



Legislative Bulletin.....December 11, 2007

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 5

Total Cost of Discretionary Authorizations: \$82.5 million in FY 2008 and \$188.7 million over the FY 2008 – 2012 period

Effect on Revenue: Reduced by \$8 million over a five year period

Total Change in Mandatory Spending: Complete information is not available, but would result in a net decrease over five years

Total New State & Local Government Mandates: 2

Total New Private Sector Mandates: 6

Number of Bills Without Committee Reports: 8

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 3

H.R. 3079—To amend the Joint Resolution Approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands, and for other purposes (*Del. Christensen, D-VI*)

Order of Business: The bill is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3079 would extend U.S. immigration laws to the Commonwealth of the Northern Mariana Islands (CNMI) and grant the CNMI a non-voting delegate to the U.S. House of Representatives.

Title I – The Northern Mariana Island Immigration, Security, and Labor Act

Though a territory of the U.S., the CNMI is not currently required to follow the immigration laws and standards of the U.S. H.R. 3079 would apply the Immigration and Nationality Act to the CNMI.

H.R. 3079 would set a five year transitional period and establish the CNMI-Only Transitional Worker Program through the Department of Homeland Security (DHS) to

administer the transition. The transitional period could be extended for an additional five years if the DHS, along with all other federal agencies facilitating the transition, agree to the extension.

The bill would require federal agencies to work with the CNMI to reduce the economic ramifications of the transition. Federal agencies would be required to work with the CNMI to provide technical assistance to help diversify and expand their economy. H.R. 3079 would authorize applicable federal agencies to establish offices in the CNMI to carry out transitional activities.

H.R. 3079 would prohibit the CNMI from increasing the number of alien workers until after the date that the new laws take effect, which the bill states will be one year after enactment. The bill would require any temporary workers to leave the CNMI within two years of the beginning of the transitional process.

Title II – Northern Mariana Island Delegate Act

The bill would grant the CNMI one nonvoting delegate to the U.S. House of Representatives and provide for how the delegate shall be elected. The first CNMI delegate would be elected in the general elections of 2008. The delegate would be granted the ability to sponsor and cosponsor legislation and serve as a voting member of a committee, however, he or she would have no vote on any legislation on the floor of the House.

Additional Background: The [Commonwealth of the Northern Mariana Islands](#) (CNMI) is a U.S. territory in the Pacific Ocean (40 miles north of Guam) with a population of 84,546. Of the CNMI's population, 35,000 people are U.S. citizens. The terms of the relationship between the U.S. and the CNMI are set in the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, which was signed into law in 1976. According to [House Report 110 – 469](#), the Covenant intentionally let the CNMI set its own immigration and labor policies in order to help the territory facilitate economic growth. Under the Covenant, citizens of the CNMI were given U.S. citizenship and the government was granted greater autonomy.

Following the implementation of the Covenant, which became law at a time when the CNMI had a population of some 15,000, the CNMI began to accept alien workers to support the booming garment and tourist industry. The Committee on Natural Resources reports that the population of alien workers grew to 40,000 people by the beginning of the 21st Century. The House Report states that “Throughout this period, the U.S. Congress, the George H. W. Bush Administration, and Clinton Administration expressed concerns over the CNMI's local use of immigration policy, enforcement of labor laws, and also the repeated allegations that foreign guest workers were being mistreated and exploited. In spite of support from these aforementioned Administrations to extend federal immigration laws to the CNMI, Congressional efforts to pass legislation were unsuccessful.” With increased border security concerns since the attacks of September 11, 2001, and an increased U.S. military presence in nearby Guam, the U.S. government

has become increasingly concerned that the CNMI's lax immigration standards represent a risk to U.S. security interests. H.R. 3079 seeks to remedy the problem by subjecting the CNMI to U.S. immigration laws.

In addition to applying U.S. immigration law in the CNMI, H.R. 3079 would grant the Commonwealth a non-voting delegate to the U.S. House of Representatives beginning in the 111th Congress. With a population of some 84,000 people, the CNMI is similar in size to other U.S. territories when they were given non-voting delegates in the House. For example, Guam had a population of 86,000 and the U.S. Virgin Islands had a population of 63,000 when they were each granted a delegate in 1976. According to the committee report, the CNMI is the only remaining U.S. territory that meets the "historical criteria" for a nonvoting delegate to the House. The report states that "former Micronesian Trust Territories are now associated republics. They have ambassadors, not delegates, and are members of the United Nations."

H.R. 3079 would result in a \$2 million increase in mandatory spending to pay for the salary and benefits of a new delegate over ten years. Because the increase is not offset, the bill technically violates PAYGO rules implemented in the 110th Congress. However, because the bill is being considered under a suspension of the rules, all PAYGO requirements are waived. Congressional Quarterly (CQ) reported that an amendment to H.R. 3079 paying for the \$2 million shortfall may be made before the bill goes to the floor. As of press time, no new text was available.

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 3079 would result in \$2 million in new mandatory spending without offsetting the cost as would be necessary if the bill were not considered under a suspension of the rules.

Committee Action: H.R. 3079 was introduced on July 18, 2007, and referred to the Committee on Natural Resources which referred the bill to the Subcommittee on Insular Affairs. On November 7, 2007, a full committee hearing was held and the bill was reported, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 3079 would increase discretionary spending by \$3 million in FY 2008 and \$10 million over the FY 2008 – FY 2012 period to pay for assistance associated with the transition from current immigration laws in the CNMI. In addition, CBO estimates that enacting H.R. 3079 would increase direct spending by \$2 million over the FY 2009 – FY 2017 period to pay the salary and benefits of a new nonvoting delegate. This spending is not offset.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it applies U.S. federal immigration laws to the CNMI and adds a new non-voting delegate to the House of Representatives.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes. According to CBO, H.R. 3079 would contain intergovernmental mandates by preempting the CNMI's ability to administer its own

immigration policy. CBO estimates the cost of complying with the mandates in the bill would be below the threshold established in UMRA.

