



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

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June 2, 2009

SUMMARY OF SUBJECT MATTER

TO: Members of the Committee on Transportation and Infrastructure
FROM: Committee on Transportation and Infrastructure Staff
SUBJECT: Committee on Transportation and Infrastructure Markup

PURPOSE OF MARKUP

The Committee on Transportation and Infrastructure will meet on Thursday, June 4, 2009, at 11:00 a.m., in room 2167 of the Rayburn House Office Building to mark up the following bills and resolutions: H.R. 2093, the "Clean Coastal Environment and Public Health Act of 2009"; H.R. _____, the "Sustainable Watershed Planning Act"; H.R. 2652, the "Maritime Safety Act of 2009"; H.R. 2651, the "Maritime Workforce Development Act"; H.R. 2650, the "Coast Guard Modernization Act of 2009"; H.R. 2121, to provide for the transfer of certain Federal Property to the Galveston Historical Foundation; H.R. 1687, to designate the Federal building and United States courthouse located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the "Ralph Regula Federal Office Building and Courthouse"; H.R. 2053, to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse"; H.R. 2498, to designate the Federal Building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building"; H. Res. 410, recognizing the numerous contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States; H. Res. 472, congratulating and saluting the seventieth anniversary of the Aircraft Owners and Pilots Association (AOPA) and their dedication to general aviation, safety and the important contribution general aviation provides to the United States; H. Res. 484, expressing support for designation of June 10th as "National Pipeline Safety Day"; General Services Administration section 11(b) Resolutions; and other matters cleared for consideration.

H.R. 2093, THE “CLEAN COASTAL ENVIRONMENT AND PUBLIC HEALTH ACT OF 2009”

Background

According to a recent Environmental Protection Agency (EPA) report, over the past 50 years, epidemiological studies and investigations following widespread waterborne illnesses have linked swimming in polluted water with adverse health effects. Swimming-related diseases can range from minor gastrointestinal diseases (e.g., sore throats and diarrhea) and non-gastrointestinal diseases (e.g., respiratory, ear, eye, and skin infections) to more serious illnesses, such as meningitis or hepatitis.

On October 10, 2000, the Beaches Environmental Assessment and Coastal Health Act (BEACH Act) was signed into law (P.L. 106-284). This legislation, which amends the Federal Water Pollution Control Act (Clean Water Act), was introduced to limit and prevent human exposure to polluted coastal recreation waters (including those along the Great Lakes) by assisting state and local governments to implement beach monitoring, assessment, and public notification programs. For these purposes, the BEACH Act authorized \$30 million annually for fiscal years 2001 through 2005.

In addition, the BEACH Act required states and tribes with coastal recreation waters to adopt minimum water quality standards for pathogens and pathogen indicators by April 10, 2004, and directed EPA to promulgate standards for states that failed to establish standards as protective of human health as EPA’s criteria – the 1986 Ambient Water Quality Criteria for Bacteria.

Finally, the BEACH Act required EPA to conduct additional studies associated with pathogens and human health and to publish new or revised water quality criteria for pathogens and pathogen indicators within five years of enactment of the BEACH Act (i.e., by October 10, 2005), based on the results of these studies. EPA is also directed to review these revised water quality criteria every five years, and to revise the criteria, as necessary, to protect human health. In addition, states are directed to adopt any revised water quality criteria within three years of publication by EPA.

H.R. 2093, the “Clean Coastal Environment and Public Health Act of 2009”

H.R. 2093, the “Clean Coastal Environment and Public Health Act of 2009”, reauthorizes the BEACH Act through fiscal year 2013, and increases the authorization of appropriations for grants for state water quality monitoring and notification from \$30 million annually to \$60 million annually.

H.R. 2093 also requires the development and implementation of “rapid testing” methods for determining where and when coastal recreational waters exceed coastal water quality criteria. These rapid testing methods are designed to ensure that the public is notified of potentially harmful water quality exceedances within a few hours of discovery, rather than days (as under the current system).

In addition, the bill enhances existing public notification requirements and improves coordination in response activities by making beach warnings and closures available on the Internet, and directing states and local communities to make decisions about closures or advisories within two hours of the receipt of a water quality sample.

The bill also requires EPA to conduct annual compliance reviews of state and local BEACH programs.

Finally, H.R. 2093 requires EPA to: (1) biennially update the National List of Beaches; and (2) conduct a study on the impact of climate change on pathogenic contamination of coastal recreational waters.

Prior Legislative and Oversight Activities

In the 110th Congress, Representative Frank Pallone, Jr. introduced H.R. 2537, the “Beach Protection Act of 2007”, on May 24, 2007.

On July 12, 2007, the Subcommittee on Water Resources and Environment held a hearing on “Reauthorization of the Beaches Environmental Assessment and Coastal Health Act”.

