



**Legislative Bulletin.....July 16, 2002**

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**H.Res. 448 — Recognizing The First Tee (Boehner)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 16<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 448 recognizes the organization The First Tee for its programs involving golf and character education. The resolution includes the following clauses:

- The First Tee works “to make the game of golf more affordable and accessible to young people across the country;”
- “Community-based programs such as The First Tee play an important role in educating youth in the positive values that build strong character;”
- Through the First Tee Life Skills experience, “young people learn the importance of maintaining a positive attitude, considering the consequences of their decisions, setting and achieving objectives, holding themselves to high standards, and applying to their everyday lives values such as responsibility, honesty, integrity, respect, confidence, and sportsmanship;”
- “The strong values that The First Tee teaches to youth will positively impact their lives, their education, and their experiences in school;” and
- The First Tee has established and incorporated 9 core values that reflect the principles of character education, namely: confidence, courtesy, honesty, integrity, judgment, perseverance, respect, responsibility, and sportsmanship.

The resolution goes on to recognize The First Tee for “its support of programs that provide young people of all backgrounds an opportunity to develop, through golf and character education, life-enhancing values such as honor, integrity, and sportsmanship.”

**Additional Background:** The First Tee is an initiative of the World Golf Foundation created in November 1997, as a way to bring golf to youngsters that otherwise would not be exposed to the game. The First Tee uses public-private partnerships to establish golf-learning facilities for youth across the country. There are currently 88 such facilities.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

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

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## **H.R. 4866 — Fed Up Higher Education Act Technical Amendments of 2002 (McKeon)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 16<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4866 makes a variety of changes to the Higher Education Act of 1965 (HEA). Specifically, the bill:

- Clarifies that home-schooled students are eligible for federal financial aid for higher education. Also, makes clear that institutions of higher education will not lose their institutional eligibility by granting aid to home-schooled students;
- Allows students in nonprofit foreign veterinary schools to qualify for the Federal Family Education Loan (FFEL) program;
- Extends provision in current law allowing schools with default rates under ten percent for three consecutive years to waive the 30-day delay on providing loans to first-time borrowers who are first-year students. Also extends provision allowing schools that meet the low default rate to request one-term loans in a single payment, instead of the required multiple disbursements.
- Encourages institutions to use technology when sending reports to the federal government;
- Specifies that federal scholarship aid may be awarded to low-income and minority students for law school;
- Increases the reimbursement rates for guarantee agencies that face losses as a result of the default of a student borrower through certain “exempt claims” (according to the Department of Education exempt claims are filed in a situation in which the lender determines that the borrower or the student on whose behalf a parent has borrowed, without the lender or school’s knowledge at the time the loan was made, provided false or erroneous information or took actions that caused the student or borrower to be ineligible for all or a portion of a loan or for interest benefits on a subsidized Stafford Loan). Rates are increased from 95, 85 and 75 percent to 100 percent;

- Removes the requirement that forbearance agreements between lenders and loan recipients be in writing before they can take effect and instead allows immediate payment relief for recipients. Also requires lenders to provide notice to the borrower and receive borrower approval of the terms of any new agreement;
- Clarifies that the return of Title IV funds by a student is required when the amount to be returned exceeds 50 percent of the total assistance received for a payment period or period of enrollment and that amounts of \$50 or less do not need to be returned;
- Amends the requirement that institutions make a “good faith effort” to distribute voter registration information to students to encourage such information to be provided electronically;
- Eliminates the 2-year waiting period between grant awards for Hispanic Serving Institutions; and
- Allows financial aid officers to use professional judgment when reevaluating the financial need of a student who is a ward of the court.

The bill also includes minor technical and clerical amendments.

**Cost to Taxpayers:** No cost estimate is available.

**Does the Bill Create New Federal Programs or Rules?:** The bill makes a variety of changes to the Higher Education Act of 1965.

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

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## **H.Res. 460 — Recognizing and honoring Justin W. Dart, Jr. (*Hoyer*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 16<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 460 recognizes the accomplishments of civil rights and disabilities activist Justin W. Dart, Jr. and expresses condolences to his family on his death.

The resolution includes various clauses outlining the life and accomplishments of Justin W. Dart, Jr. including:

- “Five Presidents, five Governors, and Congress have seen fit to appoint Justin Dart, Jr., to leadership positions within the area of disability policy, including Vice Chairman of the National Council on Disability, Commissioner of the Rehabilitation Services Administration, Chairperson of the President's Committee on the Employment of People with Disabilities, and Chairperson of the Congressional Task Force on the Rights and Empowerment of Americans with Disabilities;”

- Dart had “been a civil rights activist for individuals with disabilities since he was stricken with polio in 1948 and has played a leadership role in numerous civil rights marches across the country;”
- Dart “worked tirelessly to secure passage of the Americans with Disabilities Act of 1990, which was signed into law by President Bush, and is often recognized as a major driving force behind the disability rights movement and this landmark legislation;”
- On January 15, 1998, President Clinton awarded Dart the Presidential Medal of Freedom, our Nation's highest civilian award; and
- Dart “passed away at his home on June 22, 2002, and is survived by his wife, Yoshiko Dart, five daughters, 11 grandchildren; and two great-grandchildren.”

The resolution goes on to recognize Justin W. Dart, Jr., as “one of the true champions of the rights of individuals with disabilities” and recognizes that his achievements “have inspired and encouraged millions of Americans with disabilities to overcome obstacles and barriers so they can lead more independent and successful lives.”