In addition, the bill would impose private sector mandates on employers in the CNMI by restricting the number of temporary alien workers they could hire. The bill would also require that legally admitted aliens leave the CNMI within two years of the beginning of the transitional period. However, CBO is unable to determine how many aliens would be required to leave and what the costs would be.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to [House Report 110 – 469](#), H.R. 3079 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

Constitutional Authority: In [House Report 110 – 469](#), the Natural Resources Committee cites constitutional authority in Article 1, Section 8, but fails to cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” [*emphasis added*]

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 3739—To amend the Arizona Water Settlements Act to modify the requirements for the statement of findings (*Grijalva, D-AZ*)

Order of Business: The bill is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3739 would amend the Arizona Water Settlements Act to modify a requirement that the Secretary of the Interior submit a statement of findings before the Act can go into effect.

Additional Background: Under current law, the Secretary is required to submit a statement of findings prior to December 31, 2007, in order for a settlement made in the Arizona Water Settlements Act to take effect. In the statement of findings, the Secretary is required to verify that a legal settlement between the federal government and the Tohono O’odham Indian tribe has become “final and nonappealable” in state court. If this requirement is not met prior to December 31, 2007, the agreement between the tribe and the federal government is nullified and the 1982 law that defines the current arrangement remains in effect. H.R. 3739 would remove the requirement that the state ruling be “final and nonappealable” so the new law may take effect when it was intended.

Committee Action: H.R. 3739 was introduced on October 3, 2007, and referred to the Committee on Natural Resources which referred the bill to the Subcommittee on Water

and Power. On November 15, 2007, a full committee hearing was held and the bill was reported by unanimous consent.

Cost to Taxpayers: According to CBO, H.R. 3739 would have no budgetary impact.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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H.R. 123—To authorize appropriations for the San Gabriel Basin Restoration Fund (Dreier, R-CA)

Order of Business: The bill is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 123 would increase the authorization for the San Gabriel Basin Restoration Fund from \$85 million to \$146 million. Federal money granted to the fund is administered by the Central Basin Municipal Water District for the purpose of carrying out water quality and groundwater cleanup projects in the San Gabriel Basin, California.

Additional Background: The San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project, both managed by the Central Basin Water Quality Project, administer groundwater cleanup and supply programs with the expressed goal of “minimizing local financial and economic impacts, including impacts on local groundwater consumers.” Water cleaned and supplied by the Authority is primarily consumed by residents of the Los Angeles area. The federal government provided a \$85 million authorization to assist the local effort in the Consolidated Appropriations Act of 2001. H.R. 123 would increase federal assistance levels to the Central Basin Water Quality Project by \$60 million. To learn more about the local water projects, [click here](#).

Possible Conservative Concerns: Some conservatives maybe concerned that H.R. 123 would increase the amount of federal funds authorized for a local water project from \$85 million to \$146 million.

Committee Action: H.R. 123 was introduced on January 4, 2007, and referred to the Committee on Natural Resources which referred the bill to the Subcommittee on Water and Power. On October 16, 2007, the Subcommittee on Water and Power held a mark-up and forwarded the bill to the full committee, without recommendation, by unanimous consent. On November 15, 2007, a full committee hearing was held and the bill was reported, as amended, by unanimous consent.

Cost to Taxpayers: A CBO score for H.R. 123 was not available at press time. However the bill would increase the authorization level for the San Gabriel Basin Water Quality Authority and the Central Basin Water Quality Project by \$60 million.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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H.Res. 842—Expressing sympathy to and pledging the support of the House of Representatives and the people of the United States for the victims of Cyclone Sidr in southern Bangladesh (*Rothman, D-NJ*)

Order of Business: H.Res. 842 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 842 would express the sense that the House:

- “expresses its heartfelt sympathy for the victims of Cyclone Sidr, which has affected southern Bangladesh;
- “conveys its sincere support to the people of Bangladesh;
- “urges the United States Government to immediately make available all appropriate assistance requested by the Bangladeshi authorities; and
- “reaffirms its commitment to provide relief aid to the victims as the effects of the cyclone continue to unfold.”

The resolution lists a number of findings, including:

- “on November 15, 2007, Cyclone Sidr hit the coast of southern Bangladesh with 155 mile-an-hour winds that smashed tens of thousands of homes, damaged roads and buildings, and caused a 16-foot tidal surge that ruined thousands of hectares of crops;
- “early reports have branded the destruction from Cyclone Sidr as the worst in Bangladesh in 16 years;
- “the resulting damage from the cyclone is estimated to have affected 4,000,000 people so far through evacuation from and loss of their homes;
- “the death toll from the cyclone is already at 3,500 and continues to climb; and
- “due to the limited access to water supply and sanitation facilities that millions of Bangladeshis will face, health officials have begun warning against the serious possibility of cholera, dysentery, and other waterborne diseases.”

Committee Action: H.Res. 842 was introduced on December 4, 2007, and referred to the Committee on Foreign Affairs, where no official action was taken.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 708—Honoring the life and accomplishments of Luciano Pavarotti and recognizing the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes (*Sanchez, Loretta, D-CA*)

Order of Business: H.Res. 708 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 708 would express the sense that the House “honors the life and accomplishments of Luciano Pavarotti and recognizes the significant and positive impact of his astounding musical talent, his achievement in raising the profile of opera with audiences around the world, and his commitment to charitable causes.”

The resolution lists a number of findings, including:

- “Luciano Pavarotti was born on October 12, 1935, in the outskirts of Modena, Italy;
- “Mr. Pavarotti first began singing in a church choir at the age of 9;
- “Mr. Pavarotti began serious voice training at the age of 19 under Arrigo Pola, a respected teacher and professional tenor in Modena, Italy;
- “Mr. Pavarotti made frequent television performances which attracted some of the largest audiences ever recorded for televised opera events;
- Mr. Pavarotti, with Placido Domingo and Jose Carreras, made their debut as ‘The Three Tenors’ in Rome during the 1990 World Cup;
- “‘The Three Tenors’ recording from their debut concert became the biggest selling classical record of all time; and
- “Luciano Pavarotti died on September 6, 2007 in a hospital in Modena, Italy.”

