



## Legislative Bulletin.....April 23, 2002

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### **H.Res. 384—Honoring the men and women of the United States Secret Service New York field office for their extraordinary performance and commitment to service during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001 (Istook)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, April 23<sup>rd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 384 resolves that the House:

- “honors the continuing service and commitment of the men and women assigned to the United States Secret Service, New York field office;
- “recognizes the critical importance of the United States Secret Service to our national security; and
- “supports providing the necessary resources to ensure the full operation of the New York field office and the mission of the Secret Service.”

The United States Secret Service New York field office located in 7 World Trade Center was destroyed on September 11<sup>th</sup>. According to the resolution, “throughout the day of the attacks and subsequent days, the men and women of the New York field office continually and knowingly placed themselves in exceptional danger in their efforts to save life.”

**Cost to Taxpayers:** The resolution would not authorize any expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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**H.Res. 385—Honoring the men and women of the United States Customs Service, 6 World Trade Center offices, for their hard work, commitment, and compassion during and immediately following the terrorist attacks on the World Trade Center on September 11, 2001 (Istook)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, April 23<sup>rd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 385 resolves that the House:

- “honors the continued dedication of the men and women assigned to the United States Custom Service, New York operations;
- “recognizes the critical importance of the United States Customs Service on the frontline of our national security efforts; and
- “supports providing the necessary resources to ensure the full operation of the United States Customs Service, New York operations, and that of Customs nationwide.”

The United States Customs Service offices located in 6 World Trade Center were destroyed on September 11<sup>th</sup>. According to the resolution, Customs employees “selflessly, and at great risk,” got all 760 of their own employees to safety on September 11<sup>th</sup> and then proceeded to rescue other people. The resolution also praises the Customs Service for being able to set up a temporary operations center at JFK Airport just hours after the attacks and for helping sift through debris at the site of 6 World Trade Center to help recover valuable evidence that “aided in recent criminal convictions.”

**Cost to Taxpayers:** The resolution would not authorize any expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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## **H.R. 3839 — The Keeping Children and Families Safe Act of 2002 (Hoekstra)**

**Order of Business:** The bill will be considered on Tuesday, April 23, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3839 reauthorizes the Child Abuse Prevention and Treatment Act (CAPTA), the Adoption Opportunities program, the Abandoned Infants Assistance Act, and the Family Violence Prevention and Services Act (FVPSA).

CAPTA was established in 1974 to create a focal point within the federal government to identify and address the issues of child abuse and neglect and to support effective methods of prevention and treatment. CAPTA was last reauthorized in 1996 and expired at the end of fiscal year 2001.

H.R. 3839 makes a variety of changes to CAPTA:

- **Increases the authorization levels for CAPTA programs to \$200 million and such sums (FY 02 appropriations = \$81 million, FY 03 budget request = \$81 million);**
- Allows states to use funds for partnerships between child protective services and private and community-based organizations;
- Promotes increased collaboration between the child protection system and the juvenile justice system, public agencies and community-based organizations;
- Requires states to develop a plan to address the needs of infants harmed by prenatal alcohol or drug exposure;
- Requires the Secretary of HHS to perform the fourth National Incidence Study, which collects data on children who have been the subject of investigation by child protection agencies and those suspected of being abused;
- Adds language promoting the use of funds to improve the recruitment, training, and retention of child protective services personnel;
- Requires child protective services personnel to inform individuals being investigated for abuse of the allegations or complaints made against them, without compromising the identity of the individual making the allegation;
- Adds language promoting increased public education on the role of the child protection system and the reporting of suspected incidents of child abuse;
- Places greater emphasis on the prevention of child abuse and neglect.

H.R. 3839 reauthorizes the Adoption Opportunities program, which authorizes grants to states and local public and nonprofit agencies for such things as promoting quality standards for adoption services, providing adoption counseling and increasing the placement of foster care children with adoptive families. The bill makes some minor technical changes to the program and requires the Secretary of HHS to conduct a study on the dynamics of successful adoptions. **The Adoption Opportunities program is authorized in the bill at \$40 million and such sums (FY 02 appropriations = \$27 million, FY 03 budget request = \$27 million).**

H.R. 3839 also reauthorizes the Abandoned Infants Assistance Act, which authorizes grants to public and private nonprofit agencies for activities such as preventing the abandonment of infants, providing residential care for infants and young children, recruiting and training foster families for abandoned infants, and recruiting and training health and social services personnel to work with abandoned children. The bill makes minor changes to the Act and requires the Secretary of HHS to conduct a study on the annual number of infants and young children who are victims of homicide, characteristics of parents who have abandoned an infant, and an estimate of the annual cost of providing for the care of abandoned infants to federal, state and local governments. **H.R. 3839 authorizes \$45 million and such sums for the Act (FY 02 appropriations = \$12 million, FY 03 budget request = \$12 million).**

H.R. 3839 also reauthorizes the Family Violence Prevention and Services Act (FVPSA), which provides assistance to states, tribes and tribal organizations to increase public awareness of family violence and provide shelter and assistance to victims of family violence. The only significant change to FVPSA is an extension of its authorization to 2007 to coordinate with CAPTA and its related programs (FVPSA was reauthorized with the Violence Against Women Act during the 106<sup>th</sup> Congress for five years). **The authorization for FVPSA is \$208 million (FY 02 appropriations = \$132.9 million, FY 03 budget request = \$127 million).**

**Cost to Taxpayers**: The bill would authorize total appropriations of **\$312 million in FY03**. CBO estimates that total authorizations under H.R. 3839 would total **\$2 billion from 2003-2007**.

**Does the Bill Create New Federal Programs or Rules?**: The bill does not create new federal programs but does create new federal rules within current programs as detailed above.

**Constitutional Authority**: The committee report cites Article I, Section 8, Clause 1, “The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

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**H.Con.Res. 378 — Commending the District of Columbia National Guard, the National Guard Bureau, and the entire Department of Defense for the assistance provided to the United States Capitol Police and the entire Congressional community in response to the terrorist and anthrax attacks of September and October 2001 (Ney)**

**Order of Business**: The resolution will be considered on Tuesday, April 23 under a motion to suspend the rules and pass the bill.

**Summary**: The resolution contains several clauses recognizing the work of the U.S. Capitol Police and the D.C. National Guard since September 11, 2001, including:

- The Capitol Police were required to work “increased hours under difficult conditions, requiring great sacrifices by them and their families;”
- The D.C. National Guard “responded to the call of the Capitol Police Board and provided National Guard troops to assist the United States Capitol Police in protecting the Capitol complex, providing great relief to the members of the United States Capitol Police;” and
- Both the Capitol Police and D.C. National Guard “made the Capitol complex secure for Members of Congress, Congressional employees, and visitors, and thereby have enabled Congress to continue to discharge its constitutional duties on behalf of the American people.”

The resolution goes on to commend “the District of Columbia National Guard, the National Guard Bureau, and the entire Department of Defense for the assistance provided to the United States Capitol Police and the entire Congressional community in response to the terrorist and anthrax attacks of September and October 2001.”

**Cost to Taxpayers** : None.

**Does the Bill Create New Federal Programs or Rules?**: No.

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## **Dooley Motion to Instruct Conferees on H.R. 2646, the Farm Security Act of 2001**

The Dooley motion, which was debated last Thursday, is as follows:

Mr. Dooley moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 (an Act to provide for the continuation of agricultural programs through fiscal year 2011) be instructed:

- (1) to **agree** to the provisions contained in section 335 of the Senate amendment, relating to agricultural trade with Cuba.

The House did not contain a similar provision. Below is a comparison of current law and the Senate proposal:

<b>Present Law</b>	<b>Senate Proposal</b>
The FY2001 agriculture appropriations law codified the lifting of unilateral sanctions on commercial sales of food, agricultural	Lifts restrictions on private financing of agricultural sales to Cuba

commodities, medicine, and medical products to Iran, Libya, North Korea, and Sudan; **and extended this policy to apply to Cuba, but in a more restrictive way by prohibiting all financing of such sales, even with private credit sources.**

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## Baca Motion to Instruct Conferees on H.R. 2646, the Farm Security Act of 2001

The Baca motion, which was debated last Thursday, is as follows:

Mr. Baca moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 2646, an Act to provide for continuation of agricultural programs through fiscal year 2011, be instructed to **agree** to provisions contained in section 452 of the Senate amendment, relating to restoration of benefits to children, legal immigrants who work, refugees, and the disabled.

The House bill did not contain any provision altering food stamp eligibility for legal aliens. Below is a comparison of current law and the Senate proposal:

Present Law	Senate Bill
a. <i>Children</i> – Legal permanent residents who were living in the U.S. as of August 22, 1996, and who are under age 18 are eligible for food stamps.	a. Makes legal permanent residents under age 18 eligible for food stamps – regardless of their date of entry. Also exempts them from requirements that their sponsor’s financial resources be deemed to them in determining food stamp eligibility.
b. <i>Work history requirement</i> – Legal permanent residents with a substantial work history (defined as 40 quarters, or 10 years) are eligible for food stamps.	b. Reduces the work history requirement to 16 quarters (4 years).
c. <i>Humanitarian cases</i> – Asylees, refugees, Cuban/ Haitian entrants, certain aliens whose deportation/removal is being withheld for humanitarian reasons, and Vietnam-born Amerasians fathered by U.S. citizens are eligible for food stamps for 7 years after entry/grant of status.	c. Removes the 7-year limit on eligibility for humanitarian cases.
d. <i>Disability benefit recipients</i> – Legal permanent residents who were living in the U.S. as of August 22, 1996, and who are	d. Makes eligible disabled legal permanent residents receiving federal disability benefits – without regard to their date of entry.

receiving federal disability benefits are eligible for food stamps.	
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