**Additional Background:** According to various biographies, Justin W. Dart, Jr. was a leader in the disability rights movement for three decades, and an advocate for the rights of women, people of color, and gays and lesbians. Dart is best known for his role in securing the passage of the Americans with Disabilities Act in 1990. He passed away on Saturday, June 22, 2002, at his home in Washington, D.C.

**Possible RSC Concerns:** Dart is on record supporting the expansion of civil rights protection to gays and lesbians, universal health care, affirmative action, and the expansion of ADA.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

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

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## **H.Res. 482—Honoring Ted Williams and extending the condolences of the House of Representatives on his death (*Markey*)**

**Order of Business:** The resolution was considered on Monday, July 15<sup>th</sup>, under a motion to suspend the rules and pass the bill. The recorded vote will be taken on Tuesday, July 16<sup>th</sup>.

**Summary:** H.Res. 482 would resolve that the House “honors the outstanding accomplishments of Ted Williams and expresses its deepest sympathies and condolences to the family of Ted Williams on his passing.”

**Additional Background:** Ted Williams played professional baseball with the Boston Red Sox from 1939-1960 and came to be known as “the greatest hitter who ever lived.” He was elected to the Baseball Hall of Fame in 1966.

**Cost to Taxpayers:** The resolution would authorize no expenditure.

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

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## **H.Res. 452 — Congratulating the Detroit Red Wings for winning the 2002 Stanley Cup Championship. (*Kilpatrick*)**

**Order of Business:** The resolution was considered on Monday, July 15<sup>th</sup>, under a motion to suspend the rules and pass the bill. The recorded vote will be taken on Tuesday, July 16<sup>th</sup>.

**Summary:** H.Res. 452 congratulates the Detroit Red Wings hockey team for winning the 2002 Stanley Cup Championship.

The resolution details accomplishments of the Red Wings including:

- Winning the Stanley Cup on June 13, 2002, and the President's Trophy for finishing with the best regular season record in the 2001-2002 season;
- Defeating the 2001 Stanley Cup Champions, the Colorado Avalanche, to win the Western Conference Championship and defeating the Carolina Hurricanes 4 games to 1 in the Stanley Cup finals; and
- Winning nine Stanley Cups in their 76 years in the National Hockey League.

The resolution goes on to cite the accomplishments of recently retired coach Scotty Bowman, who had been with the team since 1993, led the Wings to three Stanley Cups and set an NHL record with nine Stanley Cup Championships in his career. Also recognized are assistant coaches Dave Lewis and Barry Smith, owner and President Mike Ilitch, General Manager Ken Holland, and various other support staff.

H.Res. 452 also states that the city of Detroit is known as "Hockeytown," highlighting the "city's loyal fans and their love for the sport," and that the Wings have been led by Captain Steve Yzerman since 1986, who has "shown leadership and commitment to the league since his 1983 draft" into the NHL. The resolution goes on to honor and name all of the Red Wings players from the 2001-2002 season, citing specific accomplishments of goalie Dominik Hasek, defenseman Niklas Lidstrom, and forward Brett Hull.

The resolution also:

- Congratulates the Red Wings for "winning the 2002 Stanley Cup Championship and for their outstanding performance during the entire 2001-2002 National Hockey League season;"
- Congratulates all 16 NHL teams who played in the postseason;
- Recognizes the achievements of the Red Wings players, coaches and support staff;

- Commends the Carolina Hurricanes “for a valiant performance during the playoff finals;” and
- Directs the Clerk of the House to transmit an enrolled copy of the resolution to all Red Wings players, former coach Scotty Bowman, and team owner and President Mike Ilitch.

**Cost to Taxpayers:** The resolution will have a minimal cost to the Clerk of the House for sending copies of the enrolled resolution to Red Wings players, Scotty Bowman, and Mike Ilitch.

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

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## **H.Con.Res. 395—Celebrating the 50th anniversary of the constitution of the Commonwealth of Puerto Rico (*Acevedo-Vila*)**

**Order of Business:** The resolution was considered on Monday, July 15<sup>th</sup>, under a motion to suspend the rules and pass the bill. The recorded vote will be taken on Tuesday, July 16<sup>th</sup>.

**Summary:** H.Con.Res. 395 would resolve that Congress celebrates the 50th anniversary of the Constitution of the Commonwealth of Puerto Rico.

To read the text of Puerto Rico’s Constitution, visit this website:

<http://welcome.topuertorico.org/constitu.shtml>

**Additional Background:** According to the resolution, on July 3, 1952, President Truman signed Public Law 82-447 (66 Stat. 327), approving the Constitution of the Commonwealth of Puerto Rico. On July 10, 1952, the Constitutional Convention of Puerto Rico reconvened and approved the conditions established by Public Law 82-447. And on July 25, 1952, the Governor of Puerto Rico proclaimed that the Puerto Rican Constitution was in effect.

The resolution also states that “the United States citizens of Puerto Rico have proudly fulfilled their duties to this great Nation, and some have made the ultimate sacrifice in defense of democracy, freedom, and the United States Constitution since World War I;” and that “the cultural diversity of the United States has been enriched by the people of Puerto Rico **who have preserved and promoted their culture, language, and identity.**”

**Cost to Taxpayers:** The resolution would authorize no expenditure.

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

**Constitutional Authority:** The Resources Committee, in House Report 107-501, cites constitutional authority in Article IV, Section 3. Clause 2 of this section grants Congress the

power to “dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”

**Outside Organizations:** English First has called for the removal of the line about the preservation of language (bolded above) or for a defeat of the resolution with this line in it. For more information, contact English First at (703) 321-8818.

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