



Legislative Bulletin.....October 18, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: At least \$122 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 5

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

H.R. 1409 — Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005 (*Lee*)

Order of Business: The bill is scheduled for consideration on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

A similar bill, H.R. 4061, passed the House during the 108th Congress by a voice vote on June 14, 2005.

Summary: H.R. 1409 would amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries. The bill includes the following findings:

- “As of July 2004, there were more than 143,000,000 children living in sub-Saharan Africa, Asia, Latin America, and the Caribbean who were identified as orphans, having lost one or both of their parents. Of this number, approximately 16,200,000 children were identified as double orphans, having lost both parents--the vast majority of whom died of AIDS. These children often are disadvantaged in numerous and devastating ways and most households with orphans cannot meet the basic needs of health care, food, clothing, and educational expenses.
- “The United States Government administers various assistance programs for orphans and other vulnerable children in developing countries. In order to improve targeting and programming of resources, the United States Agency for International Development *should develop methods to adequately track the overall number of orphans and other vulnerable children receiving assistance, the kinds of programs for such children by sector and location, and any other such related data and analysis. (emphasis added)*
- “The United States Agency for International Development *should be the primary United States Government agency responsible for identifying and assisting orphans and other vulnerable children in developing countries.*”

The bill amends the Foreign Assistance Act by:

- Authorizing the President to provide assistance for programs in developing countries to provide basic care for orphans and other vulnerable children. Stipulates the type of assistance to be provided, to include increasing school enrollment, providing *culturally appropriate psychosocial support*, and providing *treatment with pharmaceuticals* for HIV/AIDS infected children;
- Establishes a new monitoring and evaluation system to measure the effectiveness of the U.S. assistance to orphans and other vulnerable children;
- Directs the Secretary of State, in consultation with the USAID Administrator, to appoint a Special Advisor for Assistance to Orphans and Vulnerable Children. Allows the Secretary to delegate this authority to the USAID Administrator;
- Appropriates *such sums as may be necessary for FY06-FY07, and stipulates that funds are to be available until expended;*
- Directs the President to develop and transmit a strategy for coordinating, implementing, and monitoring assistance programs for orphans and vulnerable children;
- Requires the President to submit an annual report on the implementation of this Act. *(emphasis added).*

Committee Action: H.R. 1409 was introduced on March 17, 2005, and referred to the Committee on the International Relations. The bill was considered and a mark-up was session held on September 15, 2005, and it was reported to the House by unanimous consent the same day.

Cost to Taxpayers: A CBO score of H.R. 1409 is unavailable. The bill authorizes such sums as may be necessary for FY06-FY07. In a similar House bill passed in the 108th Congress, H.R. 4061, CBO provided the following cost estimate: “Based on information from USAID, CBO estimates the new office would require a staff of between 30 to 45 personnel to review and approve all assistance for orphans and other vulnerable children, to create and maintain a monitoring system, and to prepare the required reports. We estimate that 15 of those would be new positions and that it would cost an additional \$2 million each year to operate the office, assuming the appropriation of the necessary funds.”

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: 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.” *[emphasis added]*

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**H.Res. 492 — Mourning the loss of life caused by the earthquake that occurred on
October 8, 2005, in Pakistan and India, expressing the condolences of the
American people to the families of the victims, and urging assistance to those
affected (Hyde)**

Order of Business: The resolution is scheduled for consideration on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

Summary: H. Res. 492 resolves that the House of Representatives:

- 1) “mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on October 8, 2005, in Pakistan and India;
- 2) “expresses the deepest condolences of the American people to the families, communities, and governments of the tens of thousands of individuals who lost their lives in this earthquake;
- 3) “welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;
- 4) “expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief and assistance, including United States civilian and military personnel, who are working to save lives and provide relief in the devastated areas; and
- 5) “supports the actions to assist the victims taken by the President and the Government of the United States to provide all appropriate assistance to the governments and people of the affected region.”

The resolution also states:

- “on October 8, 2005, a powerful earthquake measuring 7.6 on the Richter Scale occurred in Pakistan and India, centered on the city of Muzaffarabad;
- “the earthquake and continuing aftershocks have caused more than 50,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left between 2.5 and 3 million homeless as winter in the affected mountainous region approaches;
- “millions of people throughout the affected region currently lack clean water, food, proper sanitation, basic healthcare, adequate shelter, and other necessities, thereby increasing the risk of additional suffering and death; and
- “the United States and donors from at least 30 other countries have, to date, pledged several hundred million dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake.”

Committee Action: H. Res. 492 was introduced on October 17, 2005, and referred to the Committee on the International Relations, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

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. 177 — Santa Ana River Water Supply Enhancement Act of 2005 — as amended (Gary Miller)

Order of Business: The bill is scheduled to be considered on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 177 amends the Reclamation Wastewater and Groundwater Study and Facilities Act, authorizing the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, which includes the construction of natural treatment systems and wetlands for the flows of the Santa Ana River in California. H.R. 177 sets the limit for the Federal share of the cost of the project at 25% of the total cost of the project. The bill authorizes \$20 million for this project, and provides a sunset of authority for 10 years after the enactment of the legislation.