Committee Action: H.Res. 708 was introduced on October 10, 2007, and referred to the Committee on Foreign Affairs, where no official action was taken.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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H.Res. 847—Recognizing the importance of Christmas and the Christian faith (King, R-IA)

Order of Business: H.Res. 847 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H. Res. 847 would express the sense that the House:

- “recognizes the Christian faith as one of the great religions of the world;
- “expresses continued support for Christians in the United States and worldwide;
- “acknowledges the international religious and historical importance of Christmas and the Christian faith;
- “acknowledges and supports the role played by Christians and Christianity in the founding of the United States and in the formation of the western civilization;
- “rejects bigotry and persecution directed against Christians, both in the United States and worldwide; and
- “expresses its deepest respect to American Christians and Christians throughout the world.”

The resolution lists a number of findings, including:

- “Christmas, a holiday of great significance to Americans and many other cultures and nationalities, is celebrated annually by Christians throughout the United States and the world;
- “there are approximately 225,000,000 Christians in the United States, making Christianity the religion of over three-fourths of the American population;
- “there are approximately 2,000,000,000 Christians throughout the world, making Christianity the largest religion in the world and the religion of about one-third of the world population;
- “Christians identify themselves as those who believe in the salvation from sin offered to them through the sacrifice of their savior, Jesus Christ, the Son of God, and who, out of gratitude for the gift of salvation, commit themselves to living their lives in accordance with the teachings of the Holy Bible;
- “Christians and Christianity have contributed greatly to the development of western civilization;
- “the United States, being founded as a constitutional republic in the traditions of western civilization, finds much in its history that points observers back to its roots in Christianity;
- “on December 25 of each calendar year, American Christians observe Christmas, the holiday celebrating the birth of their savior, Jesus Christ;
- “for Christians, Christmas is celebrated as a recognition of God's redemption, mercy, and Grace; and
- “many Christians and non-Christians throughout the United States and the rest of the world, celebrate Christmas as a time to serve others.”

Committee Action: H.Res. 847 was introduced on December 6, 2007, and referred to the Committee on Foreign Affairs, where no official action was taken.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 3890—Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2007 (*Lantos, D-CA*)

Order of Business: The bill is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3890 would strengthen U.S. sanctions against the nation of Burma in light of the country’s violent response to peaceful protests against the government. The

bill would also authorize \$40 million over the next two years to fund pro-democratic and humanitarian initiatives and require the Secretary of State to make a report regarding the sources of Burma's military support.

H.R. 3890 would impose the following sanctions against the country of Burma:

- Creates a ban on the importation of gems from the country of Burma;
- Increases the number of people whose assets must be frozen and who must be denied visas to travel to the U.S. to include any Burmese government official or military member who was involved in the suppression of anti-regime protests (currently only military leaders are subject to these measures);
- Imposes financial sanctions on companies that support the Burmese regime;
- Removes tax deductions for companies doing business in Burma;
- Extends a visa ban against human rights violators;
- Prevents U.S. firms from making payments to Burma; and
- Eliminates the requirement that sanctions against Burma be reauthorized every year.

In addition, H.R. 3890 would authorize \$20 million in FY 2008 and FY 2009 to assist democracy activists and humanitarian aid workers in their efforts to:

- Promote democracy and human rights;
- Represent the ethnic minorities of Burma;
- Broadcast radio and television programs into Burma that promote democracy and report on human rights conditions inside Burma;
- Compile evidence of human rights violations in Burma;
- Provide aid to humanitarian workers who;
- Provide food, medical, educational, or other assistance to refugees and internally displaced persons;
- Assist women and girls after incidents of rape and other forms of sexual violence; or
- Assist in the rehabilitation of child soldiers.

Finally, H.R. 3890 would require the Secretary of State to submit a report to Congress within 180 days containing a list of countries, companies, and other entities that provide military or intelligence aid to the Burmese Regime and describing such military or intelligence aid provided by each such country, company, and other entity.

Additional Background: In August, 2007, thousands of peaceful protesters marched in the streets of cities all across Burma in one of the nation's largest-ever peaceful protest against the regime. Within a month an estimated 100,000 people were marching peacefully in protest in Burma. The Burmese regime responded to the peaceful protests with a violent crackdown which culminated with beating and opening fire on unarmed protesters. Outside organizations estimate that some 3,000 Burmese protesters were detained during the crackdown and that unwarranted arrests of anti-regime protesters persist in Burma.

According to [House Report 110 - 418](#), the U.S. has passed several measures to impose sanctions against the government of Burma, including a ban on new investments in Burma that Congress passed in 1997. Still, there are concerns that the Burmese government has found loopholes in past Congressional and Executive sanctioning efforts and is still profiting from peripheral business with the U.S. According to the report, “The regime continues to profit from the sale of Burma’s vast natural resources while the bulk of Burma’s people live in poverty. Most economic enterprises in Burma are state-owned and proceeds from most economic activity of those enterprises inure to the regime’s economic benefit.” H.R. 3890 is intended to respond to the Burmese regime’s attempts to evade previous sanctions.

Committee Action: H.R. 3890 was introduced on October 18, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up on October 23, 2007, and reported the bill, in the nature of a substitute, by unanimous consent.

Cost to Taxpayers: According to CBO, H.R. 3890 would authorize \$40 million over the FY 2008 – FY 2009 period for pro-democracy and humanitarian efforts in Burma.

In addition, CBO estimates that certain sanctions included in the bill would reduce customs duties and result in a reduction of federal revenues of roughly \$500,000 in FY 2008 and \$8 million over the FY 2008 – FY 2012 period.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to [House Report 110 - 418](#), H.R. 3890 “does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.”

