



## Legislative Bulletin.....June 17, 2008

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## **Summary of the Bills Under Consideration Today:**

**Total Number of New Government Programs:** 2

**Total Cost of Discretionary Authorizations:** \$95 million in FY 2009 and \$471 million over the FY 2009—2013 period

**Effect on Revenue:** Increased by \$500,000 annually

**Total Change in Mandatory Spending:** \$0

**Total New State & Local Government Mandates:** \$0

**Total New Private Sector Mandates:** 1

**Number of Bills Without Committee Reports:** 10

**Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority:** 0

### **H.R. 2964—Captive Primate Safety Act (*Eddie Bernice Johnson, D-TX*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2964 would add “nonhuman-primates” (monkeys and apes) to the list of prohibited species under the Lacey Act Amendments of 1981. The bill would make it illegal to import, export, transport, sell, receive, acquire, or purchase any nonhuman primate between states or internationally.

The bill would exempt certain entities, such as research facilities, importers, exhibitors, and dealers that already obtain licenses or registrations to transport nonhuman primates under the Animal Welfare Act.

In addition, H.R. 2964 would make exceptions for persons transporting nonhuman primates for the purpose of taking the animal a qualified veterinarian. The bill would also make an exception for a person transporting a nonhuman primate for the purpose of taking the animal to a new caregiver in the event of an owner’s death. In either scenario, the person transporting the nonhuman primate would have to do so in a secure enclosure and must carry legal documentation authorizing the transport of the animal.

H.R. 2964 would also authorize \$5 million in FY 2009 to supplement the increased cost of the Department of the Interior (DOI), operating through the U.S. Fish and Wildlife Service, to enforce these new laws. In addition, CBO estimates that it will cost an additional \$4 million

each fiscal year to supply the U.S. Fish and Wildlife Service with law enforcement personnel needed to enforce the law.

**Additional Background:** According to the Humane Society and a variety of other sources, there are approximately 15,000 nonhuman primates in private captivity in the U.S. today. Nonhuman primates that are currently owned as pets are bred in the U.S. and sold by breeders that are licensed and regulated by the Department of Agriculture (USDA). According to supporters of H.R. 2964, captive nonhuman primates are often treated inhumanly and become dangerous to humans. In addition, proponents of the legislation argue that captive primates pose a risk of spreading dangerous infectious diseases to humans such as herpes or tuberculosis.

However, according to a letter of dissenting views that was sent to the Committee on Natural Resources by Congressman Bill Sali (R-ID), the actual risk of pet primates harming humans is minute. The letter points out that, according to the Captive Wild Animal Protection Coalition, only 132 people have been injured by primates in the past **ten years**, and 40% of those attacks occurred in laboratories. Dog attacks, by comparison, result in almost 300,000 trips to the hospital annually. In addition, Rep. Sali's letter quotes testimony from Dr. Sian Evans, the Director of the DuMond Conservancy for Primates and Tropical Forests, who states, "Pet primates are not a documented source of disease for humans. There is no documentation or scientific evidence to support these claims."

In a June 16, 2008, letter to the Committee on Natural Resources' Chairman Nick Rahall, the Assistant Secretary for Fish, Wildlife and Parks at DOI raised a number of concerns with H.R. 2964 and stated that the DOI would be opposed to the bill's passage. Among other things, the DOI expressed its concern that adding nonhuman primates to the prohibited wildlife species list could jeopardize the DOI's ability to enforce similar laws concerning higher priority captive animals, such as live lions, tigers, cheetahs, or cougars. In addition, the DOI contends that many of the increased regulations on nonhuman primate transportation would be duplicative, as many monkeys and apes in the U.S. are protected by the Animal Welfare Act (AWA) and the Endangered Species Act. Finally, DOI believes that the bill may have the unintended consequence of increasing the number of abandoned primates in the U.S. by making it illegal for an individual who has a nonhuman primate as a service animal or a pet to bring the animal with them if they move outside the state.

According to the DOI's letter, laws concerning nonhuman primate ownership would be better addressed through a different agency or at the local level in order to avoid creating costly, unnecessary, and potentially damagingly duplicative laws. The agency's letter states:

A better approach, in our view, would be for Congress to work with the Department of Agriculture to identify a suitable way to address any public safety and humane treatment concerns associated with possessing Animal Welfare Act regulated non-human primates through a more suitable legislative vehicle. Private pet ownership concerns may be best addressed through state laws that currently address these issues.

Currently, 40 states have laws that either outright prohibit the private ownership of nonhuman primates or require owners to obtain permits to possess the animals.

