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**Legislative Bulletin.....June 19, 2002**

**Contents:**

- Motion to Instruct Conferees on H.R. 3295 (Help America Vote Act)**
  - H.R. 3389**—National Sea Grant College Program Act Amendments of 2001
  - H.Res. 449** — To Establish the Select Committee on Homeland Security
  - H.R. 1979**—Small Airport Safety, Security, and Air Service Improvement Act
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**Motion to Instruct Conferees on H.R. 3295 (Help America Vote Act)**  
***(Hastings of Florida)***

**Order of Business:** On Wednesday, June 19<sup>th</sup>, Mr. Hastings of Florida is expected to offer a motion to instruct conferees on H.R. 3295, the “Help America Vote Act.”

**Summary:** The Hastings motion would instruct conferees to:

- insist upon the provisions in the House bill setting the effective date:
  1. for the federal minimum standards for state election systems at two years from the date of enactment of H.R. 3295 (or, subject to certification of good cause, at the date of the regularly scheduled, federal general election in November 2004), and
  2. for the federal minimum standard for in-precinct provisional voting at the date of the regularly scheduled, federal general election in November 2002 (or, subject to certification of good cause, at the date of the regularly scheduled, federal general election in November 2004); and
- disagree to the provision in the Senate bill providing a “safe harbor” (through January 1, 2010) from the Justice Department’s civil enforcement of federal minimum standards for state voting systems (with an exception for the disability access standards) for states receiving federal funds under H.R. 3295.

**Additional Background:** For detailed information on H.R. 3295 as it passed the House, visit these websites:

<http://www.house.gov/burton/RSC/electionreform.PDF>

<http://www.house.gov/burton/RSC/ElectionRefMgrsAmnd.PDF>

**Staff Contact:** Paul Teller, [paul.teller@mail.house.gov](mailto:paul.teller@mail.house.gov), (202) 226-9718

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## **H.R. 3389 — National Sea Grant College Program Act Amendments of 2001 (Gilcrest)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, June 19<sup>th</sup>, under an open rule.

**Summary:** H.R. 3389 reauthorizes the National Sea Grant College Program Act, which authorizes grants for academic marine research, within the National Oceanic and Atmospheric Administration (NOAA). H.R. 3389 also directs increased coordination between the Sea Grant program and other research programs at NOAA and increases the term of service for members of the Sea Grant Review Panel from three to four years.

As a result of differences between the versions of H.R. 3389 reported by the Science and Resources Committees, an amendment will be offered to H.R. 3389 and considered as original text that would do the following:

- Require the Sea Grant program to report annually to Congress on the progress of academic institutions seeking Sea Grant designation, with emphasis on institutions in the South and Western Pacific. The Resources Committee version of H.R. 3389 created a consortium of research institutions in the Pacific Islands with funding authorized at \$2.7 million. The Science Committee struck the provision.
- Reauthorize the Coastal Oceans program at NOAA at \$35 million for each of five years (appropriated \$21.5 million in FY 2002). The Resources Committee version of H.R. 3389 consolidated the Coastal Oceans program with the Sea Grant program.
- Reauthorize the Sea Grant program at \$551 million over 6 years (through 2008). The Resources Committee version of H.R. 3389 authorized \$609 million over 6 years.

The authorization level for the Sea Grant program would increase annually as follows:

- FY 2003 - \$60 million
- FY 2004 - \$75 million
- FY 2005 - \$77.5 million
- FY 2006 - \$80 million
- FY 2007 - \$82.5 million
- FY 2008 - \$85 million

In FY 02, the Sea Grant program was appropriated \$62.4 million.

Priority activities are authorized at \$18 million for fiscal years 2003-2008.

**Bush Administration Position:** The Bush Administration proposed transferring the Sea Grant program from NOAA to the National Science Foundation in its FY 2003 budget and requested appropriations of \$57 million. However, no official Administration position on H.R. 3389 is available.

**Cost to Taxpayers**: CBO estimated that the Science Committee version of H.R. 3389 (the closest version to the bill as would be changed by the proposed floor amendment) would cost \$294 million over the 2003-2007 period, with an additional \$188 million spent after 2007.

