



**Legislative Bulletin.....February 6, 2008**

**Contents:**

- H.Con.Res. 273**—Recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences
- H. Res. 867**—Commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup
- H. Res. 942**—Recognizing the significance of Black History Month
- H. Res. 931**—Expressing support for designation of February 17, 2008, as “Race Day in America” and highlighting the 50th running of the Daytona 500
- H.Res. 943**—Remembering the space shuttle Challenger disaster and honoring its crew members, who lost their lives on January 28, 1986
- H.Con.Res. 287**—Celebrating the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and the birth of the United States space exploration program
- H.Res. 907**—Congratulating the X PRIZE Foundation's leadership in inspiring a new generation of viable, super-efficient vehicles
- H.Res. 947**—Congratulating Lee Myung-Bak on his election to the Presidency of the Republic of Korea and wishing him well during his time of transition and his inauguration on February 25, 2008
- H.Con.Res. 283**—Calling for a peaceful resolution to the current electoral crisis in Kenya
- H.R. 4848**—To Extend for One Year Parity in the Application of Certain Limits to Mental Health Benefits
- S.781**—Do-Not-Call Registry Fee Extension Act of 2007

**Summary of the Bills Under Consideration Today:**

**Total Number of New Government Programs:** 0

**Total Cost of Discretionary Authorizations:** \$0

**Effect on Revenue:** \$0

**Total Change in Mandatory Spending:** \$0

**Total New State & Local Government Mandates:** \$0

**Total New Private Sector Mandates:** 2

**Number of Bills Without Committee Reports:** 1

**Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority:** 1

## **H.Con.Res. 273—Recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences (Mack, Mary, R-CA)**

**Order of Business:** H.Con.Res. 273 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 273 would express the sense that the Congress “congratulates The Recording Academy during its 50th GRAMMY celebration for its important work in improving the environment for music and music makers.”

The resolution lists a number of findings, including:

- “In 1957, a group of visionary leaders gathered at the famed Brown Derby in Los Angeles to form The National Academy of Recording Arts & Sciences;
- “The Recording Academy soon created the GRAMMY Award which is the world’s most visible and prestigious award for music;
- “The GRAMMY was created as a peer award, given by music makers, for music makers, to honor the highest quality recording music of the year without regard to sales or chart position;
- “Through its 12 chapters across America, The Recording Academy serves more than 18,000 musicians, singers, songwriters, producers, engineers, and other music professionals;
- “The GRAMMYs on the Hill Initiative, based in Washington, DC, works to advance the rights of the music community through advocacy, education, and dialogue; and
- “Through this initiative, The Recording Academy has become a leading advocate for music makers.”

**Committee Action:** H.Con.Res. 273 was introduced on December 19, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution, by voice vote on January 29, 2008.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---

## **H. Res. 867—Commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup (*Green, Gene, D-TX*)**

**Order of Business:** H. Res. 867 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 867 would express the sense that the House:

- “Commends the Houston Dynamo soccer team for winning the 2007 MLS Cup; and
- “Congratulates the team for back-to-back MLS Cup wins in their first 2 seasons in Houston.”

The resolution lists a number of findings, including:

- “The Houston Dynamo soccer team won the 2007 Major League Soccer Cup, defeating the New England Revolution by a score of 2-1 at RFK Stadium on November 18, 2007;
- “The Houston Dynamo came back from a 1-0 halftime deficit to defeat the Revolution;
- “Dwayne De Rosario, assisted on the tying goal to Joseph Ngwenya, scored the winning goal and was named the game’s MVP;
- “The Houston Dynamo has won the Major League Soccer Cup for the second consecutive year;
- “The Houston Dynamo is the first team to win back-to-back MLS Cups in 10 years; and
- “The Houston Dynamo have won the MLS Cup in their first 2 years of existence in Houston.”

**Committee Action:** H. Res. 867 was introduced on December 11, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution by voice vote on January 29, 2008.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---

## **H. Res. 942—Recognizing the significance of Black History Month (Green, Al, D-TX)**

**Order of Business:** H. Res. 942 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 942 would express the sense that the House:

- “Recognizes the significance of Black History Month as an important time to recognize the contributions of African-Americans in the Nation’s history, and encourages the continued celebration of this month to provide an opportunity for all peoples of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and
- “Recognizes that the ethnic and racial diversity of the United States enriches and strengthens the Nation.”

The resolution lists a number of findings, including:

- “The first Africans were brought involuntarily to the shores of America as early as the 17th century;
- “These Africans in America and their descendents are now known as African-Americans;
- “African-Americans suffered involuntary servitude and subsequently faced the injustices of lynch mobs, segregation, and denial of basic, fundamental rights;
- “Despite involuntary servitude, African-Americans have made significant contributions to the economic, educational, political, artistic, literary, religious, scientific, and technological advancement of the Americas;
- “In the face of injustices, United States citizens of good will and of all races distinguished themselves with their commitment to the noble ideals upon which the United States was founded and courageously fought for the rights and freedom of African-Americans;
- “Dr. Martin Luther King Jr. lived and died to make real these noble ideals;
- “The birthdays of Abraham Lincoln and Fredrick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;
- “Negro History Week represented the culmination of Dr. Carter G Woodson’s efforts to enhance knowledge of black history started through the Journal of Negro History, published by Woodson's Association for the Study of African-American Life and History; and
- “The month of February is officially celebrated as Black History Month, which dates back to 1926, when Dr. Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of Black Americans.”

**Committee Action:** H. Res. 942 was introduced on January 28, 2008, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution by voice vote on January 29, 2008.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

**H. Res. 931—Expressing support for designation of February 17, 2008, as “Race Day in America” and highlighting the 50th running of the Daytona 500 (Feeney, R-FL)**

**Order of Business:** H. Res. 931 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H. Res. 931 would express the sense that the House:

- “Recognizes the 50th running of the Daytona 500, ‘The Great American Race’; and
- “Supports the designation of a ‘Race Day in America’ in honor of the Daytona 500.”

The resolution lists a number of findings, including:

- “The Daytona 500 is the most prestigious stock car race in the United States;
- “The Daytona 500 annually kicks off the National Association for Stock Car Auto Racing (‘NASCAR’) Sprint Cup Series, NASCAR’s top racing series;
- “Millions of racing fans have spent the third Sunday of each February since 1959 watching, listening to, or attending the Daytona 500;
- “The purse for the Daytona 500 is typically the largest in motor sports;
- “Winning the prestigious Harley J. Earl Trophy is stock car racing’s greatest prize and privilege;
- “Daytona International Speedway becomes one of the largest cities in the State of Florida by population on race day, with more than 200,000 fans in attendance;
- “Well-known politicians, celebrities, and athletes take part in the festivities surrounding the Daytona 500; and
- “February 17, 2008, would be an appropriate day to designate as ‘Race Day in America’ because the Daytona 500 celebrates its historic 50th running on this day.”

**Committee Action:** H. Res. 931 was introduced on January 17, 2008, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the resolution by voice vote on January 29, 2008.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---

**H.Res. 943—Remembering the space shuttle Challenger disaster and honoring its crew members, who lost their lives on January 28, 1986  
(Hodes, D-NH)**

**Order of Business:** H.Res. 943 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 943 would express the sense that the House:

- “Honors the 22nd anniversary of the space shuttle Challenger disaster;
- “Celebrates the courage and bravery of the crew of the Challenger, and Christa McAuliffe and her passion for encouraging America's children to pursue careers in science and mathematics;
- “Commits itself and the Nation to using the lessons learned in inquiries into the space shuttle Challenger accident to ensure that the space agency always operates on a strong and stable foundation; and
- “Recognizes the continued dedication of the United States to the goal of space exploration for the benefit of all mankind.”

The resolution lists a number of findings, including:

- “January 28, 2008, marks the 22-year anniversary of the tragic accident of the space shuttle Challenger, Mission 51-L, and the loss of seven of America’s bravest and most dedicated citizens;
- “The space shuttle Challenger disaster occurred off the coast of central Florida, at 11:39 a.m. on January 28, 1986;
- “The space shuttle Challenger disintegrated 73 seconds into its flight after an O-ring seal in its right solid rocket booster failed at lift-off;
- “The seven-person crew on the shuttle included Commander Francis R. Scobee, Pilot Michael J. Smith, Mission Specialist Judith A. Resnik, Mission Specialist Ellison S. Onizuka, Mission Specialist Ronald E. McNair, Payload Specialist Gregory B. Jarvis, and Payload Specialist Sharon Christa McAuliffe;
- “Christa McAuliffe, a schoolteacher from Concord, New Hampshire, was on board as the first member in the Teacher in Space Project;

- “The National Aeronautics and Space Administration (NASA) selected Christa McAuliffe from a field of 11,000 applicants to be a part of the Challenger crew and teach lessons to schoolchildren from space;
- “The Committee on Science and Technology of the House of Representatives conducted oversight hearings on the Challenger disaster and released a report on October 29, 1986, on the causes of the accident; and
- “The House of Representatives continues to support NASA and its ongoing efforts to explore and educate the American public about space.”

**Committee Action:** H.Res. 943 was introduced on January 28, 2008, and referred to the Committee on Science and Technology, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

### **H.Con.Res. 287—Celebrating the 50th anniversary of the United States Explorer I satellite, the world's first scientific spacecraft, and the birth of the United States space exploration program (*Udall, D-CO*)**

**Order of Business:** H.Con.Res. 287 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 287 would express the sense that the Congress:

- “Celebrates the achievement of the late Dr. James A. Van Allen and his science team and all of the individuals at the Jet Propulsion Laboratory and Army Ballistic Missile Agency who, through the successful launch of Explorer I, brought the United States into the space age and science into the realm of space;
- “Supports science, technology, engineering, and mathematics education programs, which are critical for preparing the next generation to lead future United States space endeavors;
- “Recognizes the role of the United States space program in strengthening the scientific and engineering foundation that contributes to United States innovation and economic growth; and
- “Looks forward to the next 50 years of United States achievements in the robotic and human exploration of space.”

The resolution lists a number of findings, including:

- “January 31, 2008, is the 50th anniversary of the launch of Explorer I, the first United States satellite to be successfully lofted into space and the world’s first scientific satellite;
- “The launch of Explorer I marks the birth of the era of United States space exploration, a half-century of advances in both robotic and human exploration of space, including the first footsteps by humanity on another world;
- “The next 50 years of United States accomplishments in outer space will rely on individuals possessing strong mathematics, science, and engineering skills and the educators who will train such individuals;
- “The United States space program enables the development of advanced technologies, skills, and capabilities that support United States competitiveness and economic growth;
- “Dr. Van Allen, commenting on the future of space science a decade ago, said ‘there is no shortage of great ideas on what we'd like to do. ... There is virtually no limit to what can be investigated in interplanetary science and astronomy.’; and
- “Over the next 50 years the United States will attain additional exciting and significant achievements in robotic and human space exploration.”

**Committee Action:** H.Con.Res. 287 was introduced on January 29, 2008, and referred to the Committee on Science and Technology, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

**H.Res. 907—Congratulating the X PRIZE Foundation's leadership in  
inspiring a new generation of viable, super-efficient vehicles  
(Lungren, R-CA)**

**Order of Business:** H.Res. 907 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 907 would express the sense that the House:

- “Congratulates the X PRIZE Foundation’s leadership for inspiring a new generation of viable, super-efficient vehicles that help break our addiction to oil through the Automotive X PRIZE competition;



- “Congratulates the X PRIZE Foundation on their innovation and vision to bring together some of the finest minds in government, non-government, university, and industry to advise and participate in the Automotive X PRIZE competition; and
- “Applauds the X PRIZE Foundation's ongoing commitment to find solutions to some of humanity's greatest challenges as exemplified in the Automotive X PRIZE.”

The resolution lists a number of findings, including:

- “The United States is heavily dependent on foreign sources of oil that are concentrated in tumultuous countries and regions;
- “The National security and economic prosperity of the United States demand that we move toward a sustainable energy future;
- “The ability of foreign governments to assert great control over oil production allows unfriendly regimes to use energy exports as leverage against the United States and our allies;
- “Continued reliance on the use of greenhouse gas intensive fuels may impact global climate change;
- “The automotive sector is heavily dependent on oil, which makes Americans vulnerable to oil price fluctuation and is a major source of greenhouse gas emissions;
- “The average fuel economy in the United States has increased slowly during the last 20 years;
- “Many promising technologies exist that can lead to a breakthrough vehicle that will meet the need for sustainable transportation;
- “Breakthroughs are often achieved by the free market fueling the entrepreneurial spirit of inventors and investors;
- “The Automotive X PRIZE is a private, independent, technology-neutral competition being developed by the X PRIZE Foundation to inspire a new generation of viable, super-efficient vehicles that help break our addiction to oil and stem the effects of climate change; and
- “The Automotive X PRIZE will award a multi-million dollar reward to teams that can design, build, and demonstrate production-capable vehicles that achieve 100 MPG or its equivalent.”

**Committee Action:** H.Res. 907 was introduced on December 19, 2007, and referred to the Committee on Science and Technology, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---

**H.Res. 947—Congratulating Lee Myung-Bak on his election to the  
Presidency of the Republic of Korea and wishing him well during his  
time of transition and his inauguration on February 25, 2008  
(Royce, R-CA)**

**Order of Business:** H.Res. 947 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 947 would express the sense that the House “congratulates Lee Myung-Bak on his election to the presidency of the Republic of Korea and wishes him well during his time of transition and on his inauguration on February 25, 2008.”

The resolution lists a number of findings, including:

- “The United States and the Republic of Korea share a longstanding and comprehensive alliance rooted in the common principles of freedom and democracy;
- “There are deep cultural and personal ties between the peoples of the United States and the Republic of Korea, as exemplified by the large flow of visitors and exchanges each year between the two nations, as well as the nearly two million Korean-Americans;
- “Congress recognizes January 13 as Korean-American Day, honoring the contributions of Korean-Americans in forging stronger bilateral ties between our two countries;
- “The Republic of Korea is the United States seventh largest trading partner and the United States is the third largest trading partner of the Republic of Korea with nearly \$80 billion in annual trade volume;
- “The United States and the Republic of Korea are working closely together to promote international peace and security, economic prosperity, human rights, and the rule of law; and
- “Lee Myung-Bak, upon winning the election to become the next President of the Republic of Korea, stated that he would seek to further strengthen the relationship with the United States.”

**Committee Action:** H.Res. 947 was introduced on January 29, 2008, and referred to the Committee on Foreign Affairs, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

### **H.Con.Res. 283—Calling for a peaceful resolution to the current electoral crisis in Kenya (*Payne, D-NJ*)**

**Order of Business:** H.Con.Res. 283 is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 283 would express the sense that Congress:

- “Commends the Kenyan people for their commitment to democracy and respect for the democratic process as evidenced by the high voter turnout and peaceful voting on election day;
- “Strongly condemns the ongoing violence in Kenya and urges all parties concerned to immediately end use of violence as a means to achieve their political objectives;
- “Calls for a peaceful, negotiated settlement of the conflict in Kenya;
- “Calls on the two leading presidential candidates to accept offers of external and internal assistance to help find a solution to the current crisis which has the support of the people of Kenya;
- “Calls on Kenyan security forces to refrain from use of excessive force and respect the human rights of Kenyan citizens;
- “Calls for those who are found guilty of committing human rights violations to be held accountable for their actions;
- “Calls for an immediate end to the restrictions on the media, and on the rights of peaceful assembly and association;
- “Condemns threats to civil society groups, journalists, religious leaders, human rights activists, who are making every effort towards a peaceful, just, and equitable political solution to the current electoral crisis;
- “Calls on the international community, United Nations aid organizations, and all neighboring countries to provide assistance to those affected by violence and encourages to use all the diplomatic means at their disposal to persuade relevant political actors to commit to a peaceful resolution to the current crisis.”

Finally, the resolution urges the President to:

- “Support diplomatic efforts to facilitate a dialogue between leaders of the Party of National Unity, the Orange Democratic Movement, and other relevant actors;
- “Consider the imposition of targeted sanctions, including a travel ban and asset freeze, on leaders in the Party of National Unity, the Orange Democratic Movement, and other relevant actors who refuse to engage in meaningful dialogue to end the current crisis; and
- “Conduct a review of current U.S. aid to Kenya for the purposes of restricting all non-humanitarian assistance to Kenya unless the parties are able to establish a

peaceful political resolution to the current crisis which is credible to the Kenyan people.”

The resolution lists a number of findings, including:

- “On December 27, 2007, the citizens of Kenya went peacefully to the polls to elect a new parliament and a new President and signaled their commitment to democracy by turning out in large numbers and, in some instances, waiting in long lines to vote;
- “On December 29, 2007, the opposition presidential candidate, Raila Odinga, was reportedly over 300,000 votes ahead of the incumbent with 90 percent of the precincts reporting;
- “On December 30, 2007, the head of the Electoral Commission of Kenya (ECK) declared that Mwai Kibaki won the presidential election by 197,000 votes;
- “The Government of Kenya imposed a ban on live media that day, and shortly after the election results were announced, in contravention of Kenyan law, the Government also announced a blanket ban on public assembly and gave police the authority to use lethal force;
- “More than 700 people have died and an estimated 250,000 have been displaced as a result of the violence; and
- “The instability in Kenya is not rooted in tribal violence but in a struggle for democracy and concerns that the gains of the past decade may be lost.”

**Committee Action:** H.Con.Res. 283 was introduced on January 23, 2008, and referred to the Committee on Foreign Affairs, which took no official action.

**Cost to Taxpayers:** The resolution does not authorize expenditures.

**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.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---

## **H.R. 4848—To Extend for One Year Parity in the Application of Certain Limits to Mental Health Benefits (*Pallone, D-NJ*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4848 would extend through December 31, 2008 certain provisions relating to mental health parity coverage that previously expired on December 31, 2007.

Specifically, the bill would reinstitute federal mandates first included in the Mental Health Parity Act of 1996, and extended in subsequent legislation, requiring that annual and lifetime limits on coverage for mental health treatments equal similar limits for physical illnesses. Group health plans failing to meet the requirements of the Mental Health Parity Act would be subject to an excise tax; however, employers with fewer than 50 employees would be exempt from the federal requirements.

H.R. 4848 would also include Medicare provider payments in the Federal Payment Levy System, which imposes a 15% levy on contractors to recover outstanding federal tax debt. A 2004 Government Accountability Office study determined that 21,000 Medicare providers owed more than \$1.3 billion in back taxes, in part because payments under Medicare Parts A and B are currently exempt from participation in the Federal Payment Levy System. H.R. 4848 would extend the Federal Payment Levy system to Medicare Part A and B claims over a three-year period ending on September 30, 2011.

Finally, H.R. 4848 would deposit additional savings in the Physician Assistance and Quality Initiative Fund, which is used by the Centers for Medicare and Medicaid Services (CMS) to finance physician payment and quality improvement initiatives.

**Possible Conservative Concerns:** Some conservatives may be concerned that the bill would raise the cost of health insurance by re-imposing a lapsed federal mandate on individual and group health plans. Some conservatives may also be concerned that the bill could lead to further action on full mental health parity legislation (H.R. 1424; S. 558) being considered in the 110<sup>th</sup> Congress, further inflating health insurance premiums nationwide.

**Committee Action:** H.R. 4848 was introduced on December 19, 2007 and was referred to the House Committee on Energy and Commerce, and in addition to the Committees on Ways and Means and Education and Labor, where no further action was taken.

**Cost to Taxpayers:** H.R. 4848 would reduce federal revenues by \$25 million over ten years by increasing the cost of health insurance, thus leading employees with group coverage to exclude more of their income from federal income and payroll taxes. The bill would offset that foregone revenue through the extension of Part A and B Medicare payments to the Federal Payment Levy System as described above, saving a total of \$374 million over ten years. The bill diverts the additional revenue generated in excess of the foregone income and payroll taxes (\$349 million over ten years) to the Physician Assistance and Quality Improvement Fund.

**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?** Yes, the bill reinstates federal mandates on individual and group health insurance plans regarding the design of their benefit plans.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** A Committee report designating compliance with clause 9 of rule XXI is unavailable.

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

**RSC Staff Contact:** Chris Jacobs; (202) 226-8585; [christopher.jacobs@mail.house.gov](mailto:christopher.jacobs@mail.house.gov)

---

### **S.781—Do-Not-Call Registry Fee Extension Act of 2007 (*Pryor, D-AR*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, February 6, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** S.781 would permanently authorize the Federal Trade Commission (FTC) to maintain the federal Do-Not-Call (DNC) Registry and to assess and collect fees for access to the registry.

Under S. 781, companies or people must obtain the data in the FTC's registry to legally conduct telemarketing. The FTC would be authorized to collect annual fees of up to \$54 for access to the data for an individual area code and up to \$14,850 for access to data for every area code in the registry. An entity requesting access to five or less area codes would not be charged. The FTC would be authorized to collect up to \$27 per area code for DNC Registry data accessed in the last six months of a year. The fees would be adjusted for inflation annually, in accordance with the Consumer Price Index.

The bill would also change the current annual report requirement by making mandatory reports biennial.

**Additional Background:** The Do-Not-Call Act was signed into law in March of 2003, making it illegal for telemarketers to call certain consumers on the DNC Registry. According to [Senate Report 110—244](#), the DNC Registry has collected over 144 million individual phone numbers since it was created. The original legislation required the FTC to develop and maintain the DNC Registry and collect fees from telemarketing agencies that need the information to adhere to the law. The fees collected are used to offset the cost of maintaining the registry. Any fees collected over and above the cost of the registry are used to offset FTC's annual budget. According to CBO, the FTC is expected to collect \$2 million more than the cost of the registry over a five year period.

On December 11, 2007, the House passed an identical bill ([H.R. 2601](#)), which was not acted on by the Senate, by voice vote.

**Committee Action:** S.781 was passed in the Senate, with an amendment, by unanimous consent on December 17, 2007. The same day the bill was received in the House, which held the bill at the desk.

**Cost to Taxpayers:** According to CBO, the FTC would collect \$107 million in fees accessed under the bill over a five year period. Over the same period, CBO estimates that the FTC would expend \$105 million maintaining the DNC Registry. Thus, implementing S. 781 would decrease net spending (subject to appropriation) by \$2 million over the FY 2008 —FY 2012 period.

**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?** Yes, the bill would make the authority of the FTC to assess and collect fees on telemarketing companies permanent.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** [Senate Report 110—244](#) does not include information regarding compliance with House Rules regarding earmarks, limited tax benefits or limited tariff benefits.

**Constitutional Authority:** [Senate Report 110—244](#) does not cite constitutional authority.

**RSC Staff Contact:** Andy Koenig; [andy.koenig@mail.house.gov](mailto:andy.koenig@mail.house.gov); 202-226-9717.

---

---