Additionally, H.R. 177 authorizes the Secretary of the Interior to carry out a program to assist agencies in projects to construct regional brine lines to export the salinity imported from the Colorado River to the Pacific Ocean, in California. H.R. 177 sets the limit for the Federal share of the cost of the project at 25% of the total cost of the project, or \$40 million. The bill provides a sunset of authority for 10 years after the enactment of the legislation.

H.R. 177 authorizes the Secretary of the Interior to work with several agencies and project authorities to design, plan and construct the Lower Chino Dairy Area desalination demonstration and reclamation project. H.R. 177 authorizes such sums as necessary for this project and sets the limit for the Federal

share of the cost of the project at 25% of the total cost of the project, up to \$50 million. The bill provides a sunset of authority for 10 years after the enactment of the legislation.

The bill incrementally increases the \$20 million ceiling on the Federal share of an existing water reclamation project, from \$22 million in FY07 to \$51.87 million in FY16.

H.R. 177 directs the Secretary of the Interior to establish at the Orange Country Water District in Orange County, California, a Center for Technological Advancement of Membrane Technology and Education. The bill authorizes \$2 million for each of fiscal years 2006 through 2011. The bill provides a sunset of authority for 10 years after the enactment of the legislation.

Committee Action: On April 2, 2005, the resolution was introduced and referred to the House Committee on Resources, which took no official action.

Cost to Taxpayers: Although there is no CBO cost estimate available for H.R. 177, the bill contains \$20 million in authorizations in FY06 and \$122 in FY06-FY10.

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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S. 55 — Rocky Mountain National Park Boundary Adjustment Act of 2005 (Sen. Allard)

Order of Business: The bill is scheduled for consideration on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

An almost identical bill, S. 2181, passed the Senate during the 108th Congress by unanimous consent. The House took no official action on the bill.

Summary: S. 55 would direct the National Park Service (NPS) to convey to a private landowner (MacGregor Trust) approximately 70 acres of federal land within the boundaries of the Rocky Mountain National Park in exchange for 5.9 acres of property adjacent to the park. Once acquired by the NPS, the new property would be added to the national park and developed as an access site. The NPS reserves a “perpetual easement to the conveyed federal parcel of land for the purposes of protecting, preserving, and enhancing the conservation values of the federal parcel.

Additional Information: According to the Senate Committee on Energy and Natural Resources report (S. Rept. [109-19](#)), “hikers and rock climbers began using a private access road near Estes Park, Colorado to reach the Twin Owls Trailhead that is located just inside the park boundary and adjacent to the MacGregor Ranch. Although the MacGregor Ranch is located inside the authorized boundary of the national park, it remains in private ownership. Over the last 20 years the popularity of the Twin Owls trailhead has grown steadily and in recent years overflow parking from the trailhead has negatively impacted the ranch. The increase in traffic on the one-lane access road has affected the

character of the historic homestead by diminishing the quality of the historic scene that visitors to the ranch come to experience.”

“For several years the National Park Service (NPS) and the MacGregor Ranch have been working to find a solution to the traffic and parking problems. In 2003, based on public participation and an environmental assessment, the NPS decided to relocate the Twin Owls parking lot to the east end of the MacGregor Ranch, a location well away from the historic homestead. Construction of a new access road and a larger parking lot for the trailhead is planned at the new location.

Committee Action: S. 55 was introduced in the Senate on January 24, 2005. It was considered and report out by the Senate Committee on Energy and Natural Resources on March 8, 2005, and passed the Senate by unanimous consent on July 26, 2005.

Cost to Taxpayers: CBO estimates that, based on information provided by the NPS, “implementing S. 55 would cost about \$1 million over the next year or two, subject to the availability of appropriated funds. This amount would be used to complete the required land exchange and construct facilities such as a parking lot, access road, and a rest area on the newly acquired property. Enacting S. 55 would not affect revenues or direct spending. For this estimate, CBO assumes that the properties to be exchanged would be determined by NPS to be roughly equal in value.”

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: 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.” *[emphasis added]*

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S. 156 — Ojito Wilderness Act (*Sen. Bingaman*)

Order of Business: The bill is scheduled for consideration on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

In the 108th Congress, House and Senate committee action was taken on similar bills (H. 3176 and S. 1649), but no floor action was taken on either bill.

Summary: S. 156 would designate 11,183 acres of land in New Mexico as the Ojito Wilderness (and therefore, part of the National Wilderness Preservation System) and would authorize the Secretary of the Interior, under certain circumstances, to expand that wilderness to include 118 additional acres of land referenced in the bill (already federal BLM land). The bill also would direct the Secretary to take into trust, on behalf of the Pueblo of Zia, about 11,500 acres of federal land. In exchange for the federal land to be taken into trust on behalf of the Pueblo of Zia, the Pueblo would pay to the Secretary

the fair market value of that land. Those funds would be available for the Secretary to acquire additional non-federal land in the state of New Mexico. All of the affected federal land would be withdrawn from programs to develop natural resources.

