

Legislative Bulletin.....September 28, 2010

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H.Res. 1645 - Expressing support for designation of the week beginning on November 8, 2010, as National School Psychology Week

House Amendment to S. 3839 - Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958

H.Res. 1639 - Recognizing the contributions of the National Waterways Conference on the occasion of its 50th anniversary

S. 3196—Pre-Election Presidential Transition Act of 2010 *(Senator Kaufman, D-DE)*

Order of Business: The bill is scheduled to be considered on Tuesday, September 28, 2010 under a motion to suspend the rules and pass the bill.

Summary: S. 3196 would extend to major party nominees and certain third party candidates certain Government Service Administration services and access to facilities previously provided only to the President-elect and Vice President-elect for the purposes of preparing to transition into the taking office. Specifically, within 3 days of a nomination, requires the Administrator of the GSA to inform a major candidate (defined in statute) and certain third party candidates, the extent that the use of the services and facilities is for use in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President. The bill requires the Administrator to prepare a report summarizing modern presidential transition activities, including a bibliography of relevant resources and made available to the candidates and public not later than 12 months before the date of each general election for President and Vice-President (beginning with the election to be held in 2012). The bill places these requirements for candidates to be eligible GSA transition services to:

- “meet the requirements described in Article II, Section 1, of the United States Constitution for eligibility to the office of President;
- “has qualified to have his or her name appear on the ballots of a sufficient number of States such that the total number of electors appointed in those States is greater than 50 percent of the total number of electors appointed in all of the States; and
- “has demonstrated a significant level of public support in national public opinion polls, so as to be realistically considered among the principal contenders for President or Vice-President of the United States; and
- “may modify the scope of any services to be provided under this subsection to reflect that the services are provided to eligible candidates rather than the President-elect or Vice-President-elect, except that any such modification must apply to all eligible candidates.”

The bill prohibits the use of funds authorized under the bill to be used for any purposes other than for the purposes described in the bill and requires the candidate or the candidate's campaign shall reimburse the Administrator for any unauthorized use of such

services or facilities. The bill allows eligible candidates to establish a separate fund for the payment of expenditures in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President, including expenditures in connection with any services or facilities provided under the bill.

The bill authorizes "such sums" to be appropriated as may be necessary to carry out the provisions under S. 3196.

Potential Conservative Concerns: Some conservatives may be concerned that the legislation may need to new spending (subject to appropriation) without any reduction to existing authorized spending. Further, some conservatives may believe that non-elected candidates should not be eligible for funds for this purpose.

Additional Background: According to the Committee, it would be prudent to move the transition planning calendar back and provide major party nominees and certain third-party candidates certain transition planning services following the candidates' nomination. Currently, the Presidential Transition Act requires the General Services Administration (GSA) to provide services, including office space and other facilities for the incoming transition team, the employment of transition staff, and the arrangement of staff from other agencies to assist in the transition after the general election. The Act also provides guidelines for the nomination of staff to key national security positions and other administrative procedures.

Committee Action: On April 13, 2010, the bill was introduced in the Senate Committee on Homeland Security and Governmental Affairs. On May 17, 2010, the committee held a mark-up and ordered it to be reported without amendment favorably. On September, 24, 2010, the bill passed the Senate, as amended, by unanimous consent. On September 24, 2010, the bill was received in the House.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: CBO estimates that implementing S. 3196 would increase the administrative costs of GSA and a number of federal agencies by \$5 million over the 2012-2013 period, assuming the availability of appropriated funds.

Does the Bill Expand the Size and Scope of the Federal Government? Yes. The legislation expands the responsibilities of the GSA.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available at press time. However, such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report sighting Constitutional authority is not available at press time.

