CITY OF EL PASO

2010 FEDERAL LEGISLATIVE PRIORITIES

AND

FY 2011 APPROPRIATIONS REQUESTS

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Strategic Policy Statements: The City Council of the City of El Paso has met to formulate strategic policies to serve as guiding principles for the governance of the City of El Paso. Decision regarding City of El Paso positions regarding legislative matters will be weighed against these guiding principles when formulating positions.

1. **FISCAL:** The City of El Paso will seek to ensure long-term fiscal stability and sustainability of the City government.

2. **CUSTOMER SERVICE:** The City of El Paso will be a high performance, customer focused organization.

3. **CITIZEN INVOLVEMENT:** The City of El Paso will facilitate opportunities for citizens to be involved in local government.

4. **TRANSPORTATION:** The City of El Paso has a goal of becoming the least car dependent City in the Southwest.

5. **COMMUNITY DEVELOPMENT:** The City of El Paso shall become the most livable city in the United States and be recognized as an international city.

6. **ECONOMIC DEVELOPMENT:** The City of El Paso will help business create quality jobs in El Paso and revitalize targeted areas of town, thereby adding to the tax base and fostering a healthy economy.

General Principles: The City of El Paso supports federal legislation that enhances a city's ability to solve problems and improve the quality of life for its citizens. The City of El Paso opposes federal legislation that reduces a city's authority or increases costs for municipal governments. We will work with other cities to enhance and protect the authority of municipalities and to ensure that taxpayers are not burdened with additional unfunded mandates.

The City of El Paso will also support legislative initiatives of community partners that enhance the educational, cultural, military assets and infrastructure resources in our region.

This document reflects the City of El Paso's adopted federal legislative policy as approved by City Council. The City's federal legislative program is organized into four categories: I. Priority Legislative Initiatives; II. Pending Appropriation Requests; III. Issues of Advocacy and Interest; and IV. General Guiding Principals.

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I. Priority Legislative Initiatives

1. MASS TRANSIT

A. Administrative/Operations/Maintenance Facility

Proposal: Seek federal funding to build a new Administrative/Operations/Maintenance facility for Sun Metro.

Amount Requested: $11,443,040

Total Project Cost: $28,607,600

Background: The present Administrative/Operations/Maintenance facility is at the Union Depot located in downtown El Paso. Current facility space has reached its capacity with no space available to expand. Bus fleet totals 159 buses and 623 employees.

Sun Metro expansion plans in the next 5 years include:

- Three new transfer centers to be completed in 2010 with two more transfer centers to be completed in 2011/12. New expansion services associated with these transfer centers will include express service between the centers with circulator routes feeding into the transfer centers. An additional 10 buses will be required.
- Four BRT routes are planned between 2011 – 2015. Additional service plans would require over 40 more buses with additional support and equipment.
- Once vacated by Sun Metro, plans for the Union Depot are to turn it into a much needed International Transit Terminal. The Union Depot would facilitate transfers between Sun Metro and the international and intercity carriers. More efficient operations and ease of transfers would encourage using transit instead of automobiles.

Sun Metro has identified city/airport property to suit the future needs for expansion plans not only for the near term (2011-2015) but also additional area for long term needs. The identified area will also be large enough to include a new LNG/CNG fueling facility with direct CNG supply lines on property. Presently, all LNG/CNG fuel is delivered daily by tankers from Houston, Kansas, Colorado, or California.

A new Administrative/Operations/Maintenance facility will offer Sun Metro the opportunity to not only fulfill its expansion plans to adequately

serve and improve transit services to El Pasoans, but also allow substantial savings for CNG fuel. In all, this facility will promote less vehicle-miles traveled (VMT), less emissions, less fuel usage, and less traffic congestion in El Paso.

B. Bus Rapid Transit (BRT) Corridors

Proposal: To seek Very Small Starts funding to design, engineer, and construct four BRT corridors.

Amount Requested: $59,200,000 (39.47% total project)

Total Project Cost: $151,000,000

Background: The El Paso Mass Transit Department (Sun Metro) provides transportation services to a population of over 700,000 residents and a geographical area of 250 square miles. El Paso is the largest international metroplex in the United States and anticipates substantial growth in the next few years as a result of BRAC.

El Paso's Plan – Overview

Bus Rapid Transit has proven to be the preferred service for areas such as El Paso. BRT combines the quality of rail transit and the flexibility of buses. It will operate on exclusive transit ways, high-occupancy-vehicle lanes, expressways, or ordinary streets. The BRT lines will combine intelligent transportation systems technology, priority for transit, rapid and convenient fare collection, and integration with land use policy (i.e. Transit Oriented Development TOD) in order to substantially upgrade bus system performance.

Preliminary Implementation Strategy:

- Develop "Downtown BRT Core" with dedicated lanes using existing streets from Downtown Transfer Center to Five Points Transfer Center.
    - Texas/Magoffin (outbound) and Myrtle (inbound)
    - Wyoming/Rio Grande (outbound) and Yandell (inbound)

- Extend Alameda Corridor as a dedicated lane to Medical Center and extend to Mission Valley Transfer Center using Transit System Management (TSM) mixed use lanes. Locally funded project.

- Keep other three corridor costs at less than $50 million to qualify for Very Small Starts funding on the Mesa, Montana, and Dyer Corridors.

Downtown BRT Core with TSM extensions:

		Total	Local	FTA
ALAMEDA	Cost estimates*	$42.0	$42.0	$0.0
MESA	Cost estimates*	$25.0	$7.8	$17.2
DYER	Cost estimates*	$35.0	$17.5	$17.5
MONTANA	Cost estimates*	$49.0	$24.5	$24.5
		$109.0	$49.8	$59.2
TOTAL COSTS*		$151.0	$91.8	$59.2

*All preliminary cost estimates in $ millions;
local funding strategy accounts for $27 million CMP funding.

C. Fuel Tax Language

Proposal: Seek to extend the Volumetric Excise Tax Credit for alternative fuels through September 30, 2021.

By purchasing 95 Compressed Natural Gas (CNG) buses with an average useful life of twelve years, the City of El Paso Mass Transit Department has affirmed its commitment to energy efficiency. The City supports extension of the above legislation through September 30, 2021. Extension of the credit through the useful life of the City's fleet will promote continued commitment to the City's energy efficient policy reducing congestion and improving air quality.

D. Bus Acquisition

Proposal: Seek federal funding to purchase 10 CNG Buses

Amount Requested: $4 million

Total Project Cost: $5 million

Background: This purchase will be for 40' buses to increase the frequency of service to Mission Valley, Northeast, Fort Bliss and Eastside routes. The increase is part of the Sun Metro's efforts to expand the fleet and follows the City's substantial investment in replacement of the total

fleet (95 new buses in 2 years). The new vehicles will be equipped with security cameras, radios, automatic vehicle locator (AVL), as well as up-to-date fare boxes and will support the energy efficient policy adopted by the City of El Paso: reducing congestion, improving air quality, and supporting the influx of troops expected in the next year.

E. Surface Transportation Reauthorization Legislation

The current SAFETEA-LU authorization expires on February 28, 2010. On December 1, 2009, the El Paso City Council adopted the resolution attached as Exhibit "A" to address the issue of Surface Transportation Reauthorization funding.

2. INTERNATIONAL PORTS OF ENTRY

International ports of entry should be upgraded to 21st century facilities using modern technology and operational procedure to increase efficiency such as: finger print scanners, facial recognition, and RFID.

A. While national security is always a priority, all governmental actions to secure the border should be made with sensitivity towards the manner in which they affect the local communities impacted by those actions.

B. The City of El Paso supports additional funding for appropriate staffing of Customs and Border Protection as well as the lifting of FTE and overtime caps in order to maximize the number of lanes open during peak hours.

C. The City of El Paso supports the passage of H.R. 1655, the Putting Our Resources Toward Security (PORTS) Act as introduced by Congressman Silvestre Reyes in the 111th Congress and any other legislation aimed at increasing staffing and reducing bridge wait times.

D. The City of El Paso continues to offer the El Paso region as a location for future pilot programs by the federal government to test technologies to improve efficiency of operations at ports of entry and decreased wait times.

E. The City of El Paso supports improvements in the transparency of the requirements to qualify for the Dedicated Commuter Lane (DCL) program as well as clear notification of the grounds for potential revocation of DCL privileges. In addition, the City supports the provision of timely information regarding the reasons why an individual may be denied participation in the DCL or revoked from participating in the program. Further, the City supports a meaningful review/appeal process of any denial or revocation of DCL privileges. The City opposes the revocation

of all family members DCL status to the revocation of one family member's DCL participation.

F. The City of El Paso supports the transfer of all commercial truck safety inspections to the Texas Department of Public Safety (DPS) or the co-location of the Federal Motor Carrier Safety Administration (FMCSA) and DPS in the Border Safety Inspection Facilities to create a one-stop safety inspection facility for commercial trucks in the existing Texas land port of entries Border Safety Inspection Facilities.

G. The City of El Paso supports extended hours of operation of the DCL (SENTRI), FAST lanes at all commercial ports of entry.

H. The City of El Paso requests consultation with local stakeholders prior to construction or implementation of operational procedures at ports of entry that will directly impact the local community.

I. The City of El Paso opposes the use of Section 287(g) of the Immigration and Nationality Act agreements with local law enforcement to grant the authority to state and local law enforcement officers to perform the function of an immigration officer. Such agreements can result in a decrease in the reporting of crime and result in a less secure population.

J. The City of El Paso opposes any mandate upon employers to the the Department of Homeland Security's E-verify database unless employers are provided assurances that their use of the program in good faith will protect them from liability related to I-9 completion. In addition, the City of El Paso supports a mandated reduction in penalties related to I-9 completion for those employers voluntarily using the E-verify database in good faith.

K. The City of El Paso encourages Customs and Border Protection (CBP) to continue to improve the facilitation of legal entry to the United States by considering pilot programs to automate the collection of the I-94 fee at land borders and pilot projects to support a paperless sytem to issue the I-94 entry document. In addtion, the City encourages CBP to provide in depth data regarding the implications of exit control as to individuals under Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, at the land borders to congressional representatives as well as land border stakeholders. The City also supports and requests ongoing consultation with land border stakeholders regarding any implementation efforts of exit control.

L. The City of El Paso supports the County of El Paso's request for qualifications to seek firms interested in developing and implementing a state-of-the-art integrated security and management system for the secure

and efficient movement of commercial vehicles through land border port of entries. The project is being promoted and championed by the County of El Paso and is funded by the FHWA through the Coordinated Border Infrastructure program. The Project will demonstrate the adaptation and integration of proven technologies to track and monitor commercial freight carriers and expand the visibility of the cross-border supply chain through the monitoring of vehicles and cargo from a control center located away from the border. The demonstrated system will be easily integrated with FAST, CTPAT, ACE and CVISN to expedite cross border commercial traffic while enhancing border security. The project is intended to position the border region for significant economic growth from cross border commerce. The City of El Paso supports the County of El Paso's Secure Border Trade Demonstration Project and encourages CBP to be a fully engaged partner in the demonstration project. The demonstration project will be used to seek funds for the implementation of a model secure cross-border commercial traffic monitoring system.

3. PUBLIC SAFETY AND LAW ENFORCEMENT

A. Public Safety Radio Voice/Data System Interoperability

Proposal: Seek funding to update and expand the first responder radio system to a digital platform.

Amount Requested: $15,180,000
Total Project Cost: $41,250,000

The El Paso Police Department is the primary law enforcement agency for the City of El Paso and is responsible for the enforcement of the peace, traffic laws, and parking ordinances. Approximately 1,100 Officers, 17 Civilian Parking Enforcement Controllers, and personnel in various other departments provide enforcement services to a population of over 600,000 residents and a geographical area of 250 square miles.

El Paso is the largest international metroplex in the United States and is, accordingly, on the national "front line" of first-responder preparedness with regards to both crime and terrorism. EPPD serves all areas within the city's boundaries through its five Regional Command Centers, a main Headquarters building, and several special-services locations.

The department's officers, along with other first responders, are dependent upon their radio system for information, coordination of activity, and safety. Currently, we experience intermittent radio interference in all areas of town and we have identified several "dead" areas where we cannot transmit or receive. When the system was new, it was crystal clear. The interference and dead spots have crept into existence over the last ten

years. Cell towers, competing radio systems, and fifteen years of changes in area topography have had a negative affect despite intense efforts to keep the system in top shape. Converting from an analog to a digital signal and adding repeaters and software and hardware infrastructure will facilitate the safety and interoperability goals of the region.

Radio System –overview

The radio system is shared with the Fire Department's approximately 899 firefighters, the El Paso International Airport, Sun Metro Public Transportation system, and numerous El Paso County volunteer fire departments. With expansion, the system has the potential to be available to all area law enforcement agencies as well as all City departments, promoting easier interaction among all agencies. When implemented in 1993, El Paso's radio system was somewhat unique in the USA in that all City Public Safety responders shared it. Adding to the system's utility was the ability to directly communicate with El Paso's public transportation departments. The existing system requires updating due to Federally-mandated changes how the radio spectrum will operate; we must convert from an analog to a digital voice system. This digital system will allow our responders to communicate with regional and state partners whether they are on 800MHz or VHF systems. The state envisions a web of radio hubs that can interconnect to facilitate interoperability. This vision supports the goals of the Federal government's homeland security plans. To meet local, state and federal communications goals, our radio network infrastructure requires upgrades and expansion.

The City of El Paso has placed itself in a progressive position by establishing a radio system that has proven to be a tremendous advantage in coordinating major emergency events impacting the City and County. Upgrading and expanding the system will allow additional city departments onto it –improving intra-operability-- and allow for easy communication with regional partners – improving interoperability. With the growth that El Paso is expecting over the next several years, updating our communications infrastructure is absolutely essential.

Below is a summary of our plan and the equipment and infrastructure that will needed to accomplish each phase. Phases that presently remain unfunded are Phases 3, 4, 5, 6,and 7, as well as funding for P-25 compliant hand held radios to replace outdated non-P25-compliant equipment.

Phase I – Funded by UASI Grant –cost $3,375,000.00- COMPLETED

- New P-25 compliant systems at the master site
- New 6 channel, 800MHz repeater site located at the existing shelter and tower on Mt. Franklin in El Paso
- Five P-25 Control stations and BIMs (to provide basic existing console connectivity to the new radio systems)
- 8000 initial subscriber licenses
- Microwave connective hop between Mt. Franklin and the master site
- A complement of spares for the master site and P25 repeater site
- DC and backup power equipment for the proposed equipment on each site

Phase II – Funded by the PSIC Grant – cost $1,800,000.00- COMPLETED

- A new 4 –channel, VHF P-25 repeater site located on existing sites and on Mt. Franklin, and fault-management hardware and licenses for the Mt. Franklin VHF site
- This phase provides us with the means to "hub" communications for the region by integrating El Paso's 800MHz system and the VHF systems that serve the more rural areas of our region.

Phase III – FY 11 Federal Funding request – estimated cost $3,565,000.00

- A new simulcast prime site at the master site location
- Upgrades of the existing 6-channel, 800 MHz P-25 at two repeater sites
- A new 15 channel, 800 MHz simulcast remote site located at El Paso's master site
- A second, new, Network Management Client terminal
- Addition of OTAR and POP25 hardware and software to the Master site infrastructure
- 2000 additional subscriber licenses
- Fault Management systems for new simulcast and remote sites
- A complement of spares for these sites

Phase IV – FY 11 Federal Funding Request - estimated cost $3,565,000.00

- New IP logging recorder equipment for Master site
- Replacement of existing Elite operator positions at backup dispatch site
- 24 new P-25 consolette control stations for the backup dispatch site
- Software updates for all applicable Central Electronics Bank boards as well as dispatch positions

- Fault management software for existing dispatch sites.
- Consolidation of existing electronics banks into a single electronics bank and connection into the P-25 system
- A new microwave hop from the backup site to Mt. Franklin
- A complement of spares for the trunking system

Phase V – FY 11 Federal Funding Request - $8,050,000.00

- Adding two additional remote repeater sites to the existing system, including
- A new 15 channel, 800MHz remote repeater site at the existing 3-hills site location
- A new 15 channel, 800MHz remote repeater site at the new Dyer street site location
- Fault management hardware and software for these sites
- Two new microwave hops from the Master site to 3 Hills, and from the Master site and Dyer

Phase VI and VII – Funding required $18,400,000.00

- Four new 15 channel 800MHz repeater site, location to be determined by engineering study
- Fault Management hardware and software for these sites
- Four new microwave hops from the master site to these new sites.

Phase VIII – Funded by PSIC - $245,000.00

- Three additional 800 MHz Mutual aid NPSAC Channels to meet the required level 3 of the SAFECOM Continuum
- Three additional VHF Mutual Aid NPSPAC Channels to meet the required Level 3 of the SAFECOM Continuum

B. Automatic Electronic Issuance of Citations (E-Ticket)

Proposal: Seek funding to purchase additional equipment and software to allow for full incorporation of E-Ticketing department wide.

Amount Requested: $4,879,537

Total Project Cost: $4,989,537

Background: The El Paso Police Department (EPPD) is the primary law enforcement agency for the City of El Paso and is responsible for the enforcement of the peace, traffic laws, and parking ordinances. Approximately 1,100 Officers, 17 Civilian Parking Enforcement Controllers, and personnel in various other departments provide enforcement services to a population of over 600,000 residents and a geographical area of 250 square miles. El Paso is the largest international

metroplex in the United States and is, accordingly, on the national "front line" of first-responder preparedness with regards to both crime and terrorism. EPPD serves all areas within the city's boundaries through its five Regional Command Centers, a main Headquarters building, and several special-services locations. The City of El Paso has an interstate freeway that requires increasing levels of traffic enforcement.

The municipal court, including its judges, employs 105 employees who process citations and monitor the legal procedures associated with traffic offenses. There are two main court locations within the city and satellite bond offices located in four of the five Police Regional Command Centers. The Municipal Court processes approximately 255,000 criminal citations and 80,000 parking citations annually, half of which are successfully adjudicated and those remaining ultimately converted to bench warrants.

The E-ticket projects have impacted the local and regional areas by addressing major public safety concerns such as speeding and the reduction of traffic collisions. Nationwide, law enforcement agencies, including the El Paso Police Department, are below required staffing levels. Staffing deficiencies are addressed by the instituting of technological advancements that help provide increased productivity and efficiency. The results of such innovations have been positive in the ability to provide more traffic law enforcement despite current staffing shortages.

In the US, approximately 20% of all traffic citations are dismissed in court because of incorrect statute numbers or other data entry errors. Because of this, the El Paso Police Department has converted to a high-tech system that will reduce ticket-writing time by up to 50% and streamline the record-keeping process. The Pocket Citation Handheld Ticketing System utilized by the El Paso Police Department is a complete electronic ticketing system. This program enables officers of the El Paso Police Department to issue traffic citations using a mobile handheld device.

The electronic ticketing system allows for violator's driver's licenses to be scanned by the use of a magnetic strip reader and the appropriate information is automatically populated into the citation. Officers complete the citation by selecting the vehicle information and applicable violation(s) from drop-down menus. The program then automatically inserts the appropriate statute number, fine and court information, along with a state issued citation number. The citation is printed utilizing a wireless Bluetooth connection to a thermal printer and given to the violator.

At the end of the officer's tour of duty, the E-ticket device is cradled to a desktop computer located at the regional commands where the data is

automatically uploaded (Quick Data) using the established network connection(s). The officer will verify that the information taken from the violators' during the traffic stops is correct before a Notary Public. The Notary Public will then electronically notarize the electronic citations and a digital image of the citation is created instantly. The image is attached and uploaded to the current program on the established network connection used by Municipal court that is called JIMS/View Point.

The benefits from this program include the following:

- Eliminates data errors on traffic citations.
- Completes tickets faster and more accurately.
- Enables officers to return to service more quickly thus reducing the contact time with the violator.
- Produces professional, easy to read tickets.
- Stores citations electronically for entry into JIMS and ILEADS RMS.
- Reduces the need for data entry clerks to transcribe data from hand written reports/forms.
- Reduces errors from transcribed data from hand written reports/forms.
- Citation data is retrieved from records systems more quickly.
- Works with the current software utilized by the El Paso Police Department. There is no need to replace any existing technology.
- Boosts efficiency

In summary, the implementation of the current E-ticketing system within the El Paso Police Department should result in an 84% increase in traffic stops and criminal citations while the average time spent on a traffic stop should decrease from 15-20 minutes to 8-10 minutes.

C. PUBLIC SAFETY GRANT FUNDING

The City of El Paso opposes the proposed reduction in funding for several key public safety grants such as the FIRE grant program and the Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

The City of El Paso requests that Congress continue appropriating funds for the Metropolitan Medical Response System (MMRS) and not require jurisdictions with MMRS programs to request funding through their State Homeland Security Grants.

The City of El Paso supports the President's proposed increase in funding for the Community Oriented Policing Services (COPS) from $300 million in Fiscal Year 2010 to $600 million in Fiscal Year 2011; but will advocate for a distribution of funds that takes into account the local communities proximity to an international border, cost saving measures implemented by

the community to avoid reduction in law enforcement workforce, proximity to a military installation and population growth.

4. RAILROAD QUIET ZONE PILOT PROGRAM

Proposal: Seek funding to make infrastructure improvements to railroad crossings in residential neighborhoods to eliminate the need for blowing safety horns.

Background: In coordination with the Union Pacific Railroad, the City of El Paso proposes to undertake a pilot program to make infrastructure improvements and/or close rail crossings in residential neighborhoods to eliminate the need for blowing the train safety horns as they approach the crossings in compliance with the Railroad Safety Act.

5. CLIMATE CHANGE AND ENVIRONMENTAL POLICY

The City of El Paso supports action for funding of the following federal programs in the FY2011 budget:

- US Department of Energy's (DOE) Energy Efficiency and Conservation Block Grant (EECBG) program at $2 billion;
- $50 million for the US Environmental Protection Agency's (EPA) Climate Showcase Communities grant program for local governments;
- $150 million each to the US Department of Housing and Urban Development (HUD), US Department of Transportation (DOT) and EPA to implement the Administration's new Sustainable Communities Initiative;
- To build the capacity for local clean vehicles and alternative fuels by providing $100 million to the DOE's Clean Cities program; and
- $100 million for the Economic Development Administration's (EDA) Global Climate Change Mitigation Incentive Fund.

The City of El Paso supports resources for local climate action in clean energy and climate legislation by:

- Allocation of 5% of annual carbon market value to the DOE EECBG program;
- Enhancement of local transportation efficiency by allocation of 10% of carbon market value for investments in mass transit and passenger rail systems, transit-oriented development, VMT-reduction programs, and pedestrian and bicycle facilities;

- Supporting local government green infrastructure, efficiency, and clean energy projects that reduce carbon emissions by ensuring their eligibility for offset credits;

- Facilitating green retooling of closed manufacturing plants and other underutilized sites with new green jobs by providing 0.5% of carbon market value for EDA green redevelopment grants to local governments; and

- Supporting local government adaptation planning by allocating 1% of carbon market value for local government initiatives to plan for the impacts of climate change such as rising sea levels, drought, wildfires, flooding, and storms.

6. VIOLENCE IN MEXICO

On February 9, 2010, the El Paso City Council adopted the Resolution attached as Exhibit "B" to address the issue of violence in Mexico and will advocate for the US State Department to elevate Mexico to a top foreign policy priority.

II. Pending Appropriation Requests

1. MASTER REGIONAL PORTS OF ENTRY OPERATIONS STUDY

The City of El Paso, in conjunction with the Texas Department of Transportation, the Camino Real Regional Mobility Authority and the Metropolitan Planning Organization, has requested a Master Regional Ports of Entry Operations Study to review all existing ports of entries within the MPO region and analyze how the ports currently function and how the ports need to function collectively to improve cross border mobility; reduce border wait times and air pollution; increase cross border commerce and tourism to the cross border region; enhance economic development of the region; and to coordinate traffic patterns between the El Paso MPO region and our Mexican neighbors. The plan will be used to seek funds for improved operational efficiency of existing bridges, expansion/improvement of existing ports of entry or the addition of new ports of entry.

III. Issues of Interest and Advocacy

1. IMMIGRATION AND BORDER SECURITY

On January 13, 2009, the El Paso City Council adopted the Resolution attached as Exhibit "C" to address the issue of immigration reform.

The City of El Paso supports the passage of H.R. 1448, the Southwest Border Violence Reduction Act of 2009. The bill would authorize additional resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations.

2. BUSINESS DEVELOPMENT

The City of El Paso supports the passage of legislation that increase opportunities for locally owned businesses to participate in more government contracting opportunities.

The City of El Paso supports the passage of the Science Parks Research and Innovative New Technologies Act (SPRINT Act). The bill would allow for the development and construction of science parks through grants and loan guarantees. Passage of this legislation would create additional jobs in the region as well as assist in innovation and commercialization.

3. INTERNATIONAL TRANSPORTATION SYSTEM HUB

The City of El Paso has adopted the strategic goal of creating a Just-In-Time (JIT) international commerce port by integrating the highest level of international supply chain measures into the design of hub facilities and operations as required by the Free and Secure Trade (FAST) program. The City actively supports the Custom-Trade Partnership Against Terrorism (C-TPAT) and initiatives to:

- Support TTI and the Border Trade Alliance initiative to develop standardized, automated methods to measure total border crossing times from point A to point B across major U.S. land border crossings—not just the travel time it takes to move through the U.S. federal inspection facilities. The project will identify appropriate intelligent transportation systems or other commercial technologies to easily and precisely measure border crossing times using a single methodology that is comparable from one location to another.

- Expand the FAST and SENTRI Programs.

- Development of more secure and smarter containers as well as a Secure Border Trade (SBT) system.

- Coordinate with the Customs and Border Protection (CBP) Modernization Office to enhance C-TPAT's data collection and information management.

- Work with MPO and Congressional delegation to ensure that next surface transportation authorization bill includes program(s) to fund international transportation hub and continue funding for the Coordinated Border Infrastructure (CBI) program.

4. INTERNATIONAL TRADE

Situated on the border of two nations and three states, the location of El Paso/Juarez presents a unique array of opportunities. The cities have an excellent relationship of friendship and cooperation and a concerted effort must be made to strengthen this important relationship. Efficient and streamlined trade through our port is significant not only to our own economy but to the economies of Mexico and the United States. El Paso's proximity to Mexico furnishes an excellent opportunity for businesses to capitalize on the North American Free Trade Agreement (NAFTA), the maquiladora industry, and other prospects in Central and South America.

The efficient implementation of the US-VISIT program in a way that enhances security for our citizens and visitors while facilitating legitimate travel and trade across our borders is a top priority for the El Paso community. In addition, the US-VISIT program must help secure our borders, facilitates the entry and exit process, and enhance the integrity of our immigration system while respecting the privacy of our visitors. In this regard, the City's international trade priorities are as follows:

- Ensure that the City's interests and preferences are fully and fairly considered in the implementation of the US VISIT program.
- Support federal efforts that advance international commerce, promote investment and industrial development.
- Support federal efforts that advance tourism and cultural heritage.
- Support increased funds and resources being directed to the border to streamline international trade and commerce.
- Institute an international bus service route with Ciudad Juarez to increase international cooperation, commerce and decrease bridge traffic.
- Support increased federal funds to address and resolve serious environmental issues along the U.S. – Mexico border.

5. HEALTHCARE AND PUBLIC HEALTH

The people along the border suffer disproportionately high levels of poverty and disease, including diabetes, TB, hepatitis, cancer and HIV. Over three million U.S. residents who live along the border are uninsured. The border region is also adversely affected by environmental health hazards including lack of adequate drinking water, chemical exposure and air pollution. We have shortages of nurses,

doctors, and other health practitioners, but no shortage of need. In addition, the border is shouldering the burden of providing services to the large numbers of uninsured, under-insured, and the undocumented

- Support legislation and action that increases federal healthcare expenditure and resources directed at the U.S. – Mexico border and or highly underserved, low-income areas like El Paso.

- Support increased funds and resources directed to El Paso in support of the four-year medical school and the development of medical infrastructure.

- Support legislation that will allow for greater federal resources to reimburse hospitals and other providers for care to the uninsured and undocumented.
- On September 22, 2009, the El Paso City Council adopted the Resolution attached as Exhibit "D" to address the issue of healthcare reform.

- Support efforts to eliminate the discrepancy in Medicare reimbursement rates that exists in lower-income areas.

- Support El Paso Mental Health and Mental Retardation's (MHMR) efforts to secure legislation to:

  - Authorize the US Department of Veteran's Affairs to contract and reimburse mental health services with qualified local community mental health organizations to help ensure quality care to veterans and their families.
  - Create programs by community-based mental health organizations for screening in primary care, school-based initiatives, suicide prevention, post-traumatic stress disorder and employee assistance programs to address the mental, emotional and behavioral disorders that threaten mental health.
  - Support passage of "Rosa's Law" and other legislation to reduce the use of the term "mental retardation" and refocus on the term "intellectual disabilities."

- Support the Greater El Paso Chamber of Commerce in their efforts to:

  - Secure funding for the Department of Health and Human Services for IT standardization and the integration of electronic health care record standards;
  - Secure funding for the Department of Health and Human Services for the expansion of Federally Qualified Health Centers (FQHCs);
  - Secure passage of the Communities Building Access Act, which would provide $45 million in federal grants for proven, locally-designed and administered health care programs for the uninsured, such as three-share

programs and volunteer specialty provider networks like El Paso Healthcare Heroes.

6. RAIL SECURITY

The responsibility of securing our nation's rail and mass transit systems is a shared one. The Department of Homeland Security and the Department of Transportation and other federal agencies have taken significant steps to enhance rail and transit security in the last three years in partnership with the public and private entities that own and operate the nation's transit and rail systems. Efforts have focused on greater information sharing between the industry and all levels of government, assessing vulnerabilities in the rail and transit sector to develop new security measures and plans, increasing training and public awareness campaigns and providing greater assistance and funding for rail transit activities. The Federal government provides leadership and technical assistance to transit and rail system owners and operators.

- Support federal funding to examine issues of rail security in the El Paso Ciudad Juarez community.

- Encourage federal co-sponsorship of legislation that directs additional DHS and DOT funds for rail security and safety for railroads and rail facilities including both passenger and freight lines.

- Engage private rail interests to increase rail security in the El Paso metropolitan area.

7. FEDERAL AVIATION ADMINISTRATION (FAA) REAUTHORIZATION

The FAA Reauthorization expires on March 31, 2010. The City of El Paso supports the passage of a long term FAA Reauthorization bill that provides airports with the financial tools to meet growing passenger and capacity demands.

8. MILITARY AFFAIRS

The City of El Paso will continue to work to secure the funding needed for housing, education, transportation and workforce development to accommodate the influx of new troops and their families as a result of the transformation and expansion at Ft. Bliss.

The City will also support additional funding to expand services and capabilities of both William Beaumont Army Medical Center and the Veteran's Administration Health Care System.

The City of El Paso supports the preservation of Castner Range and requests that no portion be developed so that it is fully accessible and can be used by the public for passive or active recreational use.

The City of El Paso will continue to seek additional funding through the Department of Defense's Office of Economic Adjustment to properly execute the Regional Growth Master Plan.

9. ECONOMIC RECOVERY AND JOB CREATION

The City of El Paso supports the National League of Cities' desire to accelerate job creation and to stabilize local government budgets by adopting a jobs package that:

- Provides targeted fiscal assistance to local governments;
- Supports and continues mechanisms to improve access to credit for small businesses and local governments;
- Funds transportation infrastructure investments using the Transportation Investment to Generate Economic Recovery Program model;
- Provides additional funding for the COPS program, the Summer Youth Employment program, and a Public Service Employment program;
- Provide more funding for the Community Development Block Grant program; and
- Provides additional funding for the Clean and Safe Water Revolving Loan Funds.

10. WATER AND WASTEWATER INFRASTRUCTURE

The City of El Paso supports the legislative agenda adopted by the Public Service Board and attached here to as Exhibit "E".

IV. General Guiding Principles

The City of El Paso will support legislation and federal agency actions that:

- Will protect and enhance City revenues.
- Reduce costs to the City.
- Provide for more local control.
- Protect those policies previously established through the Charter, ordinances, resolutions, and master plans.
- Promote educational, employment and recreational opportunities for our residents.

The City of El Paso will oppose legislation or administrative actions that:

- Undermine the principle of home rule and local self-government.
- Result in loss of revenue or revenue growth to cities.
- Diminish the current authority of cities to regulate and manage their growth and development.
- Nullify or undermine the City's policies contained in existing provision of the Charter, ordinances, resolutions and master plans, unless such changes expand the City's ability to manage its own affairs.
- Diminish any existing authority of cities.
- Impose mandates that require any expenditure by the City unless all costs of same, including administrative as well as direct out-of-pocket costs, are fully reimbursed by the mandating government.

Exhibit A

156

RESOLUTION

The City Council of the City of El Paso supports the adoption of a Federal Transportation Bill that includes the following:

1. Continued funding for the Border Infrastructure funding;
2. Local options for funding of transportation projects;
3. Simplification, flexibility and more local control regarding implementation of transportation projects.
4. Increased funding for mass transit options, rail and light rail.
5. Funding for highway enhancements to accommodate pedestrians and bicycles.
6. Adequate funding for maintenance of existing transportation infrastructure.

Adopted the 1st day of December, 2009.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Senior Assistant City Attorney

CITY CLERK DEPT.
09 NOV 25 AM 11:20

#52878 v1 - MAYOR/1/RESO FEDERAL TRANSPORTATION BILL
Document Author: SFIR

Exhibit B

RESOLUTION

WHEREAS, an unprecedented tragedy has been unfolding in our community, and our entire region is in immediate risk of further violence, devastation and chaos; and

WHEREAS, over 1,600 people in our community were killed in Juárez in 2008; over 2,650 in 2009; and over 266 killed so far this year; and

WHEREAS, nearly 150 children have been killed, and just within these past two weeks fifteen people were brutally murdered while attending family parties in private homes-most were high school-aged students and the youngest was a thirteen year old girl; and

WHEREAS, in the past two years the violence in Juárez has lead to the closing of over 10,000 businesses, has left over 100,000 homes vacant, and over 100,000 Juarenses having already fled their city, including at least 30,000 who have moved to El Paso; and

WHEREAS, El Paso and Juárez maintain a unique and unbreakable historical, familial and economic connection that has resulted in a rich culture and vibrant economy. In 2008 alone, the economies of the United Stated and Mexico were bolstered by $51.1 billion in trade, which passed through our ports of entry, accounting for 18% of all trade between these two countries; and

WHEREAS, Juarenses annually spend over $1.2 billion in the El Paso economy, and over 60,000 jobs in El Paso are dependent upon economic activity in Juárez, contributing to an overall economic impact of well over $2 billion in El Paso; and

WHEREAS, Juárez is the deadliest city in the world. The absence of public safety and the rule of law are devastating the lives of our sister citizens and endangering the future peace and prosperity of this entire region, including El Paso, Texas; and

WHEREAS the terror taking place in Juárez is of human origin and therefore can be remedied through a human solution; and

WHEREAS it is incumbent upon us to work towards a solution that restores justice and ends the violence, no matter how difficult or unpleasant, as lives and the future of our community and region are at stake; and

WHEREAS, it is understood that much of the violence is fueled by the various drug wars – those between cartels, those within cartels, and those between cartels and the governments of the United States and Mexico – wars that take the lives of members of drug trafficking organizations and those innocent of any involvement; and

WHEREAS, black market drug sales in the United States and Mexico fund the operations of the cartels, with marijuana comprising at least 50% of their revenues; and

WHEREAS, our country's forty year War on Drugs has been a dismal social, economic and policy failure. It has not achieved any of its goals and narco-related violence along the U.S.-Mexico border is raging at unprecedented levels with no end in sight; and

WHEREAS, this Council urges citizens on both sides of the border to refrain from buying and consuming illegal drugs that fund the cartel terrorism in our community; and

WHEREAS, important changes need to take place in Juárez and Mexico, including the restoration of public safety and the creation of a true respect for the law. But there are ways we can help on this side of the border, and we must act now – people are dying, the future of our community is at stake, and enough is enough.

NOW, THEREFORE BE IT PROCLAIMED that the beginning of a solution to regional drug violence will involve a bi-national effort centered on the following action statements:

- We request that Mayor Cook invite United States President Barack Obama and Mexican President Felipe Calderon to the largest bi-national community in the world for the purpose of developing a coordinated bi-national strategy to bring an immediate end to the drug violence in our community.

- We urge comprehensive re-examination of our country's failed War on Drugs and we support drug policy initiatives that do not result in wasting government funds and empowering criminal gangs and trafficking organizations.

- We support a national campaign to encourage people to refrain from the use of illegal drugs by connecting their use to cartel-related terror.

- We encourage that any future aid, whether tied to Plan Mérida or otherwise, involve a rigorous accounting of allegations of human rights abuses and have strict performance metrics.

- We support U.S. aid that is tied to social, educational and economic development in Mexico and support that country's fight to establish effective and just rule of law.

- We oppose current U.S. policy that deports Mexican nationals directly to Juárez instead of to their state and city of origin, a practice that is unjust and also serves to supply potential recruits and victims to the criminal organizations operating in Juárez.

- We support opening all potential humanitarian and asylum opportunities for individuals and families in Juárez who are threatened and live in fear for their safety.

- We ask that Mexico be made a top foreign policy priority.

By adoption of this resolution the above stated proposals are hereby included in the City of El Paso's Federal and State legislative agendas.

PASSED AND APPROVED this 9th day of February 2010.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Monsen
City Clerk

APPROVED AS TO FORM:

Charles F. McNabb
City Attorney

Doc. No.: #54215 v3 (2/9/10)
Doc. Name: Reso-Violence in Juarez
Doc. Author: CMCN

ADD2A

Exhibit C

RESOLUTION

WHEREAS, the topics of immigration reform, border security, and state and federal cooperation on immigration are concerns that are of great importance to state and local government entities of both sides of the United States-Mexico border; and,

WHEREAS, border security is critical to the safety, quality of life and economic prosperity of the United States-Mexico border region; and,

WHEREAS, though today's immigrants, like yesterday's, may arrive in the United States with no money and speaking foreign languages, they come with an entrepreneurial spirit and desire to live the American Dream; and,

WHEREAS, across the world, walls erected to divide peoples and nations are symbols of failed and repressive efforts to thwart human freedom and prosperity; and,

WHEREAS, the El Paso/Juarez Community embraces the international nature of our community and believes that our border joins us and does not divide us; and,

WHEREAS, the Secure Border Fence Act of 2006 calls for 700 miles of fencing that will only divide the El Paso/Juarez community and do nothing to advance a comprehensive approach to immigration reform; and,

WHEREAS, the fence is estimated to cost $7.5 million per mile, the El Paso/Juarez community could better use those funds to improve conditions at the region's ports of entry; and,

WHEREAS, such investment in border infrastructure would allow for enhanced commerce flow; and,

WHEREAS, the Putting Our Resources Together ("PORTS") Act provides for additional Customs & Border Protection officers and additional funding for construction at our international bridges; and,

WHEREAS, in 2003, trade through the land ports along the U.S.-Mexico Border represented about 83 percent of the trade between the countries. Together, the top 10 ports of entry account for 98 percent of trade passing through the border. El Paso had approximately 20.2 percent of the exports, which put the City only behind Laredo in volume. As to numbers of overall inspections of people, El Paso surpasses all ports of entry in Texas. With $152 billion in land trade with Mexico, Texas surpassed other states by far: California ($30 billion), Arizona ($12 billion) and New Mexico ($1.1 billion); and,

WHEREAS, the balance of the facilitation of trade with the need to make our community secure has long been of principle importance; and,

CITY CLERK DEPT.
09 JAN 22 PM 1:14

WHEREAS, the El Paso community has worked with representatives and agencies in Mexico and the United States for many years to create secure trade and traffic programs, including the first Dedicated Commuter Lane ("DCL") AND Free and Secure Trade ("FAST") in Texas; and,

WHEREAS, current immigration law does not have timely legal alternatives to allow companies or individuals to employ such essential workers as those needed in the construction, healthcare, restaurant, transportation, hotel, elder care, and child care job sectors, among others; and,

WHEREAS, on December 16, 2005, the U.S. House of Representatives passed H.R. 4437, which fundamentally proposes an enforcement only approach to the complex issue of the control of illegal immigration and the improvement of border security.

THEREFORE, BE IT HEREBY:

RESOLVED, that the complex issues of illegal immigration and a porous border cannot be fixed by an enforcement only approach. Any solutions must take a multi-layered approach to multi-layered issues created over decades of neglect.

RESOLVED, that when addressing issues of border security, the emphasis should be on the use of new and emerging technologies that will facilitate legitimate trade and border crossings.

RESOLVED, that the Council encourages the federal government to re-examine the construction of the fence along the entire southern border and that the incoming DHS secretary discontinue the practice of waiving environmental protections in order to expedite the project.

RESOLVED, that a solution must address allowing the undocumented in the United States who are filling legitimate employment needs a means to obtain legal status without placing them ahead of those who applied to enter the U.S. legally.

RESOLVED, that immigration processing backlogs must be reduced for those with valid pending applications.

RESOLVED, that new legislation must address document fraud and include severe penalties for those who prey upon undocumented aliens.

RESOLVED, that people offering to "assist" an undocumented person in the U.S. by providing food, shelter, counseling, or transportation must not be exposed to criminal penalties if they are not engaged knowingly in smuggling or aiding said individuals to enter into the United States.

RESOLVED, that the City of El Paso will continue to work in a collaborative manner with our Sister City, Ciudad Juarez, Chihuahua, and other governmental entities in the El

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CITY CLERK DEPT.

Paso/Juarez Borderplex to address issues that are unique to the bi-national, multi-cultural community in which we live.

RESOLVED, that the City of El Paso will provide input and seek legislation regarding border security and immigration reform that is effective, responsible, humanitarian and not an encumbrance to international commerce.

ADOPTED this the 13th day of January 2009 by the City Council of the City of El Paso.

CITY OF EL PASO:

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Elaine S. Hengen
Senior Assistant City Attorney

CITY CLERK DEPT.
09 JAN 22 PM 1:14

17B

Exhibit D

RESOLUTION

WHEREAS, over 46 million people in the United States (nearly 1 in 5) under the age of 65 lack health coverage;

WHEREAS, over 230,000 (nearly 1 in 3) El Paso residents are without health insurance;

WHEREAS, Texas has the highest number of residents without health insurance in the entire nation with over 5.8 million adults and 1.4 million children without health coverage;

WHEREAS, children and adults without health insurance are less likely to have access to more cost-effective preventative medical care such as annual doctor exams, medical screenings, routine check-ups, and are more likely to seek treatment in an emergency room;

WHEREAS, over 80 percent of people without health insurance in the United States come from working families who cannot afford the high cost of health coverage;

WHEREAS, insurance costs have increased 131 percent in the United States since 1999 while wages have only increased 38 percent during the same period;

WHEREAS, in 2008, over 1,000 people in El Paso declared bankruptcy due to health care costs;

WHEREAS, each year, over 5,000 El Paso seniors are subject to the Medicare "donut hole" and forced to pay for their prescription drugs in full and out-of-pocket;

WHEREAS, low reimbursement rates for health care professionals is contributing to the shortage of medical professionals in El Paso;

WHEREAS, the number of small businesses that offer health insurance to their employees has declined from 61 percent in 1993 to 38 percent in 2008 due to rising health care costs;

WHEREAS, since 1998, over $400,000,000 in local property tax dollars have been spent to help provide health care for those who could not afford to pay for treatment and services at University Medical Center of El Paso;

WHEREAS, El Pasoans with diabetes, tuberculosis, cancer, and other medical conditions are at risk of being denied coverage by insurance companies due to pre-existing conditions; and

WHEREAS, each year, thousands of El Pasoans are forced to seek medical care and prescription drugs in our sister city Juarez because they cannot afford to receive care and treatment in the United States.

CITY CLERK DEPT.
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NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

THAT the Mayor and the City Council hereby urge the Congress and the President of the United States of America to enact health care reform legislation that would:

a. Provide an affordable option for health coverage for those individuals who are without health insurance;

b. Allow individuals to keep their existing insurance if they are satisfied with their coverage;

c. Reduce the long term-growth of health care costs;

d. Improve the quality of health care in the United States;

e. Prohibit insurance companies from denying coverage to anyone due to a pre-existing condition;

f. Place a cap on the amount of annual out-of-pocket expenses for policy holders so that no one will have to experience financial ruin due to medical bills;

g. Strengthen Medicare for seniors and preserve coverage for future generations;

h. Eliminate the Medicare "donut hole" for seniors;

i. Strengthen Medicaid for low-income Americans;

j. Improve reimbursement rates for health care providers to help attract and retain medical professionals in underserved areas such as El Paso;

k. Provide small business owners with financial assistance to help cover the cost of health insurance for their employees.

APPROVED this 22nd day of September 2009.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
Senior Assistant City Attorney

09 SEP 21 AM 10: 39
CITY CLERK DEPT.

Doc. No.: #51237
Doc Name: Reso Healthcare Reform
Doc. Author: SFIR

Exhibit E

Federal Legislative Agenda 2010/2011

El Paso Water Utilities Public Service Board
Federal Funding Requests for 2010/2011

- **Energy and Water Development Appropriations Act Funding (2011)** — **$ 8,080,000**
  Congressional appropriation is needed to fund six (6) water and wastewater projects

- **Preparation of Re-Evaluation Report and Feasibility Studies** — **$ 900,000**

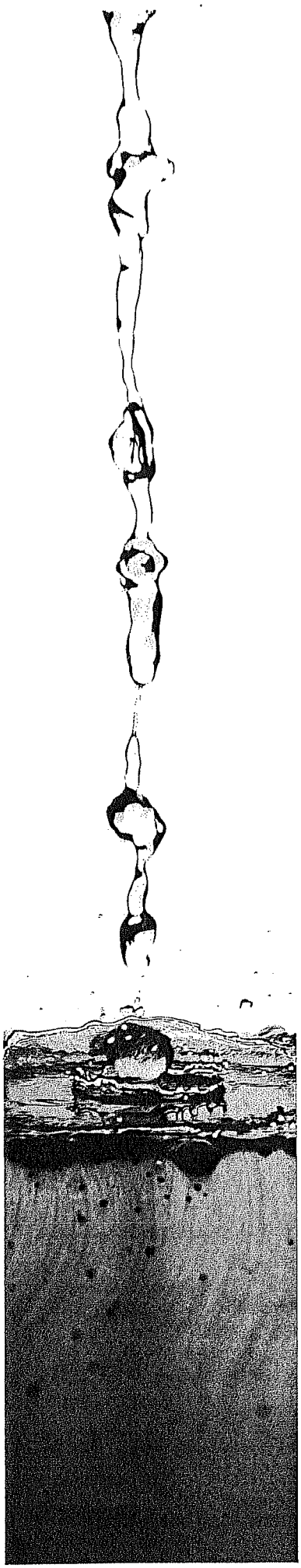
- **Solar Power for the Kay Bailey Hutchison Desalination Plant** — **$ 8,000,000**

- **Digester Gas Energy Recovery Project** — **$ 6,000,000**
  Methane gas/disgester gas scrubbers, and co-generation for the Roberto R. Bustamante and Haskell R. Street Wastewater Treatment Plants

- **Support Increasing the Border Environment Infrastructure Fund (BEIF) from $10M to $50M**

TOTAL **$22,980,000**

EL PASO WATER UTILITIES
PUBLIC SERVICE BOARD



Energy and Water Development Appropriations Act Funding (2011)

Federal Legislative Agenda 2010/2011

TOTAL FY11 Federal Funding Requested: $8,080,000

Project Description: Technical assistance for planning, design and construction of water related infrastructure and resource protection, including stormwater management and development, in El Paso County, TX.

Authorization: Water Resources Development Act of 1992 (Section 219) as amended by Water Resources Development Act of 2007 P.L. 110-114 Section 5158 (F) (269).

Federal Funds Received thru FY10: $100,000

FY10 Scheduled Activities: Prepare letter reports, negotiate and execute Project Partnership Agreements (PPA) for Design and Construction.

FY11 Scheduled Activities:

- Planned Water Line Replacement Program, Phases 8, 9 and 10: Replacement of antiquated water lines in order to alleviate line breaks. Improvements will include updating valves, fittings, and appurtenances.
- Doniphan 24 inch Collector Reach 3: Replacement of an antiquated collector sewer line in order to eliminate/reduce ground water infiltration and alleviate line breaks.
- Canutillo/Upper Valley Water Transmission Main Ph IV: New water transmission line to move water from Central El Paso to West El Paso to reduce the use of well water and increase the use of surface water (Rio Grande).
- Planned Sewer Line Replacement Program, Parkdale Addition: Replacement of antiquated sewer lines in order to alleviate line breaks. Improvements will include updating valves, fittings, and appurtenances.

Proposed Environmental Infrastructure Costs

Project Name/Description	FY 11 Total	FY 11 Federal	FY 11 Non-Fed
	Cost ($1000)	Cost ($1000)	Cost ($1000)
Planned Water Line Replacement Program - Phase 8	$2,300.00	$1,725.00	$575.00
Planned Water Line Replacement Program - Phase 9	$1,100.00	$825.00	$275.00
Planned Water Line Replacement Program - Phase 10	$1,100.00	$750.00	$250.00
Doniphan 24 inch Collector - Reach 3	$3,000.00	$2,250.00	$750.00
Canutillo/Upper Valley Water Transmission Main - Ph IV	$2,533.00	$1,900.00	$633.00
Planned Sewer Line Replacement Program - Parkdale Addition	$840.00	$630.00	$210.00
TOTAL	**$10,773.00**	**$8,080.00**	**$2,693.00**

Preparation of Re-Evaluation Report and Feasibility Studies

Federal Legislative Agenda 2010/2011

Total FY11 Federal Funding Requested: **$400,000**

Project: Initiate General Re-Evaluation Report for City of El Paso, Texas

Project Description: The project is located in El Paso, Texas and consists of a single-purpose flood risk management system of detention dams, diversion dikes, conduits, and channels that collects, regulates, and discharges runoff into the Rio Grande. The project provides flood risk management for 8,830 urban acres subject to damaging floods from arroyos on the slopes of the adjacent mountains. The Chevron Basin feature of the Southeast Area project was not constructed because of environmental concerns. A General Reevaluation Report (GRR) will be prepared to determine alternatives for flood risk management that Chevron Basin would have provided for Southeast and Central Area residual flooding in El Paso. The GRR will also determine economic feasibility and evaluate environmental impacts. Additional authorization is not needed to implement the request.

PURPOSE: Flood Damage Reduction

AUTHORIZATION: Flood Control Act of 1965, Section 204.

FEDERAL FUNDS RECEIVED THRU FY 10: $122,105,000

SCHEDULED ACTIVITIES FOR FY 2010: Not funded.

Total FY11 Federal Funding Requested: **$300,000**

Project: Continue with preparing a feasibility study for Northwest El Paso, Texas

AUTHORIZATION: Resolution of the Committee on Environment and Public Works of the United States Senate, adopted August 12, 1986.

DESCRIPTION: The study area is located in the northwest section of El Paso, Texas. Development northward along the Franklin Mountains in the City of El Paso and El Paso County is increasing the potential for flooding. The feasibility study will incorporate a floodplain management plan, examining structural and non-structural solutions to existing flooding problems in the study area and determine the extent of the Federal interest. At the sponsor's request, the scope of the study will be expanded to

include watersheds discussed in the reconnaissance report. Economic feasibility and environmental impacts will be determined in the feasibility study. Additional authorization is not needed to implement the request.

PURPOSE: Flood Damage Reduction

FEDERAL FUNDS RECEIVED THRU FY 10: $769,000

SCHEDULED ACTIVITIES FOR FY 2010: Not funded.

Total FY11 Federal Funding Requested: $200,000

Project: Continue with preparing a feasibility study for Sparks Arroyo Colonia in El Paso County, Texas

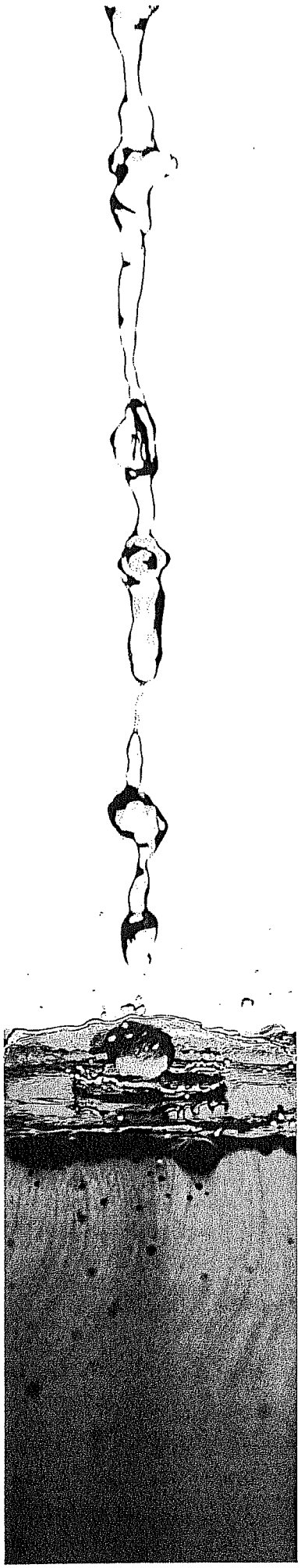
AUTHORIZATION: Resolution of the House Committee on Environment and Public Works of the United States Senate, adopted August 12, 1986.

DESCRIPTION: Sparks Arroyo is a major drainage area on the east side of El Paso County. The arroyo is easily eroded and carries high levels of silt and debris that often plug the drainage culverts under Interstate-10. A major rainstorm in 1999 caused severe flooding and temporarily closed I-10 for two hours, the only major commercial east-west link in El Paso County. Additional flooding occurred in August and September 2006. The area in question is one of the fastest growing areas in El Paso County. The feasibility study will develop proposed solutions to the current flooding problem that is negatively impacting quality of life, transportation and commercial activity in the affected area.

PURPOSE: Flood Damage Reduction

FEDERAL FUNDS RECEIVED THRU FY 10: $1,089,000

SCHEDULED ACTIVITIES FOR FY 2010: Continue with preparing a feasibility study.



Solar Power for the Kay Bailey Hutchison Desalination Plant

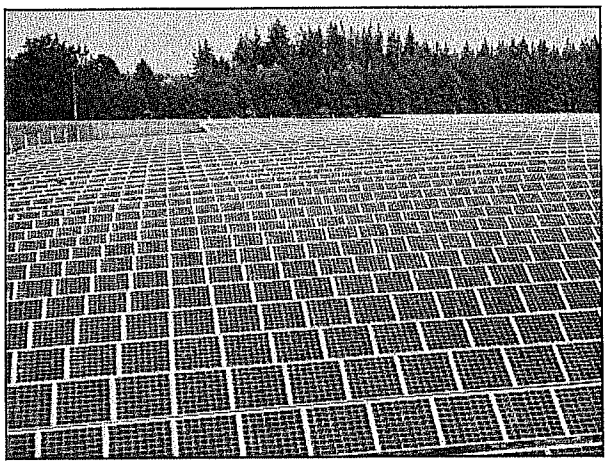
Federal Legislative Agenda 2010/2011

Funding Request:
El Paso Water Utilities (EPWU) is requesting $8 million for the purchase and installation of a photovoltaic power plant to operate the Kay Bailey Hutchison Desalination Plant (Hutchison Plant).

Facts:
The Hutchison Plant can produce 27.5 million gallons per day (MGD) of potable water, of which 20 MGD is intended for customers of EPWU and the remaining 7.5 MGD for Fort Bliss. The water source is brackish water from the Hueco Bolson that is pumped from wells and piped to the Hutchison Plant.

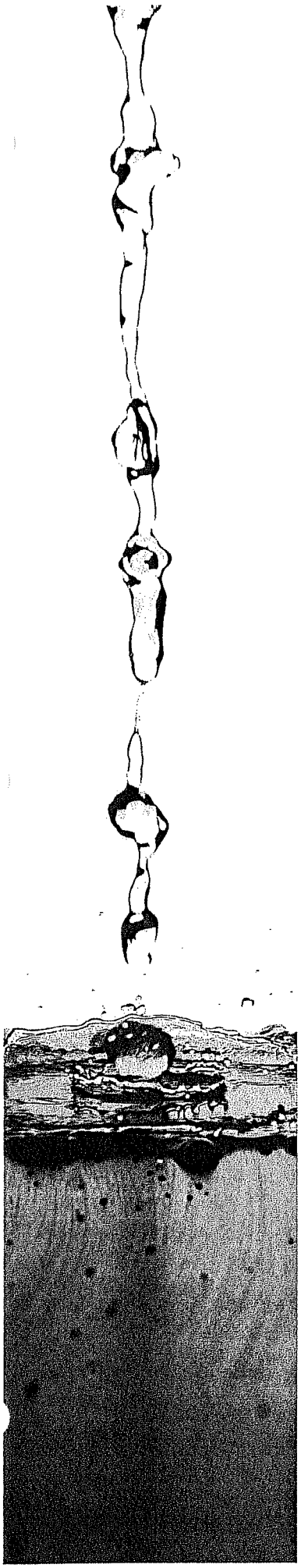
Since water treatment in general is energy intensive and water desalination is particularly so, the installation of a solar photovoltaic (PV) project next to the plant will result in a more sustainable solution for EPWU and Fort Bliss. El Paso Water Utilities has begun to explore the possibility of joining Fort Bliss in the development of this project.

According to the National Renewable Energy Laboratory (NREL), a national laboratory of the U.S. Department of Energy, El Paso is located in a wide area of very high solar energy potential. This area extends from the U.S. southern border to parts of Nevada, Utah and Colorado, and from the California deserts to West Texas.



Solar thin film panels

Benefits:
Installation of this system will result in a savings of 2,600 Megawatt hours per year of electric power purchased from the El Paso Electric grid and will reduce carbon dioxide emissions by 1800 tons per year. Furthermore, this helps Fort Bliss to become the Army's Center for Renewable Energy.

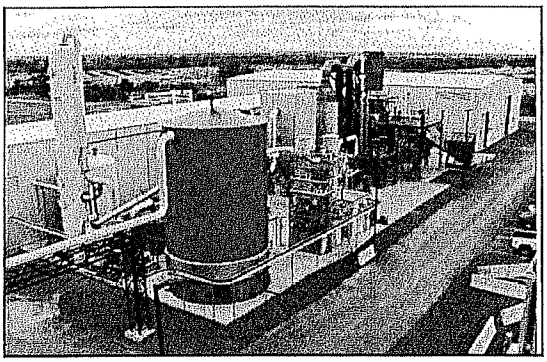


Digester Gas Energy Recovery Project

Federal Legislative Agenda 2010/2011

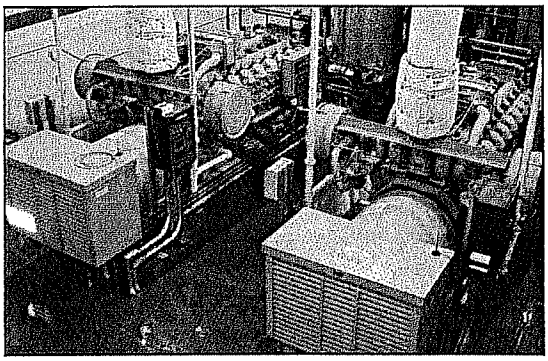
Funding Request:
El Paso Water Utilities is requesting $6 million to take an existing waste stream of gas produced during sewage treatment and purify the gas and then use it to generate electricity.

Facts:
Digester gas is formed when natural bacteria feed on wastewater pollutants and produce a mixture of methane, carbon dioxide, hydrogen sulfide and other trace gasses. Untreated, the gas is corrosive making beneficial use problematic.


Gas scrubber

The project includes the purchase and installation of treatment equipment to remove corrosives and other harmful trace pollutants.

The project also includes the purchase and installation of high efficiency engines fueled by the treated gas and coupled to premium efficiency generators. The electricity generated will offset grid power purchased for sewage treatment.


Cogeneration system

Benefits:
Installation of this system will result in a savings of 5,600 Megawatt Hours per Year of electric power purchased from the El Paso Electric grid, and will reduce carbon dioxide emissions by 7,900 tons per year.

INFORMATION
GPO

111TH CONGRESS
1ST SESSION

H. R. 1448

To authorize the Secretary of Homeland Security and the Attorney General to increase resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations and for other unlawful activities by providing for border security grants to local law enforcement agencies and reinforcing Federal resources on the border, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2009

Mr. RODRIGUEZ (for himself, Mr. TEAGUE, Ms. GIFFORDS, Mr. ORTIZ, Mr. HINOJOSA, Mr. GRIJALVA, Mr. FILNER, Mr. EDWARDS of Texas, Mr. GENE GREEN of Texas, Mr. CUELLAR, and Mr. REYES) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To authorize the Secretary of Homeland Security and the Attorney General to increase resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations and for other unlawful activities by providing for border security grants to local law enforcement agencies and reinforcing Federal resources on the border, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 "Border Reinforcement and Violence Reduction Act of
6 2009".

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—BORDER LAW ENFORCEMENT ENHANCEMENT

Sec. 101. Short title.
Sec. 102. Findings.
Sec. 103. Border relief grant program.
Sec. 104. Authorization of appropriations.
Sec. 105. Enforcement of Federal immigration law.
Sec. 106. Regulations.

TITLE II—SOUTHWEST BORDER VIOLENCE REDUCTION

Sec. 201. Short title.
Sec. 202. Project Gunrunner.
Sec. 203. Enhanced international cooperation.
Sec. 204. Operation Armas Cruzadas.
Sec. 205. Vehicle inspections.
Sec. 206. Affirmation of Second Amendment.

9 # TITLE I—BORDER LAW
10 # ENFORCEMENT ENHANCEMENT

11 **SECTION 101. SHORT TITLE.**

12 This Act may be cited as the "Border Law Enforce-
13 ment Enhancement Act of 2009".

14 **SEC. 102. FINDINGS.**

15 Congress finds the following:

16 (1) It is the obligation of the Federal Govern-
17 ment to adequately secure the borders of the United

1 States and prevent the flow of undocumented per-
2 sons and illegal drugs into the United States in
3 order to better secure such borders.

4 (2) Border communities continue to incur sig-
5 nificant costs due to the lack of adequate border se-
6 curity. A 2001 study by the United States-Mexico
7 Border Counties Coalition found that law enforce-
8 ment and criminal justice expenses associated with
9 illegal immigration exceed $89,000,000 annually for
10 the Southwest border counties.

11 (3) In August 2005, the States of New Mexico
12 and Arizona declared states of emergency in order to
13 provide local law enforcement immediate assistance
14 in addressing criminal activity along the Southwest
15 border.

16 (4) While the Federal Government provides
17 States and localities assistance in covering costs re-
18 lated to the detention of certain criminal aliens and
19 the prosecution of Federal drug cases, local law en-
20 forcement along the border are provided no assist-
21 ance in covering such expenses and must use their
22 limited resources to combat drug trafficking, human
23 smuggling, kidnappings, the destruction of private
24 property, and other border security related crimes.

(5) The United States shares 5,525 miles of border with Canada and 1,989 miles with Mexico. Many of the local law enforcement agencies located along the border are small, rural departments charged with patrolling large areas of land. Counties along the Southwest United States-Mexico border are some of the poorest in the country and lack the financial resources to cover the additional costs associated with border security, narcoterrorism, and other border-related crimes.

(6) Federal assistance is required to help local law enforcement operating along the border address the unique challenges that arise as a result of their proximity to an international border and the lack of overall border security in the region.

SEC. 103. BORDER RELIEF GRANT PROGRAM.

(a) IN GENERAL.—From amounts made available under section 104, the Secretary of Homeland Security may make border security grants to—

(1) sheriffs' offices of counties any part of which is within 25 miles of the southern border of the United States; and

(2) police departments serving a city, town, or other political subdivision in a county any part of which is within 25 miles of the southern border of

1 the United States (including tribal police depart-
2 ments serving a community any part of which is
3 within 25 miles of such border).
4 (b) USE OF FUNDS.—
5 (1) IN GENERAL.—Grant funds received under
6 subsection (a) may be used for the following activi-
7 ties:
8 (A) To conduct law enforcement operations
9 to enforce criminal laws, prevent and punish
10 criminal activity, and protect the lives, prop-
11 erty, and security of the people within the juris-
12 diction of the grant recipient.
13 (B) To transfer to appropriate Federal law
14 enforcement officials aliens unlawfully present
15 in the United States who detained or in the
16 custody of the grant recipient.
17 (C) To enforce State and Federal laws re-
18 lating to securing the border and enforce other
19 State and Federal criminal laws.
20 (2) PAYMENT OF COSTS.—Use of funds under
21 paragraph (1) shall include payment for costs of—
22 (A) hiring, equipping, training, and other-
23 wise controlling the operations and deployment
24 of law enforcement officials engaged in duties

1 described in paragraph (1), as well as the costs
2 of paying overtime to such officials; and
3 (B) detaining, housing, and transporting
4 aliens who are unlawfully present in the United
5 States and who are taken into custody by the
6 grant recipient, until such aliens are transferred
7 to appropriate Federal law enforcement offi-
8 cials.
9 (3) DETENTION FACILITIES.—In accordance
10 with paragraph (2)(B), grant funds received under
11 subsection (a) may be used for the construction,
12 maintenance, and operation of detention facilities to
13 detain aliens who are unlawfully present in the
14 United States, except that not more than 20 percent
15 of such funds may be used for the construction or
16 renovation of detention or similar facilities.
17 (c) APPLICATION.—
18 (1) IN GENERAL.—Each eligible law enforce-
19 ment agency seeking a grant under this section shall
20 submit to the Secretary of Homeland Security an
21 application at such time, in such manner, and ac-
22 companied by such information as the Secretary may
23 require.
24 (2) CONTENTS.—Each application submitted
25 pursuant to paragraph (1) shall—

1 (A) describe the activities for which assist-
2 ance under this section is sought; and
3 (B) provide such additional assurances as
4 the Secretary of Homeland Security determines
5 to be essential to ensure compliance with the re-
6 quirements of this section.

7 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

8 There is authorized to be appropriated to the Sec-
9 retary of Homeland Security to carry out this title
10 $150,000,000 for fiscal year 2010 and each succeeding
11 fiscal year.

12 **SEC. 105. ENFORCEMENT OF FEDERAL IMMIGRATION LAW.**

13 Nothing in this title shall be construed to authorize
14 State or local law enforcement agencies or their officers
15 to exercise Federal immigration law enforcement author-
16 ity.

17 **SEC. 106. REGULATIONS.**

18 Not later than 90 days after the date of the enact-
19 ment of this title, the Secretary of Homeland Security
20 shall issue regulations to carry out this title.

21 TITLE II—SOUTHWEST BORDER
22 VIOLENCE REDUCTION

23 **SEC. 201. SHORT TITLE.**

24 This Act may be cited as the "Southwest Border Vio-
25 lence Reduction Act of 2009".

1 **SEC. 202. PROJECT GUNRUNNER.**

2 (a) IN GENERAL.—The Attorney General shall dedi-
3 cate and expand the resources provided for the Project
4 Gunrunner initiative of the Bureau of Alcohol, Tobacco,
5 Firearms, and Explosives to identify, investigate, and
6 prosecute individuals involved in the trafficking of fire-
7 arms across the international border between the United
8 States and Mexico.

9 (b) ACTIVITIES.—In carrying out this section, the At-
10 torney General shall—

11 (1) assign additional agents of the Bureau of
12 Alcohol, Tobacco, Firearms, and Explosives to the
13 area of the United States adjacent to the inter-
14 national border between the United States and Mex-
15 ico to support the expansion of Project Gunrunner
16 teams;

17 (2) establish not fewer than 1 Project Gun-
18 runner team in each State along the international
19 border between the United States and Mexico; and

20 (3) coordinate with the heads of other relevant
21 Federal law enforcement agencies and State and
22 local law enforcement agencies to address firearms
23 trafficking in a comprehensive manner.

24 (c) ADDITIONAL STAFF.—The Attorney General may
25 hire Bureau of Alcohol, Tobacco, Firearms, and Explo-

1 sives agents for, and otherwise expend additional resources
2 needed to adequately support, Project Gunrunner.
3 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated $15,000,000 for each of fis-
5 cal years 2010 and 2011 to carry out this section.

6 **SEC. 203. ENHANCED INTERNATIONAL COOPERATION.**

7 (a) IN GENERAL.—The Attorney General, in coopera-
8 tion with the Secretary of State, shall—
9 (1) assign agents of the Bureau of Alcohol, To-
10 bacco, Firearms, and Explosives to the United
11 States mission in Mexico, to work with Mexican law
12 enforcement agencies in conducting investigations
13 relating to firearms trafficking and other criminal
14 enterprises;
15 (2) provide the equipment and technological re-
16 sources necessary to support investigations and to
17 trace firearms recovered in Mexico; and
18 (3) support the training of Mexican law en-
19 forcement officers in serial number restoration tech-
20 niques, canine explosive detection, and
21 antitrafficking tactics.
22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated $9,500,000 for each of fis-
24 cal years 2010 and 2011 to carry out this section.

1 **SEC. 204. OPERATION ARMAS CRUZADAS.**

2 (a) IN GENERAL.—In accordance with subsection (b),
3 the Secretary of Homeland Security shall dedicate and ex-
4 pand the resources provided for Operation Armas
5 Cruzadas of United States Immigration and Customs En-
6 forcement (ICE) to identify, investigate, and prosecute in-
7 dividuals involved in the trafficking and smuggling of fire-
8 arms and in other unlawful activities across the inter-
9 national border between the United States and Mexico.

10 (b) RESOURCES.—To achieve the goal described in
11 subsection (a), the Secretary of Homeland Security
12 shall—

13 (1) increase the number of ICE agents assigned
14 to Operation Armas Cruzadas over the number of
15 such agents who are so assigned as of the date of
16 the enactment of this section;

17 (2) increase the number of Border Enforcement
18 Security Task Force (BEST) teams stationed along
19 the border over the number of such teams so sta-
20 tioned as of the date of the enactment of this sec-
21 tion; and

22 (3) coordinate with the heads of other relevant
23 Federal, State, and local law enforcement agencies
24 to address firearms trafficking in a comprehensive
25 manner.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated $15,000,000 for each of fis-
3 cal years 2010 and 2011 to carry out this section.

4 **SEC. 205. VEHICLE INSPECTIONS.**

5 The Secretary of Homeland Security shall coordinate
6 with the heads of other relevant Federal, State, and local
7 law enforcement agencies along the border to develop a
8 comprehensive and strategic plan for the inspection of ve-
9 hicles heading into Mexico.

10 **SEC. 206. AFFIRMATION OF SECOND AMENDMENT.**

11 Nothing in this title shall be construed to restrict or
12 limit the use and ownership of legal handguns and fire-
13 arms by law-abiding gun owners.

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111TH CONGRESS
1ST SESSION

H. R. 1655

To enhance the safety of ports of entry in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2009

Mr. REYES (for himself, Mr. GRIJALVA, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. FILNER, Mr. TEAGUE, Mr. CUELLAR, Ms. GIFFORDS, Mr. BILBRAY, Mr. ROHRABACHER, Mr. MITCHELL, Mr. PASTOR of Arizona, Mr. HINOJOSA, Mr. ABERCROMBIE, Mr. DOGGETT, Mr. GENE GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, Mrs. NAPOLITANO, Mr. ROTHMAN of New Jersey, Mr. STUPAK, Mr. BACA, Mr. BLUMENAUER, Mrs. DAVIS of California, Mr. GONZALEZ, Mr. HONDA, Mr. KLEIN of Florida, Mr. MCINTYRE, Mr. RUPPERSBERGER, and Mr. SIRES) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To enhance the safety of ports of entry in the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Putting Our Resources Towards Security (PORTS) Act".

1 **SEC. 2. INCREASE IN NUMBER OF CUSTOMS AND BORDER**
2 **PROTECTION OFFICERS.**

3 (a) CUSTOMS AND BORDER PROTECTION OFFI-
4 CERS.—During the 5-year period between fiscal years
5 2010 and 2014, the Secretary of Homeland Security shall,
6 subject to the availability of appropriations for such pur-
7 pose, increase by not fewer than 5,000 the total number
8 of full-time, active-duty Customs and Border Protection
9 Officers within United States Customs and Border Protec-
10 tion for posting at United States ports of entry above the
11 number of such officers for which funds were made avail-
12 able during fiscal year 2009.

13 (b) AGRICULTURE SPECIALISTS.—During the 5-year
14 period between fiscal years 2010 and 2014, the Secretary
15 of Homeland Security shall, subject to the availability of
16 appropriations for such border security purposes, increase
17 by not fewer than a total of 1,200 the number of full-
18 time Customs and Border Protection agriculture special-
19 ists for United States ports of entry above the number
20 of such support personnel for which funds were made
21 available during fiscal year 2009.

22 (c) BORDER SECURITY SUPPORT PERSONNEL.—
23 During the 5-year period between fiscal years 2010 and
24 2014, the Secretary of Homeland Security shall, subject
25 to the availability of appropriations for such purpose, in-
26 crease by not fewer than a total of 350 the number of

full-time border security support personnel for United States ports of entry above the number of such support personnel for which funds were made available during fiscal year 2009.

SEC. 3. IMPROVING PORTS OF ENTRY FOR BORDER SECURITY AND OTHER PURPOSES.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator of the General Services Administration $1,000,000,000 for each of fiscal years 2010 through 2014 to make improvements to existing ports of entry in the United States to improve border security and for other purposes.

(b) PRIORITY.—In making improvements described in subsection (a), the Administrator of the General Services Administration, in coordination with the Commissioner of Customs and Border Protection, shall give priority to the ports of entry that the Administrator determines are in most need of repair to improve border security and for other purposes in accordance with port of entry infrastructure assessment studies required in section 603 of title VI, division E, of the Consolidated Appropriations Act of 2008 (Public Law 101–161).

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111TH CONGRESS
1ST SESSION

H. R. 2925

To amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2009

Mr. HOEKSTRA (for himself, Mr. EHLERS, Mr. HELLER, and Mr. BARRETT of South Carolina) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Communities Building Access Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

1 (1) Two models of community programs for the
2 uninsured have emerged as effective in generating
3 community support and funding in urban and rural
4 areas; in providing effective care and coverage for
5 the uninsured; in avoiding displacement of private
6 coverage; and in avoiding duplication of other Fed-
7 eral programs for the uninsured.

8 (2) These community models have dem-
9 onstrated community-wide economic benefit. Em-
10 ployers in the community experience less health care
11 cost-shifting, in addition to increased productivity
12 and employee retention. With greater emphasis on
13 preventive and chronic care, a community's unin-
14 sured population becomes less of a financial burden
15 on State and local budgets.

16 (3) These community models have dem-
17 onstrated potential national solutions for certain un-
18 insured populations, including the working unin-
19 sured. Such lessons learned from these models in-
20 clude, for example, the level of subsidy necessary to
21 get small employers to purchase coverage for their
22 employees, how to effectively market access pro-
23 grams to the uninsured, and how to effectively man-
24 age chronic care among lower-income populations.

1 (4) These community models have succeeded in
2 raising much of the funding necessary to function,
3 but have lacked financial stability and would enjoy
4 greater success with a stable partial funding stream
5 from the Federal Government.
6 (5) These community models, if involved in a
7 Federal partnership, have the ability and willingness
8 to be accountable for a return on investment for
9 Federal funding, and to disseminate expertise to
10 like-minded communities.

11 **SEC. 3. GRANTS FOR MULTI-SHARE HEALTH CARE COV-**
12 **ERAGE PROJECTS FOR UNINSURED WORKING**
13 **INDIVIDUALS.**

14 Subpart I of part D of title III of the Public Health
15 Service Act (42 U.S.C. 254b et seq.) is amended by adding
16 at the end the following:

17 **"SEC. 330M. MULTI-SHARE HEALTH CARE COVERAGE**
18 **PROJECTS FOR UNINSURED WORKING INDI-**
19 **VIDUALS.**

20 "(a) IN GENERAL.—The Secretary shall make grants
21 to public or nonprofit private entities to carry out dem-
22 onstration projects for the purpose of—
23 "(1) making available, on a cost-sharing basis
24 as described in subsection (c)(2)(C), health care cov-
25 erage to qualifying employees through employers

1 that have not contributed to health care benefits for
2 employees during the 12-month period prior to par-
3 ticipating in such a project; and
4 "(2) making available, on such basis, health
5 care coverage to qualifying self-employed individuals
6 who have been without such coverage during the 12-
7 month period prior to participating in such a
8 project.
9 "(b) QUALIFYING EMPLOYEES AND SELF-EMPLOYED
10 INDIVIDUALS.—For purposes of this section, the term
11 'qualifying', with respect to an employee or self-employed
12 individual, means that the employee or self-employed indi-
13 vidual is not eligible for health services under the program
14 under title XVIII, XIX, or XXI of the Social Security Act
15 (relating to the Medicare program, the Medicaid program,
16 and the State children's health insurance program, respec-
17 tively).
18 "(c) REQUIREMENTS FOR GRANT.—
19 "(1) IN GENERAL.—A grant may be made
20 under subsection (a) for a project only if the appli-
21 cant involved—
22 "(A) has defined a service area for the
23 project;
24 "(B) has formed a consortium of entities
25 in such service area, which consortium is com-

1 posed of employers whose employees may or
2 may not be served by the project, health care
3 providers who will provide services through the
4 project, and other appropriate entities;
5 "(C) has ensured that the consortium has
6 established a set of unified goals for the project;
7 "(D) has conducted a basic level of demo-
8 graphic research to obtain data on the unin-
9 sured businesses, working uninsured, and pro-
10 vider community within the service area in
11 order to determine the potential value and ef-
12 fectiveness of operating such a project, which
13 data includes—
14 "(i) the rate of uncompensated care;
15 "(ii) the number of women lacking
16 prenatal services;
17 "(iii) immunization rates; and
18 "(iv) the number of employers that do
19 not provide health insurance to their em-
20 ployees; and
21 "(E) has conducted a basic evaluation of
22 State health insurance and local laws that
23 might impact the implementation of the project.

"(2) AGREEMENTS.—A grant may be made under subsection (a) for a project only if the applicant involved agrees as follows:

"(A) Eligibility criteria will be established for employers to participate in the project, including the requirement that the employers be located within the service area defined under paragraph (1)(A) for the project, which may include—

"(i) a maximum average income earned by the employees of the business;

"(ii) criteria, in addition to the 12-month periods under subsection (a), to avoid creating any incentive for an employer or self-employed individual to discontinue health plans or health insurance policies; and

"(iii) such other criteria as the consortium under paragraph (1)(B) considers to be appropriate.

"(B) A network of health care providers will be formed to provide services to qualifying employees and self-employed individuals who participate in the project, which services will be

1 provided according to a schedule of fees and co-
2 payments negotiated by the project.
3 "(C) Of the cost of providing health care
4 coverage through the project—
5 "(i) not more than 30 percent will be
6 paid by the project with funds from the
7 grant; and
8 "(ii) not less than 70 percent will be
9 paid by the employer, the employee, and
10 any additional sources of funds (such as
11 the community in which the project is lo-
12 cated) that may be available pursuant to
13 arrangements with the project.
14 "(D) A minimum benefit package will be
15 selected that includes—
16 "(i) physicians services;
17 "(ii) prescription drug benefits;
18 "(iii) in-patient hospital services;
19 "(iv) out-patient services;
20 "(v) emergency room visits;
21 "(vi) emergency ambulance services;
22 and
23 "(vii) diagnostic laboratory tests and
24 x-rays.

1 With respect to compliance with the agreement
2 under this subparagraph, the project is not re-
3 quired to provide coverage for any service per-
4 formed outside the service area of the project,
5 except to the extent that a service specified in
6 any of clauses (i) through (vii) is not reasonably
7 available within the service area.

8 "(E) The minimum benefit package will
9 not exclude coverage of a medical condition on
10 the basis that it is a pre-existing condition.

11 "(F) An entity will be selected by the con-
12 sortium under paragraph (1)(B) to carry out
13 administrative and accounting functions with
14 respect to the health care coverage to be offered
15 by the project, including monthly billings,
16 verification and enrollment of eligible employers
17 and employees, maintenance of membership ros-
18 ters, operation of the utilization management
19 program under subparagraph (G), and develop-
20 ment of a marketing plan.

21 "(G) A utilization management program
22 will be selected that ensures delivery of care in
23 the appropriate setting, using appropriate re-
24 sources and clinical practice guidelines.

1 "(H) A plan will be implemented for meas-
2 uring quality and efficiency of care provided
3 through the project within 2 years after the
4 project begins operation.
5 "(I) A plan will be implemented for man-
6 aging care for enrollees with chronic illness, as
7 well as additional cost-control initiatives that
8 will be employed by the project within 2 years
9 after the project begins operation.
10 "(J) A plan will be implemented for pro-
11 tecting the project from high risks, which may
12 include affiliation with State high-risk pool or
13 local safety net program, and purchase of rein-
14 surance.
15 "(K) A plan will be implemented for evalu-
16 ating the project on an interim basis, not less
17 frequently than annually.
18 "(d) APPLICATION FOR GRANT.—A grant may be
19 made under subsection (a) only if an application for the
20 grant is submitted to the Secretary and the application
21 is in such form, is made in such manner, and contains
22 such agreements, assurances, and information as the Sec-
23 retary determines to be necessary to carry out this section.
24 "(e) AUTHORIZATION OF APPROPRIATIONS.—For the
25 purpose of making grants under subsection (a), there is

1 authorized to be appropriated $36,000,000 in the aggre-
2 gate for the fiscal years 2010 through 2016, of which
3 there are authorized to be appropriated amounts as fol-
4 lows:

5 "(1) For fiscal year 2010, $2,000,000.

6 "(2) For each of the fiscal years 2011 and
7 2012, $5,000,000.

8 "(3) For each of the fiscal years 2013 through
9 2016, $6,000,000.

10 **"SEC. 330N. GRANTS FOR VOLUNTEER SPECIALTY PRO-**
11 **VIDER NETWORKS.**

12 "(a) IN GENERAL.—The Secretary shall make grants
13 to public or nonprofit private entities to carry out dem-
14 onstration projects for the purpose of forming and main-
15 taining networks composed of health care specialists who
16 volunteer health services to eligible individuals.

17 "(b) ELIGIBLE INDIVIDUALS.—For purposes of this
18 section, the term 'eligible individual' means an individual
19 who has been enrolled by a project under subsection (a)
20 and—

21 "(1) whose employer does not provide health
22 care coverage;

23 "(2) is unable to obtain health care coverage
24 through a family member or common law partner;

1 "(3) is at or below a poverty level specified by
2 the Secretary; and
3 "(4) is not eligible for health services under the
4 program under title XVIII, XIX, or XXI of the So-
5 cial Security Act (relating to the Medicare program,
6 the Medicaid program, and the State children's
7 health insurance program, respectively).
8 "(c) QUALIFIED GRANT EXPENDITURES.—A grant
9 may be made under subsection (a) for a project only if
10 the applicant involved agrees that the grant will be ex-
11 pended to assist specialists that are participants in the
12 network involved through any or all of the following
13 means:
14 "(1) Paying nominal administrative fees to the
15 participants for the costs of providing services to eli-
16 gible individuals.
17 "(2) Assisting with the cost of training primary
18 care practitioners to manage the chronic conditions
19 that are most often treated by the network special-
20 ists.
21 "(3) Assisting participants with the costs of
22 providing fees to recruit specialists to practice in the
23 service area of the project.

1 "(4) Assisting with the costs of operating a
2 community clinic staffed by volunteer network spe-
3 cialists.
4 "(5) Assisting participants with the costs of in-
5 stalling or operating information technology that is
6 of benefit to patients, such as technology to avoid
7 medical errors or to facilitate the authorized elec-
8 tronic transfer of the health records of eligible indi-
9 viduals.
10 "(6) Paying for necessary prescription drug
11 costs for necessary treatment prescribed by network
12 specialists.
13 "(7) Such additional means as the Secretary
14 may authorize.
15 "(d) CERTAIN REQUIREMENTS FOR GRANT.—A
16 grant may be made under subsection (a) for a project only
17 if the applicant involved—
18 "(1) has defined a service area for the project;
19 "(2) has formed a consortium of various com-
20 munity members, leaders, and organizations in such
21 area;
22 "(3) has ensured that the consortium has estab-
23 lished a set of unified goals for the project;

1 "(4) has conducted the basic level of demo-
2 graphic research described in section
3 330M(c)(1)(D);
4 "(5) has a plan for managing the care of eligi-
5 ble individuals with chronic illness; and
6 "(6) has a plan for evaluating the project on an
7 interim basis, not less frequently than once each
8 year.
9 "(e) MATCHING FUNDS.—
10 "(1) IN GENERAL.—With respect to the costs of
11 the project to be carried out under subsection (a) by
12 an applicant, a grant under such subsection may be
13 made only if the applicant agrees to make available
14 (directly or through donations from public or private
15 entities) non-Federal contributions toward such
16 costs in an amount that is not less than ⅓ of such
17 costs ($1 for each $2 provided in the grant).
18 "(2) DETERMINATION OF AMOUNT CONTRIB-
19 UTED.—Non-Federal contributions required in para-
20 graph (1) may be in cash or in kind, fairly evalu-
21 ated, including plant, equipment, or services.
22 Amounts provided by the Federal Government, or
23 services assisted or subsidized to any significant ex-
24 tent by the Federal Government, may not be in-

1 cluded in determining the amount of such non-Fed-
2 eral contributions.

3 "(f) APPLICATION FOR GRANT.—A grant may be
4 made under subsection (a) only if an application for the
5 grant is submitted to the Secretary and the application
6 is in such form, is made in such manner, and contains
7 such agreements, assurances, and information as the Sec-
8 retary determines to be necessary to carry out this section.

9 "(g) AUTHORIZATION OF APPROPRIATIONS.—For the
10 purpose of making grants under subsection (a), there is
11 authorized to be appropriated $9,000,000 in the aggregate
12 for the fiscal years 2010 through 2016, of which there
13 are authorized to be appropriated amounts as follows:

14 "(1) For each of the fiscal years 2010 and
15 2011, $500,000.

16 "(2) For each of the fiscal years 2012 and
17 2013, $1,000,000.

18 "(3) For each of the fiscal years 2014 through
19 2016, $2,000,000.

20 **"SEC. 330O. CLEARINGHOUSE FOR INFORMATION ON COM-**
21 **MUNITY-INITIATED PROJECTS TO PROVIDE**
22 **HEALTH CARE COVERAGE TO UNINSURED IN-**
23 **DIVIDUALS.**

24 "(a) IN GENERAL.—The Secretary shall make an
25 award of a grant or contract for the establishment and

1 operation of a clearinghouse to collect and make available,
2 on a national basis, information on projects under sections
3 330M and 330N and similar projects that are community-
4 initiated (referred to in this section as 'access projects').
5 "(b) CERTAIN REQUIREMENTS.—The Secretary shall
6 ensure that the information collected and made available
7 under subsection (a) by the Clearinghouse includes the fol-
8 lowing:
9 "(1) A database identifying technical-assistance
10 experts who are or have been involved in the plan-
11 ning or operation of access projects.
12 "(2) Information regarding the success and
13 progress of access projects, including—
14 "(A) information on best-practices identi-
15 fied for such projects;
16 "(B) the number of individuals who lacked
17 health care coverage prior to receiving such cov-
18 erage through the projects;
19 "(C) the number of individuals served by
20 the projects who have chronic conditions that
21 are managed by the projects;
22 "(D) the economic impact of the projects
23 for businesses in the communities in which the
24 projects operated; and

1 "(E) the savings of hospitals and other
2 health care providers in such communities that
3 resulted from the operation of the projects.
4 "(c) APPLICATION.—An award may be made under
5 subsection (a) only if an application for the award is sub-
6 mitted to the Secretary and the application is in such
7 form, is made in such manner, and contains such agree-
8 ments, assurances, and information as the Secretary de-
9 termines to be necessary to carry out this section.
10 "(d) SOLICITATION OF REPORTS.—The Secretary
11 may carry out a program to encourage public and private
12 entities that plan or operate access projects to submit to
13 the Clearinghouse reports that provide information on the
14 projects.
15 "(e) DEFINITION.—For purposes of this section, the
16 term 'Clearinghouse' means the clearinghouse under sub-
17 section (a).
18 "(f) AUTHORIZATION OF APPROPRIATION.—For the
19 purpose of making awards under subsection (a), there are
20 authorized to be appropriated such sums as may be nec-
21 essary for each of the fiscal years 2010 through 2016.".

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INFORMATION
GPO

111TH CONGRESS
2D SESSION

H. R. 4413

To provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2010

Ms. GIFFORDS (for herself and Mr. HEINRICH) introduced the following bill; which was referred to the Committee on Science and Technology

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A BILL

To provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Science Parks Research and Innovative New Technologies Act".

SEC. 2. DEVELOPMENT OF SCIENCE PARKS.

(a) FINDING.—Section 2 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701) is amended by adding at the end the following:

"(12) It is in the best interests of the Nation to encourage the formation of science parks to promote the clustering of innovation through high technology activities.".

(b) DEFINITION.—Section 4 of such Act (15 U.S.C. 3703) is amended by adding at the end the following:

"(12) 'Brownfield' means abandoned, idled, or underused industrial or commercial real property on which expansion or redevelopment is complicated by real or perceived environmental contamination.

"(13) 'Business or industrial park' means a primarily for-profit real estate venture of businesses or industries which do not necessarily reinforce each other through supply chain or technology transfer mechanisms.

"(14) 'Cluster' means a group of competing, collaborating, and interdependent businesses that—

"(A) work in a common industry;

"(B) are concentrated in a geographic region;

"(C) draw on shared infrastructure and a pool of skilled workers; and

"(D) represent the specialization and comparative advantage of the region.

"(15) 'Science park'—

"(A) means a centralized or regionally distributed group of interrelated companies and institutions, including suppliers, service providers, institutions of higher education, Federal or State laboratories, start-up incubators, clusters, and trade associations that—

"(i) foster knowledge flow and contribute to regional economic growth and development;

"(ii) cooperate and compete with each other through physical connectivity or networked virtual parks where technologies cluster, including companies, researchers, and community college workforce training activities; and

"(iii) are located in a specific area or region that promotes real estate development or knowledge-based enterprises, technology transfer, and partnerships between such companies and institutions;

"(B) includes a science park, research park, technology park, research and development park, research and technology park, and science and technology park; and

"(C) does not include a business or industrial park.

"(16) 'Science park infrastructure' means facilities that support the daily economic activity of a science park.".

(c) SCIENCE PARKS.—The Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended by adding at the end the following:

"SEC. 24. SCIENCE PARKS.

"(a) DEVELOPMENT OF PLANS FOR CONSTRUCTION OF SCIENCE PARKS.—

"(1) IN GENERAL.—The Secretary shall award grants for the development of feasibility studies and plans for the construction of new science parks or the expansion, including renovation and modernization, of existing science parks.

"(2) LIMITATION ON AMOUNT OF GRANTS.—The amount of a grant awarded under this subsection may not exceed $750,000.

"(3) AWARD.—

"(A) COMPETITION REQUIRED.—The Secretary shall award grants under this subsection pursuant to a full and open competition.

"(B) GEOGRAPHIC DISPERSION.—The Secretary is encouraged to divide the grants award-

1 ed under this subsection among low-, medium-
2 , and high-population density States.
3 "(C) ADVERTISING.—The Secretary shall
4 advertise any competition under this paragraph
5 in the Commerce Business Daily.
6 "(D) SELECTION CRITERIA.—The Sec-
7 retary shall publish the criteria to be utilized in
8 any competition under this paragraph for the
9 selection of recipients of grants under this sub-
10 section, which shall include requirements relat-
11 ing to—
12 "(i) the effect the science park will
13 have on regional economic growth and de-
14 velopment;
15 "(ii) the number of jobs to be created
16 at the science park and in the surrounding
17 regional community each year during its
18 first 5 years;
19 "(iii) the funding to be required to
20 construct or expand, including renovating
21 or modernizing, the science park during its
22 first 5 years;
23 "(iv) the amount and type of financ-
24 ing and access to capital available to the
25 applicant;

"(v) the types of businesses and research entities expected in the science park and in the surrounding regional community;

"(vi) letters of intent by businesses and research entities to locate in the science park;

"(vii) the quality of life for employees at the science park;

"(viii) the capability to attract a well trained workforce to the science park;

"(ix) the management of the science park;

"(x) expected financial risks in the construction and operation of the science park and the risk mitigation strategy;

"(xi) physical infrastructure available to the science park, including roads, utilities, and telecommunications;

"(xii) the utilization of energy efficient building technology, including nationally recognized green building design practices, renewable energy, cogeneration, and other methods that increase energy efficiency and conservation;

"(xiii) consideration of the transformation of military bases affected by the base realignment and closure process (BRAC) or the redevelopment of existing buildings, structures, or brownfield sites that are abandoned, idled, or underused into single or multiple building facilities for science and technology companies and institutions;

"(xiv) the ability to collaborate with other science parks throughout the world; and

"(xv) other criteria prescribed by the Secretary.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $7,500,000 for each of the fiscal years 2011 through 2015 to carry out this subsection.

"(b) LOAN GUARANTEES FOR SCIENCE PARK INFRASTRUCTURE.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may guarantee up to 80 percent of the loan amount for projects for the construction or expansion, including renovation and modernization, of science park infrastructure.

"(2) LIMITATIONS ON GUARANTEE AMOUNTS.—The maximum amount of loan principal guaranteed under this subsection may not exceed—

"(A) $50,000,000 with respect to any single project; and

"(B) $500,000,000 with respect to all projects.

"(3) SELECTION OF GUARANTEE RECIPIENTS.—The Secretary shall select recipients of loan guarantees under this subsection based upon the ability of the recipient to collateralize the loan amount through bonds, equity, property, and other such criteria as the Secretary shall prescribe. Entities receiving a grant under subsection (a) are not eligible for a loan guarantee during the period of such grant.

"(4) TERMS AND CONDITIONS FOR LOAN GUARANTEES.—The loans guaranteed under this subsection shall be subject to such terms and conditions as the Secretary may prescribe, except that—

"(A) the final maturity of such loans made or guaranteed may not exceed the lesser of—

"(i) 30 years and 32 days; or

1 "(ii) 90 percent of the useful life of
2 any physical asset to be financed by such
3 loan;
4 "(B) a loan made or guaranteed under this
5 subsection may not be subordinated to another
6 debt contracted by the borrower or to any other
7 claims against the borrowers in the case of de-
8 fault;
9 "(C) a loan may not be guaranteed under
10 this subsection unless the Secretary determines
11 that the lender is responsible and that adequate
12 provision is made for servicing the loan on rea-
13 sonable terms and protecting the financial in-
14 terest of the United States;
15 "(D) a loan may not be guaranteed under
16 this subsection if—
17 "(i) the income from such loan is ex-
18 cluded from gross income for purposes of
19 chapter 1 of the Internal Revenue Code of
20 1986; or
21 "(ii) the guarantee provides signifi-
22 cant collateral or security, as determined
23 by the Secretary, for other obligations the
24 income from which is so excluded;

"(E) any guarantee provided under this subsection shall be conclusive evidence that—

"(i) the guarantee has been properly obtained;

"(ii) the underlying loan qualified for such guarantee; and

"(iii) absent fraud or material misrepresentation by the holder, the guarantee is presumed to be valid, legal, and enforceable;

"(F) the Secretary shall prescribe explicit standards for use in periodically assessing the credit risk of new and existing direct loans or guaranteed loans;

"(G) the Secretary may not extend credit assistance unless the Secretary has determined that there is a reasonable assurance of repayment; and

"(H) new loan guarantees may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required under section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

"(5) PAYMENT OF LOSSES.—

1 "(A) IN GENERAL.—If, as a result of a de-
2 fault by a borrower under a loan guaranteed
3 under this subsection, after the holder has
4 made such further collection efforts and insti-
5 tuted such enforcement proceedings as the Sec-
6 retary may require, the Secretary determines
7 that the holder has suffered a loss, the Sec-
8 retary shall pay to such holder the percentage
9 of such loss specified in the guarantee contract.
10 Upon making any such payment, the Secretary
11 shall be subrogated to all the rights of the re-
12 cipient of the payment. The Secretary shall be
13 entitled to recover from the borrower the
14 amount of any payments made pursuant to any
15 guarantee entered into under this section.
16 "(B) ENFORCEMENT OF RIGHTS.—The At-
17 torney General shall take such action as may be
18 appropriate to enforce any right accruing to the
19 United States as a result of the issuance of any
20 guarantee under this section.
21 "(C) FORBEARANCE.—Nothing in this sec-
22 tion may be construed to preclude any forbear-
23 ance for the benefit of the borrower which may
24 be agreed upon by the parties to the guaranteed
25 loan and approved by the Secretary, if budget

1 authority for any resulting subsidy costs (as de-
2 fined in section 502(5) of the Federal Credit
3 Reform Act of 1990) is available.
4 "(D) MANAGEMENT OF PROPERTY.—Not-
5 withstanding any other provision of law relating
6 to the acquisition, handling, or disposal of prop-
7 erty by the United States, the Secretary may
8 complete, recondition, reconstruct, renovate, re-
9 pair, maintain, operate, or sell any property ac-
10 quired by the Secretary pursuant to this sec-
11 tion.
12 "(6) REVIEW.—Not later than 2 years after the
13 date of the enactment of this section, the Comp-
14 troller General of the United States shall—
15 "(A) conduct a review of the subsidy esti-
16 mates for the loan guarantees under this sub-
17 section; and
18 "(B) submit to Congress a report on the
19 review conducted under this paragraph.
20 "(7) TERMINATION.—A loan may not be guar-
21 anteed under this subsection after September 30,
22 2015.
23 "(8) AUTHORIZATION OF APPROPRIATIONS.—
24 There are authorized to be appropriated—

1 "(A) $35,000,000 for the cost (as defined
2 in section 502(5) of the Federal Credit Reform
3 Act of 1990) of guaranteeing $500,000,000 in
4 loans under this subsection; and
5 "(B) such sums as may be necessary for
6 administrative expenses in fiscal year 2011 and
7 thereafter.
8 "(c) NATIONAL ACADEMY OF SCIENCES EVALUA-
9 TION.—
10 "(1) IN GENERAL.—Not later than 18 months
11 after the date of the enactment of this Act, the Sec-
12 retary shall enter into an agreement with the Board
13 on Science, Technology, and Economic Policy of the
14 National Academy of Sciences under which the
15 Board shall—
16 "(A) conduct an evaluation of the activities
17 under this section; and
18 "(B) review and recommend best practices
19 for the development of United States science
20 parks, including metrics for their success.
21 "(2) REPORT.—Under the agreement described
22 in paragraph (1), the Board shall submit a report to
23 the Secretary that—

1 "(A) includes the Board's evaluation of
2 science park development under this section;
3 and
4 "(B) may include such recommendations
5 as the Board considers appropriate for addi-
6 tional activities to promote and facilitate the de-
7 velopment of science parks in the United
8 States.
9 "(d) TRI-ANNUAL REPORT.—Not later than March
10 31, 2014, and every third year thereafter, the Secretary
11 shall submit a report to Congress that—
12 "(1) describes the activities under this section
13 during the preceding 3 years;
14 "(2) includes any recommendations made by
15 the Board on Science, Technology, and Economic
16 Policy under subsection (c)(2)(B) during such pe-
17 riod; and
18 "(3) may include such recommendations for leg-
19 islative or administrative action as the Secretary
20 considers appropriate to further promote and facili-
21 tate the development of science parks in the United
22 States.
23 "(e) RULEMAKING.—Not later than 1 year after the
24 date of the enactment of this section, the Secretary shall
25 promulgate regulations to carry out this section in accord-

1 ance with Office of Management and Budget Circular A–
2 129, entitled 'Policies for Federal Credit Programs and
3 Non-Tax Receivables'.".

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