**Does the Bill Create New Federal Programs or Rules?**: The bill reauthorizes and makes changes to the National Sea Grant College Program, as described above.

**Constitutional Authority**: The Resources and Science Committees, in House Report 107-369 parts 1 and 2, cite Article I, Section 8 but fail to cite a specific clause.

**Staff Contact**: Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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## **H.Res. 449 — To Establish the Select Committee on Homeland Security (Dreier)**

**Order of Business**: The resolution is scheduled to be considered on Wednesday, June 19<sup>th</sup>, as a privileged matter.

**Summary**: H.Res. 449 creates a Select Committee on Homeland Security.

**Membership**: 5 Members appointed by the Speaker  
4 Members appointed on the recommendation of the Minority Leader  
Speaker designates the Chairman

**Procedure**: The Standing rules of the House providing Committees with investigatory and subpoena power do not apply to the Select Committee

The Committee is not required to adopt written rules

**Funding**: The Committee is authorized to utilize the services of the House

**Reporting**: Each standing or permanent select committee to which is referred a bill (introduced by the Majority Leader or his designee by request) to establish a Department of Homeland Security may only submit its recommendations to the select committee which will then report to the House its recommendations.

**Dissolution**: The select committee is dissolved upon final disposition of the bill to create the Department of Homeland Security

**Cost to Taxpayers**: While a CBO cost estimate is not available, the bill does not authorize the appropriation of any additional funds and therefore should not result in any cost to the taxpayer.

**Does the Bill Create New Federal Programs or Rules?:** The bill creates a temporary select committee in the House.

**Constitutional Authority:** Article I, Section 5 of the Constitution provides that each House may determine its own rules.

**Staff Contact:** Neil Bradley x6-9717

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## **H.R. 1979—Small Airport Safety, Security, and Air Service Improvement Act (Wicker)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, June 19<sup>th</sup>, subject to an open rule.

**Summary:** H.R. 1979 would allow a small airport to use its Airport Improvement Program (AIP) grant money for the construction, acquiring, or installing of an airport control tower (or communications or related equipment at a control tower) that would be operated under the Federal Aviation Administration's (FAA) contract tower program (provided that an airport qualifies for the program, has consulted with the proper state authorities, and pays at least 10% of the total cost). AIP funds could reimburse such airports for **past** construction or equipment purchases (begun after October 1, 1996), and the FAA could contract with private companies to both build and operate these towers.

The federal share for the construction of a control tower at a small airport under this legislation could not exceed \$1.1 million.

**Additional Background:** According to the House Transportation and Infrastructure Committee, many smaller airports do not have control towers (and thus rely on pilots to see and avoid other aircraft), despite having commercial passenger service or active general aviation.

Regarding the reimbursement provisions, this bill would not be the first time that reimbursements were authorized for airport development. Within AIP, reimbursements are generally allowed for any project built after 1996 at an airport with at least 10,000 passengers, and certain limited reimbursements are allowed for terminal development.

Further, a reimbursement for any airport under this legislation could only come from that airport's share of AIP funds. Therefore, no airport could get additional AIP funds from a reimbursement, and no airport would have its share of AIP funds diverted to another airport's reimbursement. To qualify for reimbursement, past projects would have had to have been completed in accordance with the same federal standards guiding FAA-controlled projects.

**Cost to Taxpayers**: Based on information from the FAA and historical spending patterns for this program, CBO estimates that implementing H.R. 1979 would cost \$5 million in FY2003 and a total of \$47 million (subject to appropriation) over the FY2003-2007 period. The costs during this time period are split almost evenly between construction and operations.

**Does the Bill Create New Federal Programs or Rules?**: The bill would expand the authorized use of Airport Improvement Program grant funds.

**Constitutional Authority**: The Transportation and Infrastructure Committee, in House Report 107-496, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

**Staff Contact**: Paul Teller, [paul.teller@mail.house.gov](mailto:paul.teller@mail.house.gov), (202) 226-9718

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