Constitutional Authority: According to [House Report 110 - 418](#), H.R. 3079 cites constitutional authority in Article 1, Section 8, but fails to cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” [*emphasis added*]

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**H.Res. 768—Honoring the life of Thomas “Tommy” Makem
(Shea-Porter, D-NH)**

Order of Business: H.Res. 768 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 768 would express the sense that the House “honors the life of Thomas ‘Tommy’ Makem, and his accomplishments as a musician, composer and performer.”

The resolution lists a number of findings, including:

- “Thomas ‘Tommy’ Makem was born on November 4, 1932 in Keady, County Armagh, in Northern Ireland;
- “Thomas Makem emigrated from Ireland to Dover, New Hampshire in 1955, after having won the All-Ireland Championship in acting, to pursue a career in acting and carrying with him only a makeshift suitcase, a pair of bagpipes, and proof of his health;
- “in 1961 Thomas Makem performed at the Newport Folk Festival and, along with Joan Baez, was named as the most promising newcomer;
- “in 1963 the Clancy Brothers and Tommy Makem performed at the White House at the request of President John F. Kennedy;
- “throughout his performing career Thomas Makem was highly regarded as an exceptional musician by both his colleagues and the public and received many awards and honors including the World Folk Music Association's Lifetime Achievement Award in 1999 and honorary doctorates from the University of New Hampshire in 1998, the University of Limerick in 2001, and the University of Ulster in 2007; and
- “Thomas Makem died on Wednesday, August 1, 2007 in Dover, New Hampshire and will now be remembered as a dedicated husband, father, and grandfather and as one of the greatest Irish-Americans of the 20th Century.”

Committee Action: H.Res. 768 was introduced on December 6, 2007, and referred to the Committee on Education and Labor. On November 14, 2007, the resolution was referred to the Subcommittee on Healthy Families and Communities, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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H.Con.Res. 264—Honoring the University of Hawaii for its 100 years of commitment to public higher education (*Hirono, D-HI*)

Order of Business: H.Con.Res. 264 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 264 would express the sense that the House “congratulates the University of Hawaii on the momentous occasion of its 100th Anniversary, and expresses its warmest aloha and best wishes for continued success.”

The resolution lists a number of findings, including:

- “while the natural beauty of Hawaii is recognized throughout the world, the real beauty of the island state lies in its people, who, through their personal relationships with their families, friends, and neighbors, and through their dedicated efforts to serve the needs of the people of Hawaii, have created prosperity and high standards of living;
- “the institution which would eventually become the University of Hawaii at Manoa finds its humble beginnings in 1907 in a small house on Young Street as the College of Agriculture and Mechanic Arts;
- “with the establishment of the Colleges of Arts and Sciences in 1920, the university became a full-fledged university, known today as the University of Hawaii at Manoa
- “in 1941, the Hawaii Vocational School was founded near downtown Hilo, becoming a University branch campus in 1951 and the University of Hawaii at Hilo in 1970;
- “West Oahu College was founded in 1976, gaining university status in 1989 as the University of Hawaii--West Oahu, the youngest of the university’s baccalaureate degree-granting campuses;
- “the vitality of today’s University of Hawaii touches someone in virtually every family in these islands; and
- “all four members of Hawaii’s congressional delegation are proud graduates of the University of Hawaii.”

Committee Action: H.Con.Res. 264 was introduced on December 4, 2007, and referred to the Committee on Education and Labor, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 785—Recognizing the 100th Anniversary of Robstown, Texas

(Ortiz, D-TX)

Order of Business: H.Res. 785 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 785 would express the sense that the House “recognizes the 100th anniversary of Robstown, Texas, and commends all of the residents of Robstown and all other individuals who call Robstown home.”

The resolution lists a number of findings, including:

- “in 2007, the city of Robstown, Texas, celebrates its centennial as the ‘Biggest Little Town in Texas’;
- “before Robstown became a city in Nueces County, Robstown was a major thoroughfare north of the National Mexican Railway, making it vital for trade and commerce between Mexico and the United States;
- “rancher and businessman Robert Driscoll conveyed territories encircling the boundaries of Robstown, inspiring Robstown’s name;
- “a steadfast community in Nueces County, the residents of Robstown have included legendary National Football League Hall of Famer Gene Upshaw; Federal Judge Hilda Tagle; and numerous county, State, and Federally elected officials;
- “Robstown has scheduled ‘Century of Celebration’ festivities throughout 2007, beginning on January 1 and including a formal celebration on June 1 and the Cottonfest festival in October; and
- “Robstown’s contributions to the history of the United States include being the site of the first game of Texas Hold ‘em poker.”

Committee Action: H.Res. 785 was introduced on October 30, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution by voice vote on November 11, 2007.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 4009—To designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the “Turrill Post Office Building” (Miller, R-MI)

Order of Business: H.R. 4009 is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4009 would designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the “Turrill Post Office Building.”

Additional Background: According to CQ, the Turrills were the third family to settle in Lapeer, Michigan in the 1830’s.

Committee Action: H.R. 4009 was introduced on October 30, 2007, and was referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on November 8, 2007.

Cost to Taxpayers: A CBO score of H.R. 4009 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish post offices and post roads; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in the Constitution.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Con.Res. 215—Supporting the designation of a week as “National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week” (Kuhl, R-NY)

Order of Business: H.Con.Res. 215 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 215 would express the sense that the House:

- “supports the goals and ideals of a National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week to establish well-organized programs to increase public training in cardiopulmonary resuscitation and

- automated external defibrillator use and to increase public access to automated external defibrillators; and
- “requests that the President issue a proclamation calling upon the people of the United States and interested organizations to observe such a week with appropriate ceremonies and activities.

The resolution lists a number of findings, including

- “heart disease remains the leading cause of death in the United States;
- “heart disease affects men, women, and children of every age and race in the United States, regardless of where they live;
- “annually approximately 325,000 coronary heart disease deaths occur out of hospital or in an emergency room;
- “approximately 95 percent of sudden cardiac arrest victims die before arriving at the hospital;
- “death or severe brain injury is likely to occur unless resuscitation measures are started no later than 10 minutes after the onset of sudden cardiac arrest;
- “the interval between the 911 call and the arrival of EMS personnel is typically longer than 5 minutes and achieving high survival rates therefore depends on a public trained in cardiopulmonary resuscitation and automated external defibrillator use; and
- “the American Heart Association and the American Red Cross are preparing related public awareness and training campaigns on cardiopulmonary resuscitation and automated external defibrillation to be held on the first week of June each year.”

Committee Action: H.Con.Res. 215 was introduced on September 19, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution, as amended, by voice vote on November 8, 2007.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 695—Expressing the support for designation of a “National Fire Fighter Appreciation Day” to honor and celebrate the fire fighters of the United States (Campbell, R-CA)

Order of Business: H.Res. 695 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 695 would express the sense that the House “supports the designation of a ‘National Fire Fighter Appreciation Day’ to honor and celebrate the fire fighters of the United States.”

The resolution lists a number of findings, including

- “there are more than 1,100,000 fire fighters in the United States;
- “approximately 75 percent of all fire fighters in the United States are volunteers who receive little or no compensation for their heroic work;
- “there are more than 30,000 fire departments in the United States;
- “thousands of fire fighters have died in the line of duty since the date that Benjamin Franklin founded the first volunteer fire department in 1735;
- “346 fire fighters and emergency personnel died while responding to the terrorist attacks that occurred on September 11, 2001;
- “fire fighters respond to more than 20,000,000 calls during a typical year;
- “fire fighters also provide emergency medical services, hazardous materials response, special rescue response, terrorism response, and life safety education;
- “in 1922, President Harding declared the week of October 9 to be Fire Prevention Week; and
- “the second Tuesday in October is an appropriate day for the establishment of a National Fire Fighter Appreciation Day.”

Committee Action: H.Res. 695 was introduced on October 1, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution, as amended, by voice vote on November 8, 2007.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

S. 597—An act to extend the special postage stamp for breast cancer research for 4 years (*Feinstein, D-CA*)

Order of Business: The bill is scheduled for consideration on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: S. 597 would extend the authority of the United States Postal Service (USPS) to issue and sell breast cancer awareness postage stamps (know as semipostals) through December 31, 2011. Any profits raised by the sale of the stamp would be used to fund breast cancer research.

Additional Background: The Stamp Out Breast Cancer Act, which became law in 1997, was created to increase awareness about breast cancer and raise money to combat the disease. The Act allowed the USPS to create a breast cancer awareness semipostal stamp and sell it 14 cents above the normal price of a first class stamp. Today the stamps sell for 55 cents, with the extra money, minus a small percentage used for increased administrative costs, going to breast cancer research conducted by the National Institute of Health and the Department of Defense. According to [House Report 110 – 409](#), which was drafted for a similar House measure, the program has raised \$53.4 million for breast cancer research since it began.

Committee Action: S. 597 passed the Senate on November 14, 2007, and was received in the House the following day. No official committee action has been taken on the legislation.

Cost to Taxpayers: According to CBO, S. 597 would have no net budgetary impact over five years.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

**H.R. 4108—To amend section 3328 of title 5, United States Code,
relating to Selective Service registration (*Miller, D-CA*)**

Order of Business: H.R. 4108 is scheduled to be considered on Tuesday, December 11, 2007 under a motion to suspend the rules and pass the bill.

Summary: H.R. 4108 would make amendments to Selective Service registration system.

Specifically, H.R. 4108 directs the Director of the Office of Personnel Management, in consultation with the Director of the Selective Service System, to determine the following:

- A procedure to determine how to handle an individual who fails to register knowingly and willfully; and
- A procedure for instances when “a preponderance of the evidence that the failure to register was neither knowing nor willful.”

H.R. 4108 would allow certain federal employees who fail to register with the Selective Service to continue their federal employment. H.R. 4108 allows federal employees who did not register with the Selective Service, but who were honorably discharged from military service, to continue their employment with the federal government. In addition, H.R. 4108 stipulates that any federal employee with at least 10 years of exemplary government service will not be terminated if they do not register.

Background: The Selective Service is a system for identifying male candidates for compulsory military service (a draft). Current law provides that all males born after December 31, 1959 must register with the Selective Service by their 26th birthday to be eligible for any kind of federal employment. The only way to circumvent federal employment termination (if the employee is not registered) is to be granted a waiver by the Office of Personnel Management. According to the Office of Personnel Management, a small number of employees are identified as unregistered with the Selective Service in the course of their employment with the federal government.

Committee Action: H.R. 4108 was introduced on November 7, 2007 and was referred to the House Committee on Oversight and Government Reform. On November 7, 2007, the Committee held a mark-up on H.R. 4108 and ordered the bill to be reported by voice vote.

Cost to Taxpayers: According to the CBO, “enacting this legislation would have no significant impact on the federal budget.”

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

RSC Staff Contact: Sarah Makin; sarah.makin@mail.house.gov; 202-226-0718.

**H.Con.Res. 261—Commemorating the centennial anniversary of the sailing of the Navy’s “Great White Fleet,” launched by President Theodore Roosevelt on December 16, 1907, from Hampton Roads, Virginia, and returning there on February 22, 1909
(Drake, R-VA)**

Order of Business: H.Con.Res. 261 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 261 would express the sense that the United States:

- “commemorates the wisdom of President Theodore Roosevelt in developing and launching the Great White Fleet;
- “supports a one-time designation of a day to celebrate the 100th centennial of the Great White Fleet and the special role the Fleet played in building enduring friendships with important allies and partner nations;
- “commends efforts by the Department of the Navy to maintain and strengthen our cooperative partnerships with foreign nations and to safeguard our Nation’s interests in the maritime domain;
- “commends efforts by the Department of the Navy in leading the development of a Cooperative Strategy for 21st Century Seapower; and
- “honors the sacrifices made and services rendered by the servicemembers of the Navy, Marine Corps, and the Coast Guard and the civilians who constitute our maritime services.”

The resolution lists the following findings:

- “the launching of the Great White Fleet marked the emergence of the United States as a true global seapower, able to dispatch 16 new battleships on a worldwide deployment for 14 months;
- “these battleships were painted entirely white, with gilded scrollwork on their bows, and subsequently came to be known as the ‘Great White Fleet’;
- “the 4 squadrons of 4 battleships each, manned by 14,000 sailors, sailed 43,000 miles and made 20 port calls on 6 continents;
- “the Fleet, in conducting visits to important nations such as Australia, served to reinforce a friendship and partnership that continues to this day;
- “the Fleet, in providing a tangible demonstration of the forward naval presence of the United States in the Pacific, also reinforced the message of how important maritime stability and security are to the United States;

- “the Fleet, in response to one of the worst natural disasters in European history, was able to immediately divert to Messina, Sicily, to offer humanitarian aid to the Italian people; and
- “the Fleet, in executing a range of missions and returning to the United States after 14 months at sea, displayed to the world a number of core American values, including compassion, showed its flexibility by responding to unforeseen events, and demonstrated the ability of the United States to project maritime power as a stabilizing force.”

Committee Action: H.Con.Res. 261 was introduced on November 15, 2007, and referred to the Committee on Armed Services, where no official action was taken.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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H.R. 3986 — John F. Kennedy Center Reauthorization Act of 2007 (Oberstar, D-MN)

Order of Business: H.R. 3986 is scheduled to be considered on Tuesday, December 11, 2007 under a motion to suspend the rules and pass the bill.

Summary: H.R. 3986 authorizes the following funds for the John F. Kennedy Center for the Performing Arts in Washington, D.C.:

- For maintenance, repair, and security, H.R. 3986 authorizes \$20,200,000 for fiscal year 2008; \$21,800,000 for fiscal year 2009; and \$22,500,000 for fiscal year 2010.
- H.R. 3986 also authorizes for “capital projects” \$23,150,000 for fiscal year 2008; \$16,000,000 for fiscal year 2009; and \$17,000,000 for fiscal year 2010.

In addition, H.R. 3986 would require the Board of the John F. Kennedy Center for the Performing Arts to study, plan, design, engineer, and construct a photovoltaic system (solar power) for the main roof of the Kennedy Center. The Board must also author a report no later than 60 days before beginning construction of the photovoltaic system pursuant to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate regarding the feasibility and design of the project.

H.R. 3986 authorizes “such sums as may be necessary” to carry out the engineering and construction of a photovoltaic system, “with such sums to remain available until expended.”

Background: The Kennedy Center is a national cultural center, first chartered by Congress in 1958 and designated to honor the late President John F. Kennedy in 1964. The current building was constructed in the late 1960’s and was officially opened in September 1971. Initial funding for the Kennedy Center was authorized in September 2002.

Committee Action: H.R. 3986 was introduced on October 29, 2007 and was referred to the House Committee on Transportation and Infrastructure. On October 31, 2007, the Committee held a mark-up on H.R. 3986 and ordered the bill to be reported by voice vote.

Cost to Taxpayers: According to the CBO, this bill would authorize \$49 million in FY2008 and a total of \$127 million over the FY2008-FY2010 period. Enacting the bill would not affect direct spending or revenues.”

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

RSC Staff Contact: Sarah Makin; sarah.makin@mail.house.gov; 202-226-0718.

H.R. 3985—Over-the-Road Bus Transportation Accessibility Act of 2007(*DeFazio, D-OR*)

Order of Business: H.R. 3985 is scheduled to be considered on Tuesday, December 11, 2007 under a motion to suspend the rules and pass the bill.

Summary: H.R. 3985 would direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements, in addition to other existing requirements.

H.R. 3985 would require that the Federal Motor Carrier Safety Administration (FMCSA) ensure that operators of over-the-road busses comply with the Americans with Disabilities Act (ADA). H.R. 3985 would require the FMCSA to review applications for licenses to operate such vehicles, to ensure that the operators comply with federal accessibility regulations issued under the ADA.

H.R. 3985 defines an ‘over-the-road bus’ as a bus characterized by an elevated passenger deck located over a baggage compartment.

H.R. 3985 requires that no later than “six months after the date of enactment, the Secretary of Transportation and the Attorney General shall enter into a memorandum of understanding to delineate the specific roles and responsibilities of the Department of Transportation and the Department of Justice, respectively, in enforcing the compliance of motor carriers of passengers providing transportation by an over-the-road bus.”

Committee Action: H.R. 3985 was introduced on October 29, 2007, and was referred to the House Committee on Transportation and Infrastructure. On October 31, 2007, the Committee held a mark-up on H.R. 3985 and ordered the bill to be reported by voice vote.

Cost to Taxpayers: According to the CBO, “Based on information provided by the FMCSA, CBO estimates that developing and enforcing new regulations to implement H.R. 3985 would cost the agency about \$500,000 in fiscal year 2008 and less than \$300,000 each year thereafter. First-year costs include onetime systems upgrades and training expenses. Enacting the bill would not affect direct spending or revenues.”

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? According to the CBO, “Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provision that establishes or enforces statutory rights that prohibit discrimination on the basis of disability. CBO has determined that the provisions of H.R. 3985 fall within that exclusion; therefore, we have not reviewed them for intergovernmental or private-sector mandates.”

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to [House Report 110-456](#), “H.R. 3985 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.”

Constitutional Authority: According to [House Report 110-456](#), the Committee on Transportation and Infrastructure finds constitutional authority in Article I, Section 8, but does not cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all

committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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H.Res. 661—Honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world (*Hastings, D-FL*)

Order of Business: H.Res. 661 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 661 would express the sense that the United States:

- “honors the accomplishments of Barrington Irving, the youngest pilot and first person of African descent ever to fly solo around the world and founder of a nonprofit organization that inspires youth to pursue careers in aviation and aerospace;
- “encourages young people and minorities to pursue educational opportunities in preparation for careers in aviation and related industries; and
- “encourages museums throughout the Nation related to aviation to commemorate the historic achievements of Captain Barrington Irving.”