Committee Action: S. 156 was introduced in the Senate on January 25, 2005. It was considered and report out by the Senate Committee on Energy and Natural Resources on February 28, 2005, and passed the Senate by unanimous consent on July 26, 2005.

Cost to Taxpayers: CBO estimates that implementing S. 156 would have “no significant impact” on the federal budget. The bill would increase both offsetting receipts and direct spending, but we estimate that the net change in direct spending would be negligible. Enacting S. 156 would not affect 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.

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.” *[emphasis added]*

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H.R. 3765 —A bill to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits — (Baird)

Order of Business: The bill, as amended by Senate, is scheduled to be considered on Tuesday, October 18th, under a motion to suspend the rules and pass the bill.

Note: On September 20, 2005, the House passed H.R. 3765 by a voice vote. To see the Legislative Bulletin from September 20th, please visit, <http://johnshadegg.house.gov/rsc/LB%2009-20-05.pdf>.

Summary: H.R. 3765, as amended by the Senate, extends through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits, which currently is set to expire. The March 31, 2006 date is a change from the version of H.R. 3765 passed by the House on September 20, 2005, which extended the Secretary’s authority through December 31, 2007.

Committee Action: On September 14, 2005, the bill was introduced and referred to the House Committee on Transportation and Infrastructure, which took no official action. On September 20, 2005, the House passed H.R. 3765 by a voice vote. On October 7, 2005, the Senate passed H.R. 3765, with an amendment, by unanimous consent.

Cost to Taxpayers: There is no CBO cost estimate available for H.R. 3765.

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. 3549 — To designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the “William F. Clinger, Jr. Post Office Building” — *as introduced* (English)

Order of Business: The bill is scheduled to be considered on Tuesday, October 18th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3549 designates the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building."

Additional Information: According to the Office of Congressman English, William F. Clinger, Jr. is from Warren County, Pennsylvania, where he graduated high school before attending Johns Hopkins University. Clinger served as a lieutenant in the U.S. Navy before establishing his own private legal practice. In 1972, Clinger was elected to Congress, where he served as Chairman of the Committee on Government Reform and Oversight.

Committee Action: On July 28, 2005, the bill was introduced and referred to the House Government Reform Committee, which considered it and reported it to the full House by unanimous consent on September 29, 2005.

Cost to Taxpayers: The only costs associated with a postal facility 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.”

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H.R. 3830 — To designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building" — as introduced (Foley)

Order of Business: The bill is scheduled to be considered on Tuesday, October 18th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3830 designates the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building."

Additional Information: According to the Office of Congressman Foley, Ulysses Samuel Cleveland, who was better known as U.S., moved to Punta Gorda, Florida in 1921, and resided there until his death, 83 years later. Cleveland served in the U.S. Army as a Second Lieutenant in World War II, where his unit carried out a top secret mission giving the Germans misinformation before D-Day. After the war, Cleveland went home to Florida, where he was the assistant postmaster for Charlotte County, and was also a historian for the local Kiwanis Club, an officer in the Punta Gorda Historical Society, and a member of the First United Methodist Church. Cleveland lost his home in August 2004 to Hurricane Charley. Only 8 months later, Cleveland passed away from pneumonia.

Committee Action: On September 20, 2005, the bill was introduced and referred to the House Government Reform Committee, which considered it and reported it to the full House by unanimous consent on September 29, 2005.

Cost to Taxpayers: The only costs associated with a postal facility 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."

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H.R. 3853 — To designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office" — as introduced (Ross)

Order of Business: The bill is scheduled to be considered on Tuesday, October 18th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3853 designates the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office.”

Additional Information: According to the Office of Congressman Ross, Willie Vaughn, who recently celebrated his 101st birthday, “has been an outstanding church, civic, and community leader for many years.” Mr. Vaughn is a member of the National CME Church and been a farmer, husband, father and local school bus driver, very active in his local community.

Committee Action: On September 21, 2005, the bill was introduced and referred to the House Government Reform Committee, which considered it and reported it to the full House by unanimous consent on September 29, 2005.

Cost to Taxpayers: The only costs associated with a postal facility 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.”

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**H.Res. 300 — Recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina
— as introduced (Wilson of S.C.)**

Order of Business: The resolution is scheduled to be considered on Tuesday, October 18, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 300 resolves that the House of Representatives, “recognizes the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and salutes the outstanding service of the Company to the people of South Carolina.”

Additional Information: According to the resolution, the South Carolina Farm Bureau Mutual Insurance Company, which was established in December 1955, is celebrating its 50th anniversary this year. The organization is designed “to provide members of the Farm Bureau Federation with insurance coverage that was difficult to obtain and to assist such members with safety programs and loss control measures.” The Company employs 245 individuals and has 250 licensed agents throughout the state.

Committee Action: On May 26, 2005, the resolution was introduced and referred to the House Committee on Financial Services, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

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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