**Possible Conservative Concerns:** Some conservatives may be concerned that H.R. 2964 would authorize \$5 million in FY 2009 and \$20 million over the FY 2009—FY 2013 period to pay for the Department of Interior (DOI) to enforce new laws that prohibit the transfer of nonhuman primates for the purpose of interstate or foreign commerce. Some conservatives may be concerned that the prohibition may be duplicative of other regulations that are currently carried out by other federal agencies, namely the Department of Agriculture (USDA).

In addition, some conservatives may be concerned that H.R. 2964 could be seen as an unnecessary expansion of federal government regulations because nonhuman primate pets pose almost no threat to humans and are closely regulated by the states and other agencies. Some conservatives may believe, as the DOI has argued, that regulations regarding the ownership of nonhuman primates are better determined by state governments and the USDA.

**Committee Action:** H.R. 2964 was introduced on July 10, 2007, and referred to the Committee on Natural Resources Subcommittee on Fisheries, Wildlife, and Oceans. On March 11, 2008, the subcommittee held hearings and on June 4, 2008, the subcommittee held a mark-up and forwarded the bill, as amended, to the full committee. On June 11, 2008, the full committee held a mark-up and reported the bill, as amended, by unanimous consent.

**Cost to Taxpayers:** According to CBO, H.R. 2964 would authorize \$5 million in FY 2009 and \$20 million over the FY 2009—FY 2013 period.

**Does the Bill Expand the Size and Scope of the Federal Government?** Yes, the bill would make it illegal to transport nonhuman primates for the purpose of interstate or foreign commerce and increase the number of enforcement personnel at the Department of the Interior to enforce the prohibition.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** Yes. According to CBO, H.R. 2964 would impose private sector mandates by prohibiting any person from importing, exporting, transporting, selling, receiving, acquiring, or purchasing nonhuman primates in interstate or foreign commerce. According to CBO, “the local direct cost of complying with the mandate would fall well below the annual threshold established in UMRA for private-sector mandates (\$136 million in 2008, adjusted for inflation).”

**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 was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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**H.R. 1423—Dorothy Buell Memorial Visitor Center Lease Act**  
*(Visclosky, D-IN)*

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 1423 would authorize the Secretary of Interior to enter into an agreement with the Porter County, Indiana, Visitor Commission to lease space in the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore. The bill would also allow the Secretary to plan, construct, and install exhibits in the leased visitor center space at a cost not to exceed \$1.2 million. The bill would also allow the Secretary to use Indiana Dunes National Lakeshore park staff to provide information and education in the visitor's center.

**Additional Background:** The recently built Dorothy Buell Memorial Visitor Center, located in Porter County, Indiana, is shared by the federally operated national lakeshore, Indiana Dunes State Park, and Porter County Convention, Recreation, and Visitor Commission. H.R. 1423 would statutorily define the federal government's participation in the center and authorize the Secretary of Interior to create exhibits in the national lakeshore section of the center.

**Committee Action:** H.R. 1423 was introduced on March 8, 2007, and referred to the Committee on Natural Resources National Parks, Forests, and Public Lands. On March 6, 2008, the subcommittee held hearings. On June 11, 2008, the full committee held a mark-up and reported the bill, as amended, by unanimous consent.

**Cost to Taxpayers:** A CBO score for H.R. 1423 was unavailable at press time, however, the bill would authorize up to \$1.2 million for the Secretary of Interior to create exhibits for the Dorothy Buell Memorial Visitor Center.

**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 was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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## **H.R. 3702—Montana Cemetery Act of 2007 (Rehberg, R-MT)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3702 would require the Secretary of Interior to convey approximately 9.7 acres of federal land in the Beaverhead-Deerlodge National Forest to Jefferson County, Montana, for use as the Elkhorn Cemetery at no cost. H.R. 3702 would require the county to continually manage the land as a cemetery. The bill would also stipulate that the land would revert back to the Department of Interior if it were to be used for a different purpose.

**Additional Background:** According to CBO, the 9.7 acres of land in Beaverhead-Deerlodge National Forest that would be transferred to Jefferson County is already the site of the Elkhorn Cemetery. The Beaverhead-Deerlodge National Forest encompassed the cemetery in 1996. Though there are empty family plots in the cemetery, it is against the law to bury people on National Forest land, so the cemetery must be reverted to the county in order for people to be buried in plots that they purchased.

**Committee Action:** H.R. 3702 was introduced on September 27, 2007, and referred to the Committee on Natural Resources Subcommittee on National Parks, Forests, and Public Lands. On June 5, 2008, the subcommittee held hearings. On June 11, 2008, the full committee held a mark-up and reported the bill by unanimous consent.

**Cost to Taxpayers:** According to CBO, “enacting H.R. 3702 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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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**H. Res. 1247—Supporting the goals and ideals of “American Eagle Day”, and celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States (Davis, R-TN)**

**Order of Business:** H. Res. 1247 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1247 would express the sense that the House of Representatives supports the goals and ideals of ‘American Eagle Day’ and encourages:

- “Educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate on education information for use in schools; and
- “The people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.”