The resolution lists the following findings:

- “Barrington Irving was born in 1983 in Kingston, Jamaica, and raised in inner city Miami, Florida;
- “Irving discovered his passion for aviation at the age of 15 when Captain Gary Robinson, a Jamaican airline pilot who has since served as his mentor, took him to tour the cockpit of a Boeing 777;
- “Irving overcame financial hardship to pursue his dream to become a pilot by working miscellaneous jobs and working for private aircraft owners in exchange for flying lessons;
- “Irving was the recipient of a joint Air Force/Florida Memorial University Flight Awareness Scholarship to cover college tuition and flying lessons for his tireless volunteer efforts and commitment to community service;
- “in 2003, Irving contacted companies including aircraft manufacturer Columbia, which agreed to provide him with a plane to fly around the world if he could secure donations and components;
- “over several years, Irving visited aviation trade shows throughout the country and secured more than \$300,000 of cash and donated components including the engine, tires, cockpit systems, and seats for a Columbia 400, one of the world’s fastest single-engine piston airplanes;

- “in the process of pursuing his dream of an around the world flight, Irving founded a nonprofit organization in 2005 to address the significant shortage of youth pursuing careers in aviation and aerospace;
- “Irving’s efforts have garnered widespread community support and sponsorship as an effective model to expose young people and underrepresented groups to opportunities in aviation;
- “on March 23, 2007, Irving embarked from Miami, Florida, on a 24,600-mile flight around the world in an airplane named ‘Inspiration’ at 23-years of age while still a senior majoring in aerospace at Florida Memorial University;
- “on June 27, 2007, Irving concluded his flight in Miami, Florida, after stopping in 27 cities throughout the world; and
- “Irving continues to inspire youth and adults alike with his achievements and work to increase the accessibility of opportunities in aviation and aerospace.”

Committee Action: H.Res. 661 was introduced on September 18, 2007, and referred to the House Committee on Transportation and Infrastructure. On October 31, 2007 the Committee held a mark-up and ordered the bill, as amended, by voice vote.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? According to [House Report 110-452](#), “H. Res. 661 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.”

Constitutional Authority: According to [House Report 110-452](#), “H. Res. 661 is a resolution of the House of Representatives and therefore does not have the force of law. As such, clause (3)(d)(1) of rule XIII does not apply.”

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**H.Res. 853—Honoring those who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in San Francisco Bay
(Pelosi, D-CA)**

Order of Business: H. Res. 853 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H. Res. 853 would express the sense that the House “honors those individuals and organizations who have volunteered to assist in the cleanup of the November 7, 2007, oil spill in one of our Nation’s most beloved national treasures, the San Francisco Bay.”

The resolution lists a number of findings, including:

- “the oil spill that occurred on November 7, 2007, in the San Francisco Bay resulted in the discharge of between 53,570 and 58,000 gallons of toxic bunker fuel, causing one of the Bay Area’s worst environmental disasters;
- “28 beaches were closed and over 1,300 birds so far have been severely impacted by the spill;
- “thousands of individuals throughout the San Francisco Bay Area immediately volunteered to assist with the cleanup;
- “Bay Area community non-profit organizations, such as San Francisco Connect, have also rallied to support the response and recovery work by supporting these volunteer efforts;
- “Bay Area environmental organizations, such as Baykeeper, Save the Bay, and the Bay Institute, have provided invaluable leadership in reporting, assessing, and helping to remediate the damage to the Bay’s ecosystem;
- “the Pacific Coast Federation of Fishermen’s Associations, members of the San Francisco Crab Boat Owners Association, commercial crabbers, and other Bay Area fishermen have all joined the cleanup efforts as well; and
- “the city of San Francisco, particularly through its Department of Emergency Management, has significantly contributed to the overall response, bringing considerable resources to bear.”

Committee Action: H. Res. 853 was introduced on December 10, 2007, and referred to the Committee on Transportation and Infrastructure, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 797—Blinded Veterans Paired Organ Act of 2007
(Baldwin, D-WI)

Order of Business: The bill is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary, as amended by the Senate: H.R. 797 passed the House under a suspension of the rules by a vote of 424-0. On November 2, the Senate passed with bill, with an amendment, by voice vote. Today, the House will vote on the bill with the Senate amendment.

H.R. 797 would expand the standard by which the Department of Veterans' Affairs awards disability compensation to veterans for loss of vision. H.R. 797 would require payment of compensation for impairment of vision (which is currently defined as blindness) to include symptoms of both service-connected and non service-connected disability. H.R. 797 defines applicable impairment as a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less.

In order to determine eligibility for veteran benefits and services, H.R. 797 would require the Secretary of Veterans Affairs to provide the Secretary of Health and Human Services with information on individuals under age 65 for comparison with the National Directory of New Hires for income verification purposes. This provision also saves money, offsetting the cost of the bill.

H.R. 797 would require that such independent verification of information must be acquired before terminating, denying, or reducing a benefit or service. In addition, H.R. 797 requires that the individual has the opportunity to argue against any negative findings.

H.R. 797 extends, through June 30, 2009, the Veterans' Administration's authority to provide an educational allowance to persons performing qualifying work-study activities.

With regard to private cemetery burials of veterans, H.R. 797 authorizes the Secretary, in lieu of furnishing a headstone or marker for the grave of certain individuals buried in a private cemetery, to furnish a bronze representation of the letter "V" to be attached to a headstone or marker (furnished at private expense).

H.R. 797 also increases the assistance for veterans interred in cemeteries other than national cemeteries by offering grants for the operation and maintenance of state veterans' cemeteries.