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H.R. __ - To authorize the transfer of naval vessels to certain foreign recipients (*Berman, D-CA*)

Order of Business: H.R. __ is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. __, the Security Cooperation Act of 2010, would implement certain defense trade cooperation treaties. Specifically, the bill does the following:

Title I

- Amends the Arms Export Control Act to implement a bilateral agreement between the United States and Great Britain and Northern Ireland, and between the United States and Australia – both concerning Defense Trade Cooperation. Both treaties were completed in 2007.
- Exempts from the score of a treaty, the complete rocket systems (e.g. ballistic missile systems, space launch vehicles, and sounding rockets) or complete unmanned aerial vehicle systems capable of delivering at least a 500 kilogram payload to a range of 300 kilometers and associated production facilities, software, or technology for these systems, as defined in the Missile Technology Control Regime Annex Category I, Item I.
- Creates an enforcement mechanism to ensure that any violations of the treaty will be subject to criminal and civil penalties under the Arms Export Control Act (AECA).
- Requires Congressional approval before certain changes are made to the treaties and before the treaties can enter into force for the United States.
- Requires Congressional notification for any amendment to an implementing arrangement.
- Authorizes the President to issue regulations to implement and enforce the treaties between the U.S. and Great Britain, and the U.S. and Australia.

Title II

- Authorizes the President to transfer certain vessels to India, Greece, Chile, and Morocco on a grant basis.
- Authorizes the President to transfer certain vessels to Taiwan on a sale basis.

Title III

- Expedites the Congressional defense export review period for Israel.
- Extends the war reserves stockpile authority for Israel, which would continue to allow Israel to receive transfers from the U.S. from regional stockpiles.

Committee Action: The legislation has not been introduced.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: No CBO score was available at press time.

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?: A committee report citing the constitutional authority for Congress to enact this bill is unavailable.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Although the bill contains no earmarks, and there is no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing the constitutional authority for Congress to enact this bill is unavailable.

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H.Res. 1326 - Calling on the Government of Japan to immediately address the growing problem of abduction to and retention of United States citizen minor children in Japan, to work closely with the Government of the United States to return these children to their custodial parent or to the original jurisdiction for a custody determination in the United States, to provide left-behind parents immediate access to their children, and to adopt without delay the 1980 Hague Convention on the Civil Aspects of International Child Abduction (*Moran, D-VA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1326 resolves that:

- The House of Representatives:
 - “Condemns the abduction and retention of all minor children being held in Japan away from their United States parents in violation of their human rights and United States and international law;
 - “Calls on the Government of Japan to immediately facilitate the resolution of all abduction cases, to recognize United States court orders governing persons subject to jurisdiction in a United States court, and to make immediately possible access and communication for all children with their left-behind parents;
 - “Calls on the Government of Japan to include Japan's Ministry of Justice in work with the Government of the United States to facilitate the identification and location of all United States minor citizen children alleged to have been wrongfully removed to or retained in Japan and for the immediate establishment of a protocol for the resolution of existing cases of abduction, interference with parental access to children, and violations of United States court orders;
 - “Calls on the Government of Japan to establish immediately a protocol and timetable to amend its Civil Code to allow for enforceable rights of parental access and communication between minor children and their divorced or separated parents including parents who are not Japanese citizens;
 - “Calls on the Government of Japan to review and amend its consular procedures to ensure that travel documents for minor children are not issued in violation of United States court orders;
 - “Calls on Japan to accede to the 1980 Hague Convention on the Civil Aspects of International Child Abduction without delay and to promptly establish judicial and enforcement procedures to facilitate credibly the immediate return of children to their habitual residence and to establish protocols for the organization of rights of international parental access; and
 - “Calls on the President of the United States and the Secretary of State to seek immediately to identify credibly all United States citizen minor children who have been wrongfully removed to and who are retained currently in Japan and to raise the issue of abduction and wrongful retention of those United States citizen minor children in Japan with Japanese officials and domestic and international press; and

- “It is the sense of the House of Representatives that the United States should—
 - “Recognize the issue of child abduction to and retention of United States citizen minor children in Japan as a central foreign policy issue of paramount importance to the United States within the context of its bilateral relationship with Japan;
 - “Work with the Government of Japan to enact consular procedures and legal agreements to prevent parental abduction to and retention of United States citizen minor children in Japan;

