



Legislative Bulletin.....June 18, 2002

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H.R. 3250—A bill to authorize the presentation of gold medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th Century in recognition of their service to the Nation (Thune)
(previously titled The Sioux Code Talkers Recognition Act)

Order of Business: The bill is scheduled to be considered on Tuesday, June 18, 2002, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3250 authorizes a Congressional Gold Medal be awarded to each Sioux Code Talker (at least 11 medals), Sioux Indians who used their native languages as code during World War II, to man radio communications networks and advise of enemy actions. The reported bill also incorporates provisions from two other Code Talker bills (H.R. 3512 and H.R. 3439) and authorizes separately designed Congressional Gold Medals for the Comanche Code Talkers (14 medals) and for the Choctaw Code Talkers (18 medals), both groups who worked in the European theater during WWII.

Furthermore, the bill authorizes Congressional Gold Medals “to any other Native American Code Talker identified by the Secretary of Defense” who has not previously received a Congressional Gold Medal, and who served during the 20th Century as a Code Talker in a foreign conflict as a member of the U.S. Armed Forces.

H.R. 3250 authorizes medals be presented posthumously to “the next of kind or other representative of, a Native American Code Talker.” The bill also authorizes the striking of duplicate bronze medals for sale to the public.

Additional Info: This is the second in a series of Code Talker Medals. Last year the House voted on allowing the use of the rotunda for the President to award the 29 Congressional Gold Medals and possibly as many as 300 silver medals that were authorized for the Navajo Code Talkers (July 10, 2001, 409-0 (<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2001&rollnumber=213>)). The rotunda vote was the only vote on the

Navajo Medals because the authorizing provision was never acted upon by either house, but was slipped in (by reference) to the FY01 Omnibus Appropriations Act.

Cost to Taxpayers: A CBO cost estimate is unavailable, but the bill authorizes “such sums as may be necessary” from the U.S. Mint’s Public Enterprise Fund to pay for the costs of the medals, while sales from the duplicate bronze medals will be deposited back into the Public Enterprise Fund.

For previous Congressional Gold Medal legislation, CBO has estimated that it costs \$30,000 to design a Gold Medal and that each medal has \$5,500 worth of gold. Since the bill authorizes the striking of at least 3 different designs of Gold Medals and at least 43 medals, it is possible the design costs could run \$90,000 with the total cost of gold estimated at \$236,500 (43 medals at \$5,500 each).

Does the Bill Create New Federal Programs or Rules?: The bill creates at least three new Congressional Gold Medals for Native American Indians who participated as Code Talkers in WWII or any other foreign conflicts during the 20th Century.

Constitutional Authority: A Committee report citing Constitutional Authority is unavailable.

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H.R. 327—Small Business Paperwork Relief Act (Burton)

Order of Business: The bill is scheduled to be considered on Tuesday, June 18th, subject to a rule. H.R. 327 passed the House on March 15, 2001, by a vote of 418-0 (roll call #50). On May 22, 2002, the Senate passed by unanimous consent an amended version of H.R. 327, which the House will now consider. The rule for consideration of H.R. 327 would allow only a single motion offered by the chairman of the Committee on Government Reform or his designee that the House concur in the Senate amendments.

Summary, as amended (major Senate changes in red bold): The bill seeks to reduce the paperwork burden on small businesses by:

- Directing the Office of Management and Budget to annually publish a list of **resources that small businesses could use for complying with applicable paperwork requirements**; *(The House bill required annual re-publication of the actual paperwork requirements.)*
- Requiring federal agencies to establish a single point of contact to act as a liaison between the agency and small businesses;
- Requiring federal agencies to make further efforts to reduce paperwork for businesses with fewer than 25 employees; and
- Establishing a multi-agency task force to:

- study the feasibility of streamlining and consolidating requirements for collecting and reporting information within and across agencies to a single contact within a federal agency in a single format or using an electronic reporting system;
- examine the feasibility of and benefits to small businesses of publishing a list of the collections of information applicable to small business concerns;** and
- recommend a plan for establishing a government-wide Internet-based system for disseminating relevant information to small businesses.

Federal agencies would be required to submit an initial report to Congress (by December 31, 2003) and a final report to Congress (by December 31, 2004) on:

- **The number of enforcement actions in which a civil penalty is assessed;**
- **The number of enforcement actions in which a civil penalty is assessed against a “small entity;”**
- **The number of enforcement actions described above in which the civil penalty is reduced or waived; and**
- **The total monetary amount of such reductions or waivers.**

For the initial report, the timeframe covered would be October 1, 2002 through September 30, 2003. For the final report, the timeframe covered would be October 1, 2003 through September 30, 2004. Each agency reporting would be allowed to use its own definitions for “enforcement actions,” “reduction or waiver,” and “small entity.”

There is no provision in the bill that would waive civil fines and penalties for first-time violations of paperwork requirements.

Cost to Taxpayers: CBO estimates that this bill would result in only negligible costs to federal agencies.

Does the Bill Create New Federal Programs or Rules?: The bill creates new reporting requirements for federal agencies and a new task force, all of which are designed, however, to reduce the paperwork burden on small businesses that is generated by federal laws and regulations.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

Administration Position: In March 2001, when the House was first considering H.R. 327, a White House “Statement of Administration Policy” (SAP) declared that “The Administration has no objection to House passage of H.R. 327.” However, the SAP expressed concerns over the requirement that OMB annually publish a list of all federal information requirements applicable to small businesses. The Senate amendment in the nature of a substitute (and therefore the version of the bill under House consideration today) softened this provision by requiring that OMB annually publish a list of resources where small businesses could seek compliance assistance.

To read the SAP, visit this website:

<http://www.whitehouse.gov/omb/legislative/sap/107-1/HR327-r.html>

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Post Office Designations

Order of Business: On Tuesday, June 18th, under separate motions to suspend the rules and pass the bill, the House is scheduled to consider legislation renaming two post offices.

H.R. 4794—Ronald C. Packard Post Office Building Designation Act (Issa): Ronald C. Packard is a Republican former congressman from California (1983-2001).

H.R. 4717—Jim Fonteno Post Office Building Designation Act (Bentsen): Jim Fonteno is currently in his 27th year as Harris County (Texas) Commissioner, Precinct Two. First elected in 1974, Commissioner Fonteno has won re-election terms in 1978, 1982, 1986, 1990, 1994, and 1998.

Cost to Taxpayers: As with most federal building designations, these bills would authorize insignificant expenditures (costs of changing signs, etc.)

Does the Bill Create New Federal Programs or Rules?: The bills would rename post offices.

Constitutional Authority: Committee reports for these bills are unavailable.

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