On October 31, 2007, the Committee on Transportation and Infrastructure met in open session to consider H.R. 2537, and adopted an amendment in the nature of a substitute to the bill. The Committee ordered the bill, as amended, reported favorably to the House by voice vote with a quorum present. H. Rept. 110-491.

On April 16, 2008, the House approved H.R. 2537 by voice vote. The Senate did not complete action on this bill.

In the 111th Congress, on April 23, 2009, Representative Frank Pallone, Jr. introduced H.R. 2093, the “Clean Coastal Environment and Public Health Act of 2009”.

Amendments

Chairman James L. Oberstar is expected to offer an amendment in the nature of a substitute to the bill. No other amendments are expected at this time.

H.R. _____, THE “SUSTAINABLE WATERSHED PLANNING ACT”

Background

There are diverse water resources around the United States and all are managed differently and often independently of other water areas and projects. In addition, there are many Federal and state agencies with differing management responsibilities, in addition to the varying water laws of the various states. Generally, this diversity in watershed management has resulted in local and narrowly focused project objectives with little consideration of the broader watersheds that surround these projects. In addition, there have been increased demands for water resources due, in part, to increased populations and an increased recognition of the need to reserve water for aquatic ecosystems, as well as consumptive uses.

Watershed planning recognizes the trade-offs involved in water resources management to assist in making the complex management decisions that will be faced in coming years, and provides the framework to coordinate comprehensive water resources planning in the region. Watershed

planning and management includes all of the activities associated with conservation of natural resources such as preserving, protecting, and restoring the streams, wetlands, forests, and other natural resources within a watershed. As part of the process for developing watershed restoration plans, information must be collected about existing water quality, quantity, hydrology, habitat conditions, geology, land use, demographics, economics, and other factors. As competition for water increases within watersheds, local and regional planners will need comprehensive data and models to help identify the trade-offs involved in water resource management decisions.

While there have been varying levels of watershed planning over the past century, the focus has primarily been on isolated water resource issues, such as water quality, stormwater runoff, flood control, fish and wildlife habitat, and water supply. In recent years, watershed planning has faced increased criticism for the bureaucratic approach and the focus on limited water resources issues. As demonstrated in numerous Committee hearings touching on water resources planning, watershed plans frequently fail to capture the full needs of watershed resources and have not had public buy-in on the resulting recommendations. This limited approach has resulted in a call for greater public involvement and study of a broader array of watershed concerns.

Because of the increasing competition for water, a comprehensive watershed approach is the most effective framework to address today's water resource challenges. Watersheds supply drinking water, provide recreation and respite, and sustain life. More than \$450 billion in food and fiber, manufactured goods, and tourism depends on clean water and healthy watersheds.

Comprehensive watershed planning can result in cost savings by leveraging and building upon the financial resources and the willingness of the people and organizations with interests in the watershed to take action. Through improved communication and coordination, watershed planning can reduce costly duplication of efforts and conflicting actions. A comprehensive watershed planning approach can help enhance local and regional economic viability in ways that meet local water resource development needs, are environmentally sound, and consistent with watershed objectives.

H.R. _____, the “Sustainable Watershed Planning Act”

H.R. _____, the “Sustainable Watershed Planning Act”, creates a comprehensive assessment and planning structure that brings Federal, state, local, and stakeholder interests into a planning process for the analysis of current and projected future conditions at a watershed level. The purpose of the bill is to examine the nation’s watershed systems for the ability to withstand predicted climate change impacts, and improve operational resiliency to protect human needs (e.g., water supply, flood control, agriculture, and natural systems). The legislation authorizes funding, procedures, and planning for future water management plans and projects.

H.R. _____ establishes a Council on Sustainable Watershed Management (Council) in the Executive Office of the President. The Council is comprised of a Director, who will be appointed by the President and subject to the advice and consent of the Senate, the Secretaries of all the pertinent departments, five governors (selected by the President), and one tribal representative. The Council’s function is to provide funding for state participation, summarize water resource uses and needs based on information provided by regional watershed planning, assess the relationship of

regional watershed plans, and report to Congress. Upon request, the Council may facilitate resolution of interstate water conflicts or regional watershed planning board conflicts.

H.R. ____ also creates Regional Watershed Planning Boards (Boards). These Boards are defined by the watersheds represented by the boundaries of the Army Corps of Engineer Districts. Subregional watershed boards, based on the U.S. Geological Survey four-digit hydrologic unit code, are also authorized when needed. The Boards are comprised of representatives of the agencies and departments that make up the larger Council. Membership also includes a representative of each state, tribal, local government, and non-governmental interests in the represented watershed. The Board is co-chaired by one state and one Federal representative. The Boards shall conduct a review of the current resiliency of watershed systems based on existing conditions, predict the resiliency capabilities of systems while factoring in predicted conditions due to climate change (e.g., flood damage reduction, waste water treatment, water supply, irrigation, hydropower), quantify climate change impacts on water availability and demand within watershed, prioritize projects and actions with the greatest opportunity for enhancing resiliency in watershed uses and needs (e.g., water supply, flood control, agriculture, and natural systems), and require that projects have ecological benefits as well as human needs benefits. This analysis will be used to develop a watershed plan that will then be submitted to the Council for approval. This watershed plan will be created and approved only through consensus approval of the Federal, state, local, and non-governmental members of the Board.

Title III of the legislation provides financial assistance to the states for state watershed planning offices. This funding will enable states to participate in the watershed planning process. The bill authorizes the Council to develop criteria for financial assistance to the states, and to provide up to \$500,000 per state per year.

The bill also directs the Government Accountability Office to review the implementation of the law and watershed plans every four years.

Prior Legislative and Oversight Activities

The Committee has held several hearings on issues dealing with, or related to, watersheds and the need for comprehensive watershed planning.

In the 108th Congress, the Subcommittee on Water Resources and Environment held three hearings on watershed-related issues. On May 7, 2003, the Subcommittee held a hearing entitled "H.R. 135, The Twenty-First Century Water Commission Act of 2003". On May 22, 2003, the Subcommittee held a hearing entitled "Water: Is it the 'Oil' of the 21st Century? (Part I)", and on June 4, 2003, the Subcommittee held a hearing entitled "Water: Is it the 'Oil' of the 21st Century? (Part II)".

In the 110th Congress, the Subcommittee held six hearings on watershed-related issues. On May 16, 2007, the Subcommittee held a hearing entitled "Climate Change and Energy Independence: Transportation and Infrastructure Issues". On November 8, 2007, the Subcommittee held a hearing entitled "Twenty-First Century Water Commission Act of 2007". On March 11, 2008, the Subcommittee held a hearing entitled "Comprehensive Watershed Management and Planning: Drought-related Issues in the Southeastern United States". On June 24, 2008, the Subcommittee held a hearing entitled "Comprehensive Watershed Management and Planning". On

June 26, 2008, the Subcommittee held a hearing entitled "Protecting and Restoring America's Great Waters Part I: Coasts and Estuaries". On July 30, 2008, the Subcommittee held a hearing entitled "Protecting and Restoring America's Great Waters Part II: The Chesapeake Bay".

Amendments

No amendments to the bill are expected at this time.

H.R. 2652, THE "MARITIME SAFETY ACT OF 2009"

Background

In recent years, the Committee has become increasingly concerned that the Coast Guard has lost its expertise in marine safety, and that some Coast Guard marine safety personnel lacked the continuity and expertise in their specialty to ensure vessel safety on our nation's waterways.

It is vital for public safety that the Coast Guard maintains a marine safety program that prevents casualties from occurring, minimizes the effect of the casualty, and maximizes lives saved, if a vessel must be abandoned.

H.R. 2652, the "Maritime Safety Act of 2009"

H.R. 2652 permits fishing vessels in the rationalized Bering Sea/Aleutian Islands pollock fishery to be documented with a fishery endorsement if the vessel is a rebuilt or replacement vessel of a vessel that is authorized to hold a Federal fishery permit under the American Fisheries Act, notwithstanding current limits on length, tonnage, and horsepower. This section does not alter the fishery quotas established through the Federal fisheries management process.

Section 3 of the bill authorizes \$150,000 for cold water survival training in Coast Guard District 17 (Alaska) and requires the Coast Guard to report on the efficacy of such training during the preceding 5 years.

Safety equipment standards are established for all commercial fishing, fish tender, and fish processing fishing vessels operating beyond three nautical miles of the coast, and the current equipment requirements for these vessels are clarified. In addition, the Secretary of Homeland Security is authorized to require vessel owners or managing operators of commercial vessels to maintain employment records of seamen for a period of not less than five years after the completion of employment, and to make the records available to the individual or the Coast Guard upon request.

In addition, H.R. 2652 deletes an exemption for licensing of operators of vessels engaged in the offshore mineral and oil industry where the vessel has offshore mineral and oil industry sites or equipment as its ultimate destination or place of departure. Moreover, log books are required on all manned vessels that are subject to inspection, not just those on foreign or coastwise voyages, and details new circumstances when information must be added to the log book.

The bill also gives the Coast Guard new authority to terminate, for “unsafe operation”, all vessels subject to title 46, United States Code, and authorizes the Coast Guard to establish standards for required marine safety equipment based on performance, best available technology, and operational practicality.

The Secretary of Homeland Security is prohibited from approving as a “survival craft” a device that does not support the individuals it is certified to carry when those individuals are out of the water. However, the use of existing approved survival craft that do not provide out-of-the-water protection is allowed for up to five years provided the equipment is in good and serviceable condition. In addition, the Secretary is authorized to require “safety management systems” on passenger vessels and small passenger vessels based on the number of passengers that could be killed or injured in a marine casualty.

H.R. 2652 permits maritime workers, who lose their jobs or are discriminated against because they report safety violations to the Coast Guard, to use the same Department of Labor complaint process that is currently available to commercial drivers, railroad workers, and aviation workers.

To ensure protection from oil spills, the bill requires that new U.S.-flag vessels built after the date of enactment are constructed with double hulls surrounding the fuel oil tanks in accordance with international standards.

Merchant mariner credentials are addressed in H.R. 2652 by repealing sections 7105 and 7305 of title 46, which require the applicant for a merchant mariner credential to appear in person to take an oath. In addition, the bill: permits the holder of a merchant mariner document or license to renew the document in advance of the expiration of an existing document, but delays the effective date until the previous document expires; eliminates duplicate fingerprinting for merchant mariners who have already been fingerprinted in connection with obtaining a Transportation Worker Identification Card; and permits the Secretary to extend for up to one year a license or certificate of registry or a merchant mariner’s document, if the Secretary determines that such extension would eliminate a backlog in processing applications. Further, H.R. 2652 requires the Secretary of Homeland Security to develop an interim clearance procedure that will allow the issuance of a merchant mariner document to a new-hire or an off-shore supply or towing vessel, provided that the Secretary of Homeland Security makes a preliminary determination that the individual does not pose a safety and security risk.

In addition, the Coast Guard is required to submit a report to Congress, within 180 days after the date of enactment, regarding its plans to: (1) expand the streamlined evaluation that was implemented at Houston Regional Exam Center; (2) simplify the application process of seamen and merchant mariner documents; (3) provide notice to an applicant of the status of a pending application; and (4) ensure that information collected from applicants is retained in a secure electronic format.

H.R. 2652 requires single-hull tank vessels, or a tank vessel carrying more than 5,000 barrels of oil or hazardous material while operating in Buzzards Bay, Massachusetts, to be under the direction of a pilot who is either licensed by the state and operating under the authority of a Federal first class pilot’s license, or a Federal pilot who has a minimum required experience. In addition, the bill eliminates the tonnage cap that currently exists, allowing Offshore Supply Vessels to increase in

size to meet the needs of the industry; establishes an hours-of-service watch system for large offshore supply vessels; and requires a minimum of one mate on all offshore supply vessels.

Prior Legislative and Oversight Activity

On Wednesday, April 25, 2007, the Subcommittee on Coast Guard and Maritime Transportation held a hearing, “Commercial Fishing Vessel Safety”, to examine the safety of U.S. commercial fishing vessels and the extent to which laws adopted in 1988 have led to improved safety. In addition, the hearing explored the strategies that permit the industry and the Coast Guard to implement changes that: prevent casualties on commercial fishing vessels from occurring; minimize the effect of the casualty, given that it has occurred; and maximize lives saved, given that the vessel must be abandoned.

On August 2, 2007, the Subcommittee held a hearing on the “Challenges Facing the Coast Guard’s Marine Safety Program” at which it heard from a number of industry witnesses about the deteriorating state of the Coast Guard’s marine safety program, including the lack of continuity and expertise of Coast Guard personnel who are responsible for the public safety.

On November 19, 2008, the Subcommittee held a field hearing to receive testimony on the San Francisco oil spill. The hearing was held to consider both the circumstances leading to the collision of the M/V COSCO BUSAN with the San Francisco-Oakland Bay Bridge (Bay Bridge) on Wednesday, November 7, 2007, and the response of the Coast Guard and other Federal agencies to the subsequent spill of approximately 58,000 gallons of fuel oil into San Francisco Bay waters.

On April 10, 2008, the Subcommittee held a hearing regarding the “Collision of the M/V COSCO BUSAN with the San Francisco-Oakland Bay Bridge”. The testimony revealed significant lapses in the Coast Guard’s casualty investigation program.

On April 24, 2008, the House passed H.R. 2830, the “Coast Guard Authorization Act of 2008”, by a vote of 395-7. The Senate did not complete action on the bill.

In the 111th Congress, on June 2, 2009, Chairman James L. Oberstar introduced H.R. 2652, the “Maritime Safety Act of 2009”. H.R. 2652, the “Maritime Safety Act of 2009”, includes many of the same provisions that were contained in Title III of H.R. 2830.

Amendments

No amendments to the bill are expected at this time.

H.R. 2651, THE “MARITIME WORKFORCE DEVELOPMENT ACT”

Background

H.R. 2651 amends title 46, United States Code, to direct the Secretary of Transportation (Secretary) to establish a maritime career recruitment, training, and loan program.

H.R. 2651, the “Maritime Workforce Development Act”

H.R. 2651, the “Maritime Workforce Development Act”, requires the Secretary to establish a maritime career program that shall make loans available to train U.S. mariners. The Secretary, acting through the Maritime Administration, shall allocate loans based on student needs. H.R. 2651 requires the Secretary to develop an application process and eligibility criteria to award loans under the program, and must designate training institutions at which loans made under the program may be used. In addition, the Secretary is required to submit an annual report to Congress, which details the number of students and total amount of loans dispersed in the previous year. H.R. 2651 authorizes \$10 million for loans and \$1 million for administrative expenses for each of fiscal years 2010 to 2015.

In addition, the bill requires the Secretary to establish a maritime recruitment, training, and retention grant program. Not later than one year after the date of enactment, and at least once every three years thereafter, the Secretary, acting through the Maritime Administration, must publish a plan that describes the demonstration, research, and multistage project priorities of the Department of Transportation concerning merchant mariner recruitment, training, and retention for the three-year period following the date of the plan. The plan must contain strategies and identify potential projects to address merchant mariner recruitment, training and retention issues in the United States. The Secretary shall consult with representatives of the maritime industry, labor organizations, other governmental entities and parties with an interest in the maritime industry when developing the plan. H.R. 2651 authorizes \$10 million for making grants and \$1 million for administrative expenses for each of fiscal years 2010 to 2015 for the maritime recruitment, training, and retention grant program.

Prior Legislative and Oversight Activity

In the 110th Congress, the Subcommittee on Coast Guard and Maritime Transportation held a hearing on October 17, 2007, entitled “Mariner Education and Work Force”, on trends and innovations in mariner education and to assess how growing workforce shortages will affect the maritime industry as trade continues to increase. Specifically, the hearing considered the possible impact of various factors on workforce shortage, including: wage levels; lifestyle challenges associated with employment in the maritime industry; and training requirements imposed by the Standards of Training, Certification, and Watchkeeping (STCW) Convention.

In the 111th Congress, on June 2, 2009, Subcommittee Chairman Elijah E. Cummings introduced H.R. 2651, the “Maritime Workforce Development Act”. This bill has not been introduced in a previous Congress.

Amendments

No amendments to the bill are expected at this time.

H.R. 2650, THE “COAST GUARD MODERNIZATION ACT OF 2009”

Background

For several years, the Coast Guard has proposed a reorganization of its leadership positions, which would elevate the Vice Commandant to a full four-star Admiral, eliminate the Atlantic and Pacific Area Commands; and establish four, three-star Admiral positions to lead the operational and policy divisions of the Coast Guard.

The Committee has also held hearings on the need for increased expertise in the Coast Guard marine safety program. H.R. 2650 requires the Coast Guard to modernize its management of its marine safety program, and to establish marine safety as a core mission with rigorous qualifications for marine safety personnel.

H.R. 2650, the “Coast Guard Modernization Act of 2009”

H.R. 2650, the “Coast Guard Modernization Act of 2009”, is divided into two titles: Coast Guard Leadership and Marine Safety Administration.

Title I of H.R. 2650, Coast Guard Leadership, elevates the position of the Vice Commandant to a four-star Admiral, eliminates the two Area Commands; and establishes four three-star leadership positions – the Deputy Commandant for Mission Support; the Deputy Commandant for Operations and Policy; the Commander, Force Readiness Command; and the Commander, Operations Command.

Title II of H.R. 2650, Marine Safety Administration, establishes: marine safety as a mission of the Coast Guard in chapter 5 of title 14, United States Code; qualifications for the Assistant Commandant for Marine Safety; and minimum qualifications for marine safety staff. In addition, Title II of H.R. 2650 authorizes the creation of Centers of Expertise for marine inspection and investigation, as well as a marine industry training program, which will facilitate industry training through an exchange of Coast Guard and industry personnel. In addition, the bill requires that a marine inspector apprentice for a minimum of one year before conducting unsupervised inspections.

H.R. 2650 requires the development of a long-term strategy for improving vessel safety, and the establishment of measurable goals, and a progress assessment and report to Congress. In addition, the bill enhances the Coast Guard’s marine safety powers and duties by adding specific items that must be overseen. H.R. 2650 also ensures that those handling waivers and appeals are qualified marine safety staff, mandates the establishment of a marine safety and environmental protection courses of study for all Coast Guard cadets and other officers, and requires a report to Congress on the Coast Guard’s efforts to recruit and retain civilian marine inspectors and investigators.

Prior Legislative and Oversight Activity

In the 110th Congress, the Subcommittee on Coast Guard and Maritime Transportation held a hearing on March 8, 2007, on “The Coast Guard Budget and Authorization for Fiscal Year 2008”. On February 26, 2008, the Subcommittee held a hearing on “FY 2009 Budget: Coast Guard, Federal Maritime Commission and Maritime Administration”.

At the March 8, 2007 hearing, the Commandant outlined the Coast Guard's proposal to reorganize its leadership by eliminating the two Area Commands, which are established by law, and the Coast Guard Chief of Staff. These three Vice Admirals would be replaced by a Deputy Commandant for Mission Support; a Deputy Commandant for Operations and Policy; a Commander, Force Readiness Command; and a Commander, Operations Command. The proposal also promoted the Vice Commandant to a full Admiral.

On August 2, 2007, the Subcommittee held a hearing on the "Challenges Facing the Coast Guard's Marine Safety Program" at which it heard from a number of industry witnesses about the deteriorating state of the Coast Guard's marine safety program, particularly about the lack of continuity and expertise of Coast Guard personnel who are responsible for public safety.

On June 22, 2007, Chairman James L. Oberstar introduced H.R. 2830, the "Coast Guard Authorization Act of 2008". On June 26, 2007, the Subcommittee met to consider H.R. 2830, and favorably recommended it, as amended, to the Committee on Transportation and Infrastructure by voice vote with a quorum present. On June 28, 2007, the Committee met in open session and ordered H.R. 2830, as amended, reported favorably to the House by voice vote with a quorum present. On September 20, 2007, the Committee reported the bill, as amended, to the House. H. Rept. 110-338, Part I.

On October 1, 2007, the Committee on Homeland Security ordered the bill, as amended, reported favorably to the House. H. Rept. 110-338, Part II. On October 30, 2007, the Committee on Judiciary ordered the bill, as amended, reported favorably to the House. H. Rept. 110-338, Part III. On April 23, 2008, the Committee on Judiciary filed a supplemental report. H. Rept. 110-338, Part IV.

On April 24, 2008, the House passed H.R. 2830 by a vote of 395-7. The Senate did not complete action on the legislation.

In the 111th Congress, on June 2, 2009, Chairman James L. Oberstar introduced H.R. 2650, the "Coast Guard Modernization Act of 2009".

Amendments

No amendments to the bill are expected at this time.

H.R. 2121, TO PROVIDE FOR THE TRANSFER OF CERTAIN FEDERAL PROPERTY TO THE GALVESTON HISTORICAL FOUNDATION

Background

H.R. 2121 conveys by quitclaim deed, all right, title, and interest of the United States in and to the real property located at 502 20th Street, Galveston, Texas, the United States Customs House, to the Galveston Historical Foundation (GHF).

The GHF was incorporated in 1954 and has since cultivated its work to cover community redevelopment, public education, historic preservation advocacy, maritime preservation and stewardship of historic properties on the Island. To date, the GHF has more than 2,000 members and has twice been awarded the National Trust for Historic Preservation's Honor Award. In 1982, the GHF restored ELISSA, the 1877 Official Tall Ship of Texas.

The GHF employs approximately 40 full-time workers and numerous others for interpreting and preserving historic sites. In 1999, GHF entered into a long-term contract for the management and lease of the historic United States Customs House, which serves as GHF's headquarters. Built in 1860, it is the oldest non-military Federal building in Texas.

Prior Legislative and Oversight Activities

On April 27, 2009, Representative Ron Paul introduced H.R. 2121.

Amendments

No amendments to the bill are expected at this time.

H.R. 1687, TO DESIGNATE THE FEDERAL BUILDING AND UNITED STATES COURTHOUSE LOCATED AT MCKINLEY AVENUE AND THIRD STREET, SW., CANTON, OHIO, AS THE "RALPH REGULA FEDERAL OFFICE BUILDING AND COURTHOUSE"

Background

H.R. 1687 designates the Federal building and United States courthouse located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the "Ralph Regula Federal Office Building and Courthouse".

Ralph Straus Regula was born in Beach City, Stark County, Ohio on December 3, 1924. In 1948, he graduated from Mount Union College in Alliance, Ohio, and in 1952 he graduated with a Bachelor of Laws degree from the William McKinley School of Law in Canton, Ohio. Regula went on to serve in the United States Navy from 1944-1946.

After serving as a lawyer in private practice and as a member of the Ohio State Board of Education from 1960-1964, Regula was elected to the Ohio state house of representatives and served from 1965-1966, later serving in the Ohio state senate from 1967-1972.

In 1972, he was elected to the United States House of Representatives where he served for 36 years, much of that time on the House Appropriations Committee. Representative Regula retired at the conclusion of the 110th Congress.

Prior Legislative and Oversight Activities

On March 24, 2009, Representative John A. Boccieri introduced H.R. 1687. This bill has not been introduced in a previous Congress.

Amendments

Representative Bocchieri is expected to offer an amendment in the nature of a substitute to the bill, which makes technical corrections to the bill.

H.R. 2053, TO DESIGNATE THE UNITED STATES COURTHOUSE LOCATED AT 525 MAGOFFIN AVENUE IN EL PASO, TEXAS, AS THE "ALBERT ARMENDARIZ, SR., UNITED STATES COURTHOUSE"

Background

H.R. 2053 designates the United States courthouse located in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse".

Albert Armendariz, Sr. was born in El Paso, Texas, on August 11, 1919. After graduating from El Paso High School in 1934, Mr. Armendariz worked as a shoe salesman, and then as an auto mechanic. He was drafted at the onset of World War II and spent four years in the motor pool at Fort Bliss.

After undergraduate study at Texas College of Mines (now University of Texas at El Paso), Armendariz graduated from the law school at the University of Southern California in 1950. In the late 1950s and early 1960s, Armendariz served on the El Paso Civil Service Commission and is credited with helping to open the city's police and fire departments to Mexican Americans.

From 1976 to 1985, he was an immigration judge (special inquiry officer) with the U.S. Department of Justice and was appointed to, and served on, the Texas Court of Appeals from July 2, 1986 until November 30, 1986.

During his career, Judge Armendariz was actively involved in the League of United Latin-American Citizens (LULAC), serving as its national president in 1954. Judge Armendariz also helped found the Mexican-American Legal Defense and Educational Fund (MALDEF), a national organization addressing civil rights issues, serving as Chairman of the MALDEF Board of Trustees from 1968 to 1971.

Perhaps his most lasting legacy will be his work in 1954 on *Hernandez v. The State of Texas*, which established Latinos as a class entitled to protection under the 14th Amendment of the U.S. Constitution. In addition, in the 1970's, Armendariz, on behalf of MALDEF, argued *Alvarado vs. El Paso Independent School District*, which resulted in a federal court order requiring desegregation in El Paso schools.

Prior Legislative and Oversight Activity

On April 22, 2009, Representative Silvestre Reyes introduced H.R. 2053. This bill not been introduced in a previous Congress.

Amendments

No amendments to the bill are expected at this time.

H.R. 2498, TO DESIGNATE THE FEDERAL BUILDING LOCATED AT 844 NORTH RUSH STREET IN CHICAGO, ILLINOIS, AS THE "WILLIAM O. LIPINSKI FEDERAL BUILDING"

Background

H.R. 2498 designates the Federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building".

William Oliver Lipinski was born in Chicago, Illinois, on December 22, 1937. After graduating from Chicago's St. Patrick High School in 1956, he attended Loras College in Dubuque, Iowa, and served in the United States Army Reserves from 1961 to 1967.

After serving in the armed forces, Lipinski served in several different public service capacities in Chicago, Illinois, including at the Chicago Park District for over 17 years. In 1975, he was elected to the Chicago City Council and went on to serve as the 23rd Ward Alderman. In addition, he held several different positions within the Democratic Party in Chicago. Lipinski was eventually elected to Congress in 1982 and served until 2005, representing the 3rd and 5th Congressional Districts of Illinois.

Representative William O. Lipinski was a leader on the Committee on Transportation and Infrastructure throughout his tenure in Congress. He served as the senior Democrat on the Railroads Subcommittee, the Aviation Subcommittee, and the Highways and Transit Subcommittee. He strongly advocated for transportation and connectivity issues in his district, whether it was providing a local airport with access for financing for infrastructure improvement or providing public transit options to areas in his Congressional district that lacked access. Representative William O. Lipinski retired in 2005 and was succeeded by his son, Representative Daniel Lipinski.

Prior Legislative and Oversight Activities

On May 19, 2009, Chairman James L. Oberstar introduced H.R. 2498. This bill has not been introduced in a previous Congress.

Amendments

No amendments to the bill are expected at this time.

**H. RES. 410, RECOGNIZING THE NUMEROUS CONTRIBUTIONS OF THE RECREATIONAL
BOATING COMMUNITY AND THE BOATING INDUSTRY TO THE CONTINUING PROSPERITY AND
AFFLUENCE OF THE UNITED STATES**

Background

H. Res. 410 recognizes the contributions of the recreational boating industry and the boating community to the United States.

Specifically, H. Res. 410 acknowledges that the 59 million individuals that boat generate more than \$33 billion for the U.S. economy, and that boaters often serve as stewards of the marine environment. In addition, H. Res. 410 recognizes that the 1,400 active boat builders in the United States use materials and services from all 50 states, and commends the boating community and the boating industry for their numerous contributions to the economy of the United States, the well-being of Americans, and their responsible environmental stewardship.

H. Res. 410 urges the President to issue a proclamation declaring July 1, 2009, as National Boating Day.

Prior Legislative and Oversight Activities

On May 6, 2009, Representative Ron Klein introduced H. Res. 410.

Amendments

No amendments to the resolution are expected at this time.

**H. RES. 472, CONGRATULATING AND SALUTING THE SEVENTIETH ANNIVERSARY OF THE
AIRCRAFT OWNERS AND PILOTS ASSOCIATION (AOPA) AND THEIR DEDICATION TO THE
GENERAL AVIATION, SAFETY AND THE IMPORTANT CONTRIBUTION GENERAL AVIATION
PROVIDES TO THE UNITED STATES**

Background

The Aircraft Owners and Pilots Association (AOPA) was incorporated on May 15, 1939, as a non-profit organization dedicated to general aviation. AOPA represents more than 414,000 members, which is about 70 percent of U.S. pilots. In 1950, AOPA created the Air Safety Foundation, which provides general aviation pilots with training, education, research, information on safety and pilot issues.