- “Encourage the Government of Japan to adopt the policy of not issuing duplicate passports when a United States judge has restricted a child's travel or ordered the surrender of passports and to otherwise require notarized signatures from both parents before issuing a passport to a child;
- “Review its advisory services made available to United States citizens from the Department of State, the Department of Justice, and other government agencies to ensure that effective and timely assistance is given to United States citizens in preventing the incidence of wrongful retention or removal of minor children and acting to obtain the expeditious return of their children from Japan;
- “Review its advisory services made available to members of the United States Armed Forces, particularly those stationed in Japan by the Department of Defense and the United States Armed Forces, to ensure that effective and timely assistance is given to them, including providing legal assistance in preventing the incidence of wrongful retention or removal of minor children and acting to obtain the expeditious return of their dependent children from Japan at the conclusion of their tour of duty in Japan;
- “Call upon the Secretary of Defense to include the issues of child abduction and the protection of members of the United States Armed Forces and their families stationed abroad in any current or future status of forces agreement;
- “Call upon the Secretary of State to enact immediately a Memorandum of Understanding with the Government of Japan to establish a bilateral protocol with procedures to address immediately any parental child abduction or access issue reported to the United States Department of State; and
- “Urge the Department of State to include international child abduction and Japan's actions regarding abductions as a human rights violation under its Country Reports on Human Rights Practices.”

The resolution contains a number of findings, including:

- “According to Japan's National Institute of Population and Social Security Research, 44,701 marriages between a Japanese national and a foreigner were registered in Japan in 2006, and 17,102 divorces were registered in Japan in 2006 between a Japanese national and foreigner;
- “Since 1994 the Office of Children's Issues (OCI) at the United States Department of State had opened 194 cases involving 269 United States citizen minor children abducted to or wrongfully retained in Japan, and as of March 25, 2010, OCI had 85 open cases involving 121 United States citizen minor children abducted to or wrongfully retained in Japan;
- “Since the signing of the Treaty of Peace with Japan (San Francisco Treaty) between the Allied Powers and the Government of Japan in 1951, the Japanese Government has never issued and enforced a legal decision to return a single abducted child to the United States;

- “Japan has not acceded to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the Hague Convention), resulting in the continued absence of an immediate civil remedy that as a matter of urgency would enable the expedited return of abducted children to their custodial parent in the United States where appropriate, or otherwise immediately allow access to their United States parent;
- “There are numerous cases in which the actions of the Government of Japan evidence a disregard of United States law and jurisdiction, other cases show indifference to the United States and customary international jurisprudence in the area of family law, which overwhelmingly reflects the worldwide preference for the resolution of parenting disputes by negotiated joint custody; and
- “The Government of Japan has repeatedly claimed to foreign governments that parental child abduction is not considered a crime in Japan despite the fact that Article 3 of the Japanese Penal Code does indeed make it a crime for a Japanese citizen to abduct a child and move the child across national borders, even if the child is moved to Japan.”

Committee Action: H.Res. 1326 was introduced on May 5, 2010, and referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

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H.Res. 1631 - Calling for the protection of religious sites and artifacts from and in Turkish-occupied areas of northern Cyprus as well as for general respect for religious freedom (Bilirakis, R-FL)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1631 resolves that the House of Representatives:

- “Expresses appreciation for the efforts of those countries that have restored religious property wrongly confiscated during the Turkish occupation of northern Cyprus;
- “Welcomes the efforts of many countries to address the complex and difficult question of the status of illegally confiscated religious art and artifacts, and urges those countries to continue to ensure that these items are restored to the Republic of Cyprus in a timely, just manner;
- “Welcomes the initiatives and commitment of the Republic of Cyprus to work to restore and maintain religious heritage sites;
- “Urges the Government of Turkey to--
 - “Immediately implement the United Nations Security Council Resolutions relevant to Cyprus as well as the judgments of the European Court of Human Rights;
 - “Work to retrieve and restore all lost artifacts and immediately halt destruction on religious sites, illegal archaeological excavations, and traffic in icons and antiquities; and
 - “Allow for the proper preservation and reconstruction of destroyed or altered religious sites and immediately cease all restrictions on freedom of religion for the enclaved Cypriots;
- “Calls on the United States Commission on International Religious Freedom to investigate and make recommendations on violations of religious freedom in the areas of northern Cyprus under control of the Turkish military;
- “Calls on the President and the Secretary of State to include information in the annual International Religious Freedom and Human Rights reports on Cyprus that detail the violations of religious freedom and humanitarian law including the continuous destruction of property, lack of justice in restitution, and restrictions on access to holy sites and the ability of the enclaved to freely practice their faith;
- “Calls on the State Department Office of International Religious Freedom to address the concerns and actions called for in this resolution with the Government of Turkey, OSCE, the United Nations Special Rapporteur on Freedom of Religion or Belief, and other international bodies or foreign governments;
- “Urges OSCE to ensure that member states do not receive stolen Cypriot art and antiquities; and
- “Urges OSCE to press the Government of Turkey to abide by its international commitments by calling on it to work to retrieve and restore all lost artifacts, to immediately halt destruction on religious sites, illegal archaeological excavations, and traffic in icons and antiquities, to allow for the proper preservation and reconstruction of destroyed or altered religious sites, and to immediately cease all restrictions on freedom of religion for the enclaved Cypriots.”