The resolution lists numerous findings, including:

- “The bald eagle is an inspiring symbol of the American spirit of freedom and democracy;
- “The image, meaning, and symbolism of the bald eagle have played a significant role in American art, music, history, literature, architecture, and culture since the founding of our Nation;
- “The bald eagle is featured prominently on United States stamps, currency, and coinage
- “The habitat of bald eagles exists only in North America;
- “By 1963, the number of nesting pairs of bald eagles in the lower 48 States had dropped to about 417;
- “Caring and concerned citizens of the United States in the private and public sectors banded together to save, and help ensure the protection of, bald eagles;
- “In 1995, as a result of the efforts of those caring and concerned citizens, bald eagles were removed from the endangered species list and upgraded to the less imperiled threatened species status under the Endangered Species Act of 1973;
- “By 2006, the number of bald eagles in the lower 48 States had increased to approximately 7,000 to 8,000 nesting pairs; and
- “The sustained recovery of the bald eagle populations will require the continuation of recovery, management, education, and public awareness programs, to ensure that the populations and habitat of bald eagles will remain healthy and secure for future generations.”

**Committee Action:** H. Res. 1247 was introduced on June 5, 2008, and referred to the Committee on Natural Resources, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

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

**Does the Resolution Contain Any New State-Government, Local-Government, or Private-**

**Sector Mandates?** No.

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**H. Res. 1199—Commending the Orange County Water District and its employees for their sound financial management and innovative groundwater management, water quality, water efficiency, and environmental programs, on its 75th anniversary (*Loretta Sanchez, D-CA*)**

**Order of Business:** H. Res. 1199 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1199 would express the sense that the House of Representatives “commends the Orange County Water District and its employees for their sound financial management and innovative groundwater management, water quality, water efficiency, and environmental programs, on its 75th anniversary.”

The resolution lists numerous findings, including:

- “The Orange County Water District (OCWD) is celebrating its 75th anniversary of providing high quality groundwater to millions of residents in northern and central Orange County, California, and upon this occasion, deserves special recognition;
- “OCWD was created in 1933 by the California State Legislature’s passage of Senator N.T. Edwards’ SB 1201, which was signed into law on June 14, 1933;
- “In the 1950s, OCWD initiated the region’s first sustained artificial recharge replenishment system, which today is one of the most sophisticated and efficient recharge systems in the country;
- “In 1972, OCWD built the internationally-acclaimed Water Factory 21, the Nation’s first and largest wastewater purification plant, to use reverse osmosis to purify sewer water for injection along the coast to prevent seawater intrusion;
- “In 1989, OCWD published a comprehensive Groundwater Management Plan for increasing water supplies, cleaning up contamination, and improving basin management, which became the model for groundwater management across the State;
- “In 1991, OCWD’s Green Acres Project became operational as the Nation’s first landscape irrigation wastewater treatment plant that provided water to local parks, golf courses, highway medians, and industry, freeing high quality drinking water for more valued uses in the arid Orange County; and
- “OCWD has also developed basin-cleaning vehicles to enhance recharge efficiency, sponsored the Nation’s largest Children’s Water Education Festival, and brought back the least Bell’s vireo, an endangered California songbird.”

**Committee Action:** H. Res. 1199 was introduced on June 5, 2008, and referred to the Committee on Natural Resources, which took no official action.



**Cost to Taxpayers:** The resolution does not authorize expenditures.

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

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

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## **H.R. 5710—Eastern New Mexico Rural Water System Authorization Act (Udall, D-NM)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5710 would authorize the Secretary of Interior to provide up to \$360 million to assist the Eastern New Mexico Rural Water Authority in planning, designing, conducting preconstruction activities, and constructing the Eastern New Mexico Rural Water System. The project would create a water delivery system designed to deliver approximately 16,500 acre-feet of water per year from the Ute Reservoir to the cities of Clovis, Elida, Grady, Melrose, Portales, and Texico and other locations in New Mexico.

The bill would stipulate that the federal government shall not provide more than 75% of the total cost of the project. H.R. 5710 would state that the Eastern New Mexico Rural Water Authority would be responsible for the annual operation and maintenance of the system, but the system's operation plan would have to be developed in consultation with the Secretary. The authorization of the Secretary to provide assistance under H.R. 5710 would not sunset until all of the funds were appropriated.

**Additional Background:** The Eastern New Mexico Rural Water System uses water from the Ute Reservoir, on the Canadian River near Logan, New Mexico, to provide water to three different New Mexican counties. According to the Eastern New Mexico Rural Water System's Website, "the need for the project stems from both a declining and deteriorating water supply and the rural environment of eastern New Mexico." The project would be operated by the Eastern New Mexico Rural Water Authority, which was created by the State of New Mexico in 2001 to develop a plan to meet the increased demand for water in Eastern New Mexico. The proposed system would aim to produce an estimated 16,500 acre-feet (an acre foot is the volume of water needed to cover one acre one foot deep—approximately 325,851 gallons) of new water for the area. While the majority of water reclamation projects carried out by the Department of Interior (DOI) limit the federal share of the costs to 25% or 50% of the total, H.R. 5710 authorizes the DOI to pay for up to 75% of the project.

**Possible Conservative Concerns:** Some conservatives may be concerned that H.R. 5710 would authorize \$360 million for the Department of Interior to assist in the development of a local

water reclamation project. Some conservatives may believe that the cost of local projects that only benefit a relatively small geographic area should be borne by state and local governments rather than the federal government. In addition, some conservative may be concerned by the comparatively high cost and federal funding share (75%) of the program in contrast with other water reclamation projects, which rarely authorize more than \$100 million in federal funding.

**Committee Action:** H.R. 5710 was introduced on April 3, 2008, and referred to the Committee on Natural Resources Subcommittee on Water and Power. On June 11, 2008, the full committee held a mark-up and reported the bill by unanimous consent.

**Cost to Taxpayers:** According to CBO, H.R. 5710 authorize \$80 million FY 2009 and \$360 million over the FY 2009—FY 2013 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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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## **H.R. 5511—Leadville Mine Drainage Tunnel Remediation Act of 2008 (Lamborn, R-CO)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5511 would require the Department of the Interior (DOI), through the Bureau of Reclamation (BOR), to participate in the clean-up and repair of the Leadville Mine Drainage Tunnel (LMDT) in Leadville, Colorado. The bill would require the BOR to participate in a remedy devised by the Environmental Protection Agency (EPA) in 2003. The BOR would be required to treat water trapped behind blockage in the LMDT and maintain the mine pool behind the blockage at a level that prevents runoff and releases tunnel pressure.

The bill would also require the BOR to repair and maintain the structural integrity of the LMDT as much as necessary to prevent tunnel failure and to prevent the uncontrolled release of water from the tunnel.

**Additional Background:** The Leadville Mine Drainage Tunnel (LMDT) was created by the U.S. Bureau of Mines in order to drain water from mines near Leadville, Colorado. According to the Committee on Natural Resources, when the LMDT was completed it extended 11,299 feet and sent water from the Colorado mines to the Arkansas River. Over the years the mines that utilized the LMDT shut down and the drainage system was no longer beneficial to the Bureau of Mines. In 1959, the Bureau of Reclamation (BOR) took control of the LMDT with the intention of using the tunnel as a means of drawing water from the Arkansas River for use in Eastern Colorado. However, the BOR was never able to utilize the LMDT and the tunnel sat unused. Since that time several tunnel collapses have occurred and trapped water within the tunnel. These water blockages have slowed the flow rate of the LMDT and led to higher water levels in the tunnel's "mine pools." The blockages have also sparked concerns that added pressure within the tunnel may lead to a spill or burst which could threaten residence and wildlife with mine-contaminated water seeping into drinking sources.

In 1983, the Environmental Protection Agency (EPA) designated the LMDT as a Superfund site, which made the tunnel eligible for priority environmental funding. However, under the Superfund law, the EPA is not authorized to use Superfund money on projects that are owned and managed by another federal agency. H.R. 5511 would require the Department of Interior, which still maintains possession of the LMDT through the BOR, to take steps to treat the blocked water in the LMDT and ensure tunnel's structural integrity.

**Committee Action:** H.R. 5511 was introduced on February 28, 2008, and referred to the Committee on Natural Resources Subcommittee on Water and Power. On June 11, 2008, the full committee held a mark-up and reported the bill by unanimous consent.

**Cost to Taxpayers:** According to CBO, H.R. 5511 would cost \$10 million in FY 2009 and \$90 million over the FY 2009—FY 2013 period, subject to appropriation.

**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 was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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**S. 188—A bill to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 (Sen. Salazar, D-CO)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** S. 188 would retroactively change the title of the “Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006” to the “Lou Hamer, Rosa Parks, Coretta Scott King, Cesar E. Chavez, Barbara C. Jordan, William C. Velasquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006.”

**Additional Information:** The Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 amended the Voting Rights Act of 1965 to modify and extend provisions regarding election examiners, disfranchising voting qualifications, bilingual balloting, payment of certain attorney fees in enforcement proceedings, etc. The bill, H.R. 9, passed in the House on July 13, 2006, by a vote of [390-33](#). On July 31, 2006, the bill was signed by President Bush and became Public Law No. 109-246. S. 188 would amend the law to add the names of Cesar E. Chavez, Barbara C. Jordan, William C. Velasquez, and Dr. Hector P. Garcia to the bill’s short title.

**Background of Cesar Chavez:** Cesar Estrada Chavez was born in Yuma, Arizona, in 1927 and worked with his family as a migrating farm laborer. In 1952, Chavez joined the Community Service Organization, a Hispanic civil rights organization, where he became active in the migrant worker labor movement. Ten years later, Chavez founded the United Farm Workers of America (UFWA), which promoted organized labor and unionization among migrant workers in the American Southwest. From 1962 until his death in 1993, Chavez worked to increase the size and power of the UFWA, staging strikes, boycotts, rallies, and marches and zealously recruiting migrant farmers.

Opinions concerning Chavez’s overall historic legacy have been mixed. Although Chavez is a hero to organized labor and immigrant rights groups, some argue that he and his UFWA representatives often used violence and intimidation against farmers or laborers that did not wish to join the organization.

Former UFWA organizer and associate of Chavez, Joe R. Hicks, testified against a proposed historic designation in Chavez’s honor before the Natural Resources Committee on March 29, 2007. Hicks said that, “while Chavez was laid to rest and eulogized as a man of peace and nonviolence, almost none of his followers – those that I had known and worked with – has eschewed the use of violence against those who opposed them and their tactics. It was clear to me that they believed that Chavez quietly approved of their heavy-handed tactics – in the main employed against impoverished agricultural field workers.” Hicks argued that, because there is no consensus concerning Chavez’s actual legacy, the government should not honor him in the same way it has honored other important Americans.

**Possible Conservative Concerns:** Some conservatives may be concerned that S. 188 would retroactively add Cesar Chavez—a labor organizer who is accused by some of encouraging violence and intimidation as tools to organize laborers—to the list of historic civil rights leaders for whom voting rights legislation was named.

**Committee Action:** S. 188 passed in the Senate by unanimous consent on February 15, 2008. The following day the bill was received in the House of Representatives and referred to the Committee on the Judiciary, which took no official action.

**Cost to Taxpayers:** According to CBO, S. 188 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?:** An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

**Constitutional Authority:** A House Report citing constitutional authority was not available at press time. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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## **S. 1692—A bill to grant a Federal charter to Korean War Veterans Association, Incorporated (*Cardin, D-MD*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** S. 1692 would grant a federal charter to the Korean War Veterans Association, Incorporated, as a federally recognized veterans’ service organization.

The bill would establish the purpose of the organization to include:

- Maintaining a continuing interest in the welfare of veterans of the Korean War;
- Rehabilitating disabled veterans of the Korean War;
- Establishing facilities for the assistance of all veterans;
- Honoring the memory of the men and women who gave their lives for the United States by the creation of living memorial, monuments;
- Preserving for posterity the great and basic truths and enduring principles upon which the United States was founded.

The bill would prohibit the organization from issuing any stocks, making any loans, or participating in any political activity. The organization would also be required to make annual reports to Congress regarding its activities.

**Additional Background:** According to the Korean War Veterans Association’s Website, the organization was established on June 25, 1985, as a federally-tax exempt organization that was incorporated in the State of New York. The goal of the organization is to assist veterans of the Korean War and their families in a variety of ways and to encourage the establishment of Korean War memorials. Federal charters, which are used to establish a federal corporation, have been awarded by Congress since 1791. The charter for the Korean War Veterans Association is a Title 36 charter, which establishes a federally recognized non-profit corporation.

**Committee Action:** S. 1692 was passed in the Senate on September 7, 2007, by unanimous consent. On September 14, 2007, the bill was received in the House, which took no official action.

**Cost to Taxpayers:** According to CBO, S. 1692 would have no 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?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

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**H. Res. 31—Recognizing the Honorable Andrew L. Jefferson, Jr., on the occasion of the establishment of an endowment for trial advocacy called the “Andrew L. Jefferson Endowment for Trial Advocacy” at Texas Southern University’s Thurgood Marshall School of Law in Houston, Texas  
(*Jackson-Lee, D-TX*)**

**Order of Business:** H. Res. 31 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 31 would express that the House of Representatives “hereby commends Andrew L. Jefferson, Jr., on his achievements and extends congratulations to him on his

selection as the First Endowed Chair of the Thurgood Marshall School of Law Trial Advocacy Program.”

The bill lists numerous findings, including the following:

- “This distinguished gentleman graduated from the University of Texas School of Law in 1959 and became a partner with Washington and Jefferson, Attorneys at Law, in Houston; he served as an assistant criminal district attorney for Bexar County, a chief assistant United States attorney for the Western District of Texas, and a trial counsel and labor relations counsel for Humble Oil & Refining Company;
- “In 1970, Andrew Jefferson was appointed judge of the Court of Domestic Relations 2, Harris County, and in 1974, he was elected judge of the 208th District Court, Harris County; in 1975, he decided to re-enter the practice of law and is currently in private practice;
- “Judge Jefferson was admitted to practice in the United States Court of Appeals for the Fifth Circuit, Sixth Circuit, and Eleventh Circuit and the Supreme Court of the United States;
- “A longtime active committee member of the State Bar of Texas, he is also a Fellow of the Texas Bar Foundation and the American Bar Foundation and a member of the Texas Trial Lawyers Association; he was formerly a member of the Texas Constitutional Revision Commission;
- “Well known for his expertise in the legal field, Judge Jefferson has been a highly sought-after speaker throughout his career; he has been a frequent speaker at the Criminal Law Institute for the Houston Bar Association and the San Antonio Bar Association; he was a speaker for the National Bar Association's convention and for the Family Law Institute;
- “A highly respected individual, Judge Jefferson has been prominent in community organizations and activities throughout his life and is noted for his leadership and sound judgment;
- “A former chairman of the board of the Houston Branch of the Federal Reserve Bank and of the Texas Southern University Foundation, he is a life member of the Houston Area Urban League and the National Association for the Advancement of Colored People;
- “He has been the recipient of a number of awards, including the Anti-Defamation League National Torch of Liberty Award, the Forward Times Community Service Award, the League of United Latin American Citizens National Community Service Award, and the Community Service Award from La Raza; and
- “An exemplary and distinguished gentleman, Judge Jefferson is beloved and respected by his many friends and the people of the legal community, and he deserves recognition for his outstanding career and accomplishments.”

**Committee Action:** H. Res. 31 was introduced on January 5, 2007, and referred to the House Committee on the Judiciary, which took no official action on the bill.

**Cost to Taxpayers:** The resolution does not authorize 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.

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**H. Res. 1002—Expressing support for designation of April 2008 as “Public Radio Recognition Month” (*Blumenauer, D-OR*)**

**Order of Business:** H. Res.1002 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1002 would express that the House of Representatives

- “Expresses support for designation of a ‘Public Radio Recognition Month’; and
- “Encourages the celebration of America’s public radio stations for their contributions to our Nation’s communities and enduring civic spirit.”

The bill lists numerous findings, including the following:

- “The mission of public radio is to create a more informed public that is challenged and invigorated by a deeper understanding and appreciation of events, ideas, and cultures;
- “The programming content created and distributed by public radio are based upon three core values, qualities of mind, qualities of heart, and qualities of craft, that exemplify the inherent meaning of localism by placing value and financial investment in local and regional assets to gather and distribute a collection of programming that informs and improves community;
- “Public radio is known for distinctive, award-winning programming that includes ‘Morning Edition’, ‘All Things Considered’, ‘A Prairie Home Companion’, ‘Marketplace’, ‘Speaking of Faith’, and ‘This American Life’;
- “America’s more than 800 public radio stations serve every State and every congressional district with news, information, cultural, and music programming that is unique to free radio;
- “Some 33,000,000 Americans listen each week to public radio programming;
- “The public radio audience has doubled in the past 15 years and increased by some 70 percent in the past decade;
- “Public radio stations are licensed by community foundations, colleges, universities, school boards, libraries, and other local nonprofit entities;
- “Public radio stations are locally licensed, locally staffed, locally programmed, and have tailored their programming to meet the needs of local audiences;
- “Public radio stations receive on average more than 85 percent of their annual funding from local sources;
- “Public radio has embraced digital broadcasting technology because of its inherently inclusive nature and potential to expand public service programming;
- “Public radio exists to serve the public interest; and



- “The month of April 2008 would be an appropriate date for the designation of a ‘Public Radio Recognition Month’.”

**Committee Action:** H. Res. 1002 was introduced on February 26, 2008, and referred to the House Committee on Oversight and Government Reform, which ordered to be reported in the nature of a substitute, as amended, by voice vote.

**Cost to Taxpayers:** The resolution does not authorize 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.

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## **H. Res. 1219—Celebrating the symbol of the United States flag and supporting the goals and ideals of Flag Day (Latta, R-OH)**

**Order of Business:** H. Res. 1219 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1219 would express that the House of Representatives “celebrates the United States flag and supports the goals and ideals of Flag Day.”

The bill lists numerous findings, including the following:

- “Flag Day is celebrated annually on June 14, the anniversary of the official adoption of the American flag by the Continental Congress in 1777;
- “On June 14, 1777, in order to establish an official flag for the new Nation, the Continental Congress passed the first Flag Act, which stated, ‘Resolved, That the flag of the United States be made of thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new Constellation’;
- “The second Flag Act, signed January 13, 1794, provided for 15 stripes and 15 stars after May 1795;
- “The Act of April 4, 1818, which provided for 13 stripes and one star for each State, to be added to the flag on July 4 following the admission of each new State, was signed by President James Monroe;
- “In an Executive order dated June 24, 1912, President William Howard Taft established the proportions of the flag and provided for arrangement of the stars in 6 horizontal rows of 8 each, a single point of each star to be upward;
- “In an Executive order dated January 3, 1959, President Dwight D. Eisenhower provided for the arrangement of the stars in 9 rows staggered horizontally and 11 rows of stars staggered vertically;

- “The first celebration of the American flag is believed to have been introduced by Bernard Cigrand, a Wisconsin school teacher, who arranged for his pupils at Stony Hill School in Waubeka to celebrate June 14 as ‘Flag Birthday’ in 1885;
- “On June 14, 1894, the Governor of New York ordered that the American flag be displayed at all public buildings in the State, prompting many State and local governments to begin observing Flag Day;
- “President Woodrow Wilson proclaimed the first nationwide Flag Day in 1916;
- “In 1947, President Harry S. Truman signed legislation requesting National Flag Day be observed annually;
- “The United States flag is a symbol of our great Nation and its ideals;
- “In times of national crisis, Americans look to the United States flag as a symbol of hope, courage, and freedom;
- “The United States flag is universally honored;
- “The United States flag honors the men and women of the Armed Forces who have given their life in the defense of the United States;
- “The United States flag serves as a treasured symbol of the loss of loved ones to the countless families of those who died in defense of our Nation; and
- “June 14, 2008, is recognized as Flag Day.”

**Committee Action:** H. Res. 1219 was introduced on May 21, 2007, and referred to the House Committee on Oversight and Government Reform, which ordered the bill reported by voice vote.

**Cost to Taxpayers:** The resolution does not authorize 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.

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**H. Res. 1029—Congratulating and recognizing Mr. Juan Antonio “Chi-Chi” Rodriguez for his continued success on and off of the golf course, for his generosity and devotion to charity, and for his exemplary dedication to the intellectual and moral growth of thousands of low-income and disadvantaged youth in our country (*Gutierrez, D-IL*)**

**Order of Business:** H. Res. 1029 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1029 would express that the House of Representatives

- “Congratulates Chi-Chi Rodriguez for his successes in the sport of golf in the United States and throughout the world;

- “Commends Chi-Chi Rodriguez for his exemplary conduct as a private citizen;
- “Commends Chi-Chi Rodriguez for a life devoted to service to others, in particular, for his help to low-income and underprivileged youth, and to the children of FBI agents killed in the line of duty; and
- “Expresses gratitude for his service as a role model and an inspiration for our youth, the people of Puerto Rico, and the United States.”

The bill lists numerous findings, including the following:

- “Sports figures, through their perseverance, discipline, and good behavior, can serve as examples of excellence, dedication, and devotion to our youth;
- “Chi-Chi Rodriguez was born in Rio Piedras, Puerto Rico, on October 23, 1935, and rose from the most humble of circumstances as the fifth of the 6 children of a agricultural laborer and a housekeeper;
- “These hardships did not harden him but motivated him to become a great sportsman, humanitarian, and role model;
- “Chi-Chi joined the ranks of golf professionals at the age of 24, reportedly standing at 5 foot seven inches and weighing 117 pounds;
- “Chi-Chi Rodriguez had a stellar career in the sport of golf, earning an impressive record of 38 professional wins, including 8 PGA Tour wins and 22 Senior PGA Tour wins;
- “His Senior Tour records for most consecutive victories, at 4, and most consecutive birdies, at 8, still stand;
- “Chi-Chi Rodriguez has joined with the FBI Agents Association to lead the Chi-Chi Rodriguez G-Man Desert Shootout Tournament devoted to raising funds for college scholarships for the children of FBI agents killed in the line of duty;
- “In 1989, the United States Golf Association, founded in 1894, granted Chi-Chi Rodriguez its highest honor, the Bob Jones Award, in recognition for his distinguished sportsmanship in golf;
- “in 1994, Chi-Chi Rodriguez was inducted to the first class of the World Sports Humanitarian Hall of Fame for ‘world class athletic ability’, for being ‘a role model in his community’, and for having ‘a strong record of humanitarian efforts’;
- “In 1992, Chi-Chi Rodriguez was inducted to the World Golf Hall of Fame, ‘Golf’s highest honor’;
- “His philosophy of life can be summarized by his quoted expressions ‘For me, satisfaction comes from knowing that I was put on this planet to leave it better ...’, and ‘A man never stands taller than when he stoops to help a child’;
- “Chi-Chi Rodriguez embodies the spirit of generosity and humanism of his fellow Puerto Rican, Roberto Clemente; and
- “As a native of Puerto Rico, Chi-Chi Rodriguez has proven to be an important role model and source of pride for all Puerto Ricans, as well as all Latin Americans and all immigrants to the United States from across the globe.”