AOPA was a leading advocate of the General Aviation Revitalization Act of 1994 (P.L. 103-298), which led to the recovery of the U.S. general aviation light aircraft manufacturing industry. In recent years, AOPA has been active on many general aviation issues, such as Global Positioning System navigation, flight service station modernization, Federal Aviation Administration reauthorization, and the Next Generation Air Transportation System (NextGen).

H. Res. 472, congratulating and saluting the seventieth anniversary of the Aircraft Owners and Pilots Association (AOPA) and their dedication to the general aviation, safety and the important contribution general aviation provides to the United States

H. Res. 472 congratulates and salutes the 70th anniversary of AOPA and its dedication to general aviation, safety, and the important contribution that general aviation provides to the United States. In addition, the resolution commends AOPA for: creating the Air Safety Foundation, leading the recovery of the general aviation light aircraft manufacturing industry, and setting the stage for the development of NextGen.

Prior Legislative and Oversight Activities

On May 21, 2009, Representative Charles W. Dent introduced H. Res. 472. This resolution was not introduced in a previous Congress.

Amendments

No amendments to the resolution are expected at this time.

H. RES. 484, EXPRESSING SUPPORT FOR DESIGNATION OF JUNE 10TH AS “NATIONAL PIPELINE SAFETY DAY”

Background

June 10, 2009 marks the 10th anniversary of the deadly Olympic Pipe Line explosion in Bellingham, Washington, which caused the release of approximately 237,000 gallons of gasoline into a creek that flowed through Whatcom Falls Park. The gasoline ignited, sending a fireball about one and one-half miles down the creek, which took the lives of two 10 year-old boys and an 18 year-old young man, and injured several others.

The accident prompted the Department of Transportation’s Research and Special Programs Administration to announce that it was seeking the largest civil penalty ever proposed against a pipeline operator in the history of the federal pipeline safety program: \$3.05 million. It also resulted in the creation of the Pipeline Safety Trust, a safety organization based on the efforts and recommendations of SAFE Bellingham and the families of Liam Wood and Stephen Tsiorvas who were killed in the 1999 explosion.

On June 18, 2003, a U.S. District Court ordered that \$4 million of Olympic Pipe Line’s criminal fine imposed as a result of the Bellingham tragedy be awarded as an endowment to fund the Pipeline Safety Trust. Since that time, the Pipeline Safety Trust has worked with Congress, safety advocates, the industry, and the public to enhance pipeline safety for the betterment of communities and a healthier environment.

H. Res. 484, Expressing support for Designation of June 10th as “National Pipeline Safety Day”

H. Res. 484 commemorates the 10-year anniversary of the Bellingham pipeline explosion, the lives that were lost on that day, and the work that has been done by Congress, state and local governments, and the public since that time to promote pipeline safety by designating June 10th as “National Pipeline Safety Day”.

Prior Legislative and Oversight Activities

In response to the Bellingham accident and a series of other significant pipeline accidents, including an August 2000 accident in Carlsbad, New Mexico, Congress passed the Pipeline Safety Improvement Act of 2002 (P.L. 107-355). The Pipeline Safety Improvement Act increased penalties for violations of safety standards; developed qualification programs for employees who perform sensitive tasks; strengthened pipeline testing requirements; required government mapping of the pipeline system; developed a public education program for communities that live around pipelines; and enhanced whistleblower protections.

In 2006, Congress reauthorized the pipeline safety program and further enhanced the 2002 Act by passing the Pipeline Inspection, Protection, Enforcement, and Safety (PIPES) Act (P.L. 109-468), which required integrity management for distribution pipelines; mandated installation of excess flow valves on single-family residence lines; developed hours-of-service standards for pipeline employees; and increased the number of pipeline inspectors.

On June 25, 2008, the Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on “Implementation of the Pipeline Inspection, Protection, Enforcement and Safety Act of 2006”. The Subcommittee found that, although the Department of Transportation has implemented some provisions of the PIPES Act, much work remains, including issuing final regulations to regulate low-stress pipelines and to implement the hours-of-service and distribution integrity management requirements.

On May 21, 2009, Representative Rick Larsen introduced H. Res. 484. This resolution was not introduced in a previous Congress.

Amendments

No amendments to the resolution are expected at this time.

GENERAL SERVICES ADMINISTRATION SECTION 11(B) RESOLUTION

Background

The Committee will consider two section 11(b) resolutions at the markup. The first section 11(b) resolution directs the General Services Administration (GSA) to investigate the feasibility and need to construct or acquire a replacement facility to house the United States District Court for the Northern District of Florida and other federal agencies, located in Panama City, Florida.

The second section 11(b) resolution directs the GSA to identify areas that might be available for court space in Clarksburg, West Virginia, to house the U.S. District Court for the Northern District of West Virginia.

Prior Legislative and Oversight Activities

Each fiscal year, the Committee on Transportation and Infrastructure considers the GSA Capital Investment and Leasing Program resolutions.

On July 11, 2008, the Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on “General Services Administration Capital Investment Program: FY2009”.

Amendments

No amendments to these resolutions are expected at this time.