The resolution contains a number of findings, including:

- “The Government of Turkey invaded the northern area of the Republic of Cyprus on July 20, 1974, and the Turkish military continues to illegally occupy the territory to this day;
- “The Church of Cyprus has filed an application against Turkey with the European Court of Human Rights for violations of freedom of religion and association as Greek Cypriots in the occupied areas are unable to worship freely due to the restricted access to religious sites and continued destruction of the property of the Church of Cyprus;
- “According to the Secretary General's Report on the United Nations Operation in Cyprus in June 1996, the Greek Cypriots and Maronites living in the northern part of the island `were subjected to severe restrictions and limitations in many basic freedoms, which had the effect of ensuring that inexorably, with the passage of time, the communities would cease to exist.';
- “Under the Turkish occupation of northern Cyprus, religious sites have been systematically destroyed and a large number of religious and archaeological objects illegally looted, exported, and subsequently sold or traded in international art markets, including an estimated 16,000 icons, mosaics, and mural decorations stripped from most of the churches, and 60,000 archaeological items dating from the 6th to 20th centuries;
- “80 Christian churches have been converted into mosques, 28 are being used by the Turkish army as stores and barracks, 6 have been turned into museums, and many others are used for other nonreligious purposes such as coffee shops, hotels, public baths, nightclubs, stables, cultural centers, theaters, barns, workshops, and one is even used as a mortuary; and
- “On July 16, 2002, and again in 2007, the United States and the Government of the Republic of Cyprus signed a Memorandum of Understanding to impose import restrictions on categories of Pre-Classical and Classical archaeological objects, as well as Byzantine period ecclesiastical and ritual ethnological materials, from Cyprus.”

Committee Action: H.Res. 1631 was introduced on September 16, 2010, and referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

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H.Res. 1588 - Expressing the sense of the House of Representatives on the importance of the full implementation of the Comprehensive Peace Agreement to help ensure peace and stability in Sudan during and after mandated referenda (*Capuano, D-MA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1588 states that it is the sense of the House of Representatives that the United States Government should:

- “Work with Sudanese parties and regional and international partners to build consensus on the steps needed to implement the Comprehensive Peace Agreement (CPA), including the upcoming referenda, and promote stability throughout Sudan;
- Engage Sudanese and international partners to correct serious and systemic problems in the election process to ensure that they do not reoccur during the referenda campaign and voting processes, including irregularities in voter registration, logistical and procedural challenges, poor voter education, human rights infringements, intimidation, and violence;
- “Work with Sudanese and international partners to ensure that the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) implement procedures whereby the referenda occur as scheduled, including appointing competent and credible members to the referenda commissions and providing technical assistance to and funding for the commissions;
- “Work with the United Nations Mission in Sudan to ensure security during and after the referenda campaign and voting processes, which will require a robust monitoring and protection presence in areas prone to conflict;
- “Take concrete steps through the contribution of resources, technical expertise, and direct engagement with the parties to the peace agreement to ensure--
 - “International monitoring and observation of registration and polling to guarantee a secure environment for individual registration and voting, and to prevent voter intimidation or fraud occurring during these critical phases of the referenda;

