates the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the "Cpl. John P. Sigsbee Post Office". This legislation was introduced by Representative Michael Arcuri (D-NY) on May 6, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on June 12, 2008.

H.R. 6061 designates the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the "Kenneth James Gray Post Office Building". This legislation was introduced by Representative Jerry Costello (D-IL) on May 14, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on June 12, 2008.

H.R. 6092 designates the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the "Sergeant Paul Saylor Post Office Building". This legislation was introduced by Representative Phil Gingrey (R-GA) on May 20, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on June 12, 2008.

COST

The Congressional Budget Office (CBO) has not scored any of the above legislation.

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