Committee Action: H.R. 797 was introduced February 5, 2007, and referred to the House Committee on Veterans' Affairs. The bill was reported out of the committee, as amended, by voice vote. On March 21, the bill passed the House under suspension of the rules by a vote of 424-0. On November 2, the Senate passed with bill, with an amendment, by voice vote. Today, the House will vote on the bill with the Senate amendment.

Administration Position: No Statement of Administration Position exists at this time.

Cost to Taxpayers: A revised cost estimate for H.R. 797, including the Senate amendments, was not available.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? The Veterans' Affairs Committee, in [House Report 110-57](#), asserts that, "H.R. 797 contains no earmarks, limited tax benefits, or limited tariff benefits."

Constitutional Authority: The Veterans' Affairs Committee, in [House Report 110-57](#), cites constitutional authority in Article I, Section 8, but does not cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. 2601—To extend the authority of the Federal Trade Commission to collect fees to administer and enforce the provisions relating to the “Do-not-call” registry of the Telemarketing Sales Rule (Stearns, R-FL)

Order of Business: H.R. 2601 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2601 amends the Do-Not-Call Implementation Act to permanently extend the authority of the Federal Trade Commission (FTC) to collect fees sufficient to implement and enforce provisions relating to the "do-not-call" registry of the Telemarketing Sales Rule. The authority was set to expire in 2007.

Committee Action: H.R. 2601 was introduced June 6, 2007, and referred to the House Committee on Energy and Commerce. On October 23, 2007, H.R. 2601 was reported out of the committee, as amended, by voice vote.

Cost to Taxpayers: According to CBO, "the agency would collect a total of \$107 million under the bill over the 2008-2012 period and spend \$105 million over that period, assuming appropriation actions consistent with the bill. Over the five-year period, CBO estimates that implementing H.R. 2601 would decrease net spending subject to appropriation by \$2 million. Enacting H.R. 2601 would not affect direct spending or revenues."

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes. According to CBO, “H.R. 2601 would impose a private-sector mandate, as defined in UMRA, by making permanent the authority of the FTC to collect fees from telemarketers. CBO expects that the cost of that mandate would fall below the annual threshold established in UMRA for private sector mandates (\$131 million, adjusted annually for inflation).”

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No Committee Report was available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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H.R. 3541—Do-Not-Call Improvement Act of 2007 (*Doyle, D-PA*)

Order of Business: H.R. 3541 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3541 amends the “Do-Not-Call” Implementation Act to prohibit a Federal Communications Commission (FCC) rule from having an expiration date for telephone numbers on the “do-not-call” registry.

In addition, H.R. 3541 prohibits the Federal Trade Commission (FTC), when issuing regulations regarding the “do-not-call” registry of the Telemarketing Sales Rule, from having an expiration date for telephone numbers on that registry.

Committee Action: H.R. 3541 was introduced September 17, 2007, and referred to the House Committee on Energy and Commerce. On October 30, 2007, the Committee held a mark-up and reported the bill, as amended, by voice vote.

Cost to Taxpayers: According to CBO cost estimates, “based on information from the FTC, implementing the bill would cost less than \$500,000 annually to purge the registry twice per month, rather than monthly, as performed under current law.”

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No Committee Report was available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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**H.R. 1413—To direct the Assistant Secretary of Homeland Security
(Transportation Security Administration) to address vulnerabilities in
aviation security by carrying out a pilot program to screen airport
workers with access to secure and sterile areas of airports
(Lowey, D-NY)**

Order of Business: H.R. 1413 is scheduled to be considered on Tuesday, December 11, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1413 would direct the Assistant Secretary of Homeland Security to address vulnerabilities in aviation security by carrying out a pilot program designed to screen airport workers who have access to secure and sterile areas of airports.

Specifically, H.R. 1413 authorizes a new pilot program for the Assistant Secretary of Homeland Security to carry out at five service airports (to be carried out for no less than 180 days). The intent of the pilot program is to screen all airport workers who have access to secure and sterile areas of the airport (anyone working beyond the security checkpoints). H.R. 1413 requires that at least two of the airports participating in the pilot program be large hub airports (as defined in section 40102 of title 49, United States Code). In addition, each of the other three airports must represent a different risk as determined by the Assistant Secretary.

H.R. 1413 sets screening standards for the targeted airport workers as well. H.R. 1413 requires that the screening of airport employees under the pilot program must be conducted similarly to the screening of airport passengers, and at a minimum of two airports, must be conducted by private screening companies. H.R. 1413 requires that each participating airport must designate one screening lane to be used specifically for screening airport workers under the pilot program.

H.R. 1413 also requires that the Assistant Secretary conduct a vulnerability assessment of each airport participating in the pilot program. In addition, airport operators at each participating airport must conduct an assessment of the screening technology being used at their airport and submit their results to the Assistant Secretary.

H.R. 1413 directs the Assistant Secretary to submit to the Committee on Homeland Security of the House and the Committee on Commerce, Science, and Transportation of

the Senate a report detailing the results of the pilot program.

H.R. 1413 authorizes “such sums as may be necessary” for the new pilot program.

Committee Action: H.R. 1413 was introduced on March 8, 2007, and was referred to the House Committee on Homeland Security, which referred the bill to the Subcommittee on Transportation Security and Infrastructure Protection. After a Subcommittee mark-up was held, a full Committee mark-up was held on August 1, 2007, and H.R. 1413 was ordered to be reported, as amended, by voice vote.

Cost to Taxpayers: According to the CBO, “based information from TSA on the cost of similar activities to develop and test screening systems ... implementing H.R. 1413 would cost \$10 million over the 2008-2009 period, assuming appropriation of the necessary amounts.” H.R. 1413 would have no affect on direct spending or revenues.

Conservative Concerns: Some conservatives may be concerned that H.R. 1413 creates a new pilot program and authorizes such sums as would be necessary to carry out the program.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, H.R. 1413 creates a new pilot program within the Department of Homeland Security (Transportation Security Administration), as well as authorizes such sums for such a program.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.”

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