**Committee Action:** H. Res. 1029 was introduced on March 6, 2008, and referred to the House Committee on Oversight and Government Reform, which ordered the bill reported, as amended, by voice vote.

**Cost to Taxpayers:** The resolution does not authorize 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.

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**H.R. 6150—To designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the “John P. Gallagher Post Office Building” (*Kucinich, D-OH*)**

**Order of Business:** H.R. 6150 is scheduled for consideration on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 6150 would designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the “John P. Gallagher Post Office Building.”

**Additional Information:** According to the Sponsor’s office:

Mr. Gallagher began a long career of public service at age 19 by serving in World War II. As a combat engineer in the Army’s 531<sup>st</sup> Engineer Shore Regiment, 1<sup>st</sup> Engineer Amphibian Brigade, he fought in some of the most prominent theaters including Normandy in France and the Battle of the Bulge in Belgium.

Upon returning home, he worked for the City of Cleveland for 30 years, where he ascended to the title of Superintendent of Sidewalks. He used his role to perform unfailing and tireless service to the people of Cleveland, earning recognition for his ability to navigate tense social situations and bureaucracy.

His further contributions to the community included volunteering every Saturday at 5:30 to usher at the mass at St. Vincent De Paul Parish. He was a decades-long member of the Democratic Party on the precinct committee. An activist on behalf of our senior citizens, he led the charge in making sure programs for seniors were included in the Gunning Recreation Center.

When John P. Gallagher was interviewed about his service to our country, he denied being a hero as he sat in his room of medals and other memorabilia. “You did your job. That’s all.” Please join me in honoring John P. Gallagher’s selflessness, humility and dedication.

**Committee Action:** H.R. 6150 was introduced on May 22, 2008, and referred to the Committee on Oversight and Government Reform, which ordered the bill reported by voice vote.

**Cost to Taxpayers:** A CBO score for H.R. 6150 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is not required because the bill is being considered under a 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:** Sarah Makin; [sarah.makin@mail.house.gov](mailto:sarah.makin@mail.house.gov); 202-226-0718.

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**H.R. 6085—To designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the “Gerald R. Ford Post Office Building” (Bono Mack, R-CA)**

**Order of Business:** H.R. 6085 is scheduled for consideration on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 6085 would designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the “Gerald R. Ford Post Office Building”.

**Additional Information:** To see President Ford’s official White House biography, click [here](#).

**Committee Action:** H.R. 6085 was introduced on May 20, 2008, and referred to the Committee on Oversight and Government Reform, which ordered the bill reported by voice vote.

**Cost to Taxpayers:** A CBO score for H.R. 6085 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is not required because the bill is being considered under a 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:** Sarah Makin; [sarah.makin@mail.house.gov](mailto:sarah.makin@mail.house.gov); 202-226-0718.

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**H. Res. 1237—Recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of the House of Representatives that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future (*Davis, D-IL*)**

**Order of Business:** H. Res. 1237 is scheduled to be considered on Tuesday, June 17, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 1237 would express that the House of Representatives

- “The House of Representatives recognizes the historical significance of Juneteenth Independence Day to the Nation;
- “The House of Representatives supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and
- “It is the sense of the House of Representatives that--
  - “History should be regarded as a means for understanding the past and more effectively facing the challenges of the future; and
  - “The celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.”

The bill lists numerous findings, including the following:

- “News of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2 years after President Lincoln’s Emancipation Proclamation of January 1, 1863, and months after the conclusion of the Civil War;
- “On June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

- “African-Americans who had been slaves in the Southwest celebrated June 19, commonly known as Juneteenth Independence Day, as the anniversary of their emancipation;
- “African-Americans from the Southwest continue the tradition of Juneteenth Independence Day as inspiration and encouragement for future generations;
- “For more than 135 years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;
- “Although Juneteenth Independence Day is beginning to be recognized as a national, and even global, event, the history behind the celebration should not be forgotten; and
- “The faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race.”

**Background Information on Juneteenth Day:** For more information on Juneteenth, please see the following articles.

*Washington Post:* “[For Many, Today Is Independence Day;](#)”

*Sun-Sentinal.com:* “[Juneteenth event to honor history of black freedom.](#)”

**Committee Action:** H. Res. 1237 was introduced on June 4, 2008 and referred to the House Committee on Oversight and Government Reform, which ordered the bill, as reported, by voice vote.

**Cost to Taxpayers:** The resolution does not authorize 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.

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