- “That the Government of National Unity (GNU), as required by the CPA, provides adequate funding at predetermined levels and timelines for the registration and polling periods, given the need to ensure that those who register are able to access polling stations on voting day; and
- “That members of the international community commit adequate resources and technical expertise to carry out the referenda and voter education programs in southern Sudan, Abyei, and other areas where people will vote in the referenda to promote understanding of the nature, importance of participation, and consequences of the referenda process;
- “Work with international and Sudanese partners to ensure--
 - “The right of return of Sudanese refugees and displaced persons, including Darfuris and southerners, by providing assistance and safe passage to all such persons; and
 - “That the citizenship rights of southerners in the north and northerners in the south are respected and are in accordance with international standards should the south vote for independence;
- “Work with international partners to ensure a stable north-south border and a permanent peace in Sudan, utilizing policy options if parties fail to honor the CPA, especially as it relates to border demarcation pre-referenda;
- “Utilize diplomats and experts to support the African Union and United Nations-led negotiations over the post-referendum issues, including working with international partners to engage the NCP and SPLM to make necessary arrangements for a post-2011 peaceful transition, with specific focus on oil and revenue sharing, citizenship, return of refugees and displaced persons, security arrangements along the border, and protection of the rights of minorities, particularly the religious and ethnic minorities historically marginalized;
- “Take concrete steps through the contribution of resources, technical expertise, and direct engagement with the NCP and SPLM to support the popular consultation processes in Southern Kordofan State and Blue Nile State, including through provision of technical assistance and support for public education;
- “Utilize diplomats and experts to revitalize the Darfur Peace Process and press the NCP, northern political parties, armed rebel movements, and civil society representatives to address human rights abuses (including gender-based violence) and the ongoing atrocities and displacement in Darfur;
- “Undertake renewed efforts to implement the Administration's stated Sudan policy of October 2009, including publicly articulating the benchmarks and related incentives and pressures used by the Administration to gauge progress or backsliding on key provisions of the CPA, including the holding of a free and fair referendum in southern Sudan;
- “Hold the NCP accountable for its actions given the NCP's human rights violations and efforts to impede CPA implementation since the announcement of the United States Sudan policy, and the need for the United States to both balance incentives with pressures, by--
 - “Identifying NCP government agencies and officials responsible for particularly severe human rights and religious freedom violations as required under section 402b(2) of the International Religious Freedom Act

- of 1998 (IRFA), and prohibit those individuals identified under section 402b(2) of IRFA from entry into the United States;
- “Encouraging multilateral asset freezes on NCP government agencies and travel bans on officials responsible for particularly severe human rights and religious freedom violations;
 - “Continuing to encourage greater multilateral enforcement of the arms embargo set out in the 2004 United Nations Security Council Resolution 1556 and strengthened in the 2005 United Nations Security Council Resolution 1591;
 - “Continuing to encourage multilateral support of the International Criminal Court case against President Bashir and other Sudanese officials accused of genocide, war crimes, or crimes against humanity, recognizing that justice is essential for there to be lasting peace; and
 - “Vigorously advocating for any humanitarian organizations that come under pressure from Khartoum or are at any point expelled from the country, thereby compromising their ability to provide vital services;
- “Provide technical assistance and expertise to the Government of Southern Sudan to develop its economic, rule of law, and social service and educational infrastructures, improve democratic accountability and human rights, and strengthen reconciliation efforts; and
 - “Unequivocally stand, during this period of preparation and possible transition, with those people of southern Sudan who share aspirations for a peaceful, prosperous and democratic future.”

The resolution contains a number of findings, including:

- “Sudan stands at a crossroads, in the final phase of what could be a historic transition from civil war to peace, and Sudan's full implementation of the Comprehensive Peace Agreement (CPA) in this next year will determine the future of this centrally important country in Africa and the stability of the region;
- “January 2010 marked the fifth anniversary of the signing of the CPA which ended more than 20 years of civil war between northern and southern Sudan, fueled by northern persecution of populations in the south, that resulted in the deaths of more than 2,000,000 people and the displacement of over 4,000,000 people in southern Sudan;
- “Sudan's April 2010 elections did not meet international standards due to widespread and continuing violations of political rights, irregularities in voter registration, significant logistical and procedural shortcomings, intimidation and violence in some localities, and the continuing conflict in Darfur which prevented full campaigning and voter participation;
- “In August 2009, the NCP and SPLM signed a bilateral agreement to address and implement many of the CPA's outstanding provisions, but since that time the NCP has consistently delayed and renege on its CPA commitments, thereby increasing tension and distrust between northern and southern Sudan and endangering the CPA by infringing on the freedom of speech, assembly, and association of candidates, political party activists, and journalists during

- and after the election process, including censoring the media and arresting political party leaders; and
- “Secretary of State Hillary Rodham Clinton stated in October 2009 that “the Comprehensive Peace Agreement between the North and South will be a flashpoint for renewed conflict if not fully implemented through viable national elections, a referendum on self-determination for the South, resolution of the border disputes, and the willingness of the respective parties to live up to their agreements.””

Committee Action: H.Res. 1588 was introduced on July 30, 2010, and referred to the House Foreign Affairs Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time. The resolution does encourage U.S. resources be used towards the peace agreement.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

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H.Res. __ - Honoring the lives of the brave and selfless aid workers, doctors, and nurses who died in the tragic attack of August 5, 2010, in northern Afghanistan (Pitts, R-PA)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. __ resolves that the House of Representatives:

- “Honors the lives of the brave and selfless humanitarian aid workers, doctors, and nurses who died in the tragic attack of August 5, 2010, in northern Afghanistan;
- “Extends its deepest condolences to the families of the victims;
- “Strongly condemns those who committed these brutal murders;

- “Urges the Afghan authorities to do their utmost to bring the perpetrators of this heinous act to justice;
- “Encourages all parties to respect the neutral status of humanitarian aid workers; and
- “Commends international humanitarian aid workers for their courageous efforts to save lives and alleviate suffering by providing important services to the Afghan people.

The resolution contains a number of findings, including:

- “On August 5, 2010, ten unarmed civilians were brutally killed in Badakhshan province, Afghanistan;
- “Those killed were humanitarian aid workers, operating a mobile health clinic for people with little access to medical care;
- “The organization that sponsored these humanitarian aid workers was a signatory to the “Principles of Conduct for the International Red Cross and Red Crescent for NGOs and Disaster Response Programmes,” which states that “aid will not be used to further a particular political or religious standpoint;”
- “Violent extremists have committed many ruthless and brutal attacks against the Afghan people, starting in the 1990s with public executions in soccer stadiums, attacks against girls attending school, and many other terrible measures; and
- “These senseless killings will have a tragic impact for decades to come, both on the families of the victims and on the people of Afghanistan.”

Committee Action: H.Res. __ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. __ - Expressing support for the 33 trapped Chilean miners following the Copiapo mining disaster and the Government of Chile as it works to rescue the miners and reunite them with their families (Mack, R-FL)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. __ resolves that the House of Representatives:

- “Commends the bravery of the 33 miners trapped in the San Jose mine in Copiapo, Chile;
- “Expresses solidarity with the stranded miners and their families;
- “Commends the efforts of President Sebastián Piñera and the Government of Chile in their tireless rescue efforts;
- “Commends the efforts by United States Federal agencies and private individuals and entities in responding directly and promptly to Chile’s request for advice and expertise to assist in this humanitarian endeavor; and
- “Expresses continued support for the successful rescue, recovery, and reintegration of the 33 miners into Chilean society.”

The resolution contains a number of findings, including:

- “On August, 5, 2010, the San José copper-gold mine in Copiapo, Chile, collapsed, leaving 33 miners trapped underground;
- “The United States continues to assist in the rescue effort, through the efforts of the National Aeronautics and Space Administration, private United States companies, and others who shared expertise on rescue missions and the psychological impact of isolation; and
- “On September 17, 2010, a rescue drill completed a bore hole ahead of schedule raising hopes that the miners may be pulled out earlier than the previous forecasts for early November.”

Committee Action: H.Res. __ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

**H.Res. __ - Expressing support for the goals and ideals of the
Inaugural USA Science and Engineering Festival in Washington,
D.C. (Bilbray, R-CA)**

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. __ resolves that the House of Representatives:

- “Expresses its support for the goals and ideals of the inaugural USA Science & Engineering Festival to promote science scholarship and an interest in scientific research and development as the cornerstones of innovation and competition in America;
- “Supports festivals such as the SUA Science & Engineering Festival which focus on the importance of science and engineering to our every day lives through exhibits in such topics as human spaceflight, weather forecasting, satellite technology, and telescopes,
- “Congratulates all the individuals and organization whose efforts will make the USA Science & Engineering Festival highlighting American accomplishments in science and engineering possible; and
- “Encourages families and their children to participate in the activities and exhibits which will occur on the National Mall and across America as satellite events to the USA Science & Engineering Festival.”

The resolution contains a number of findings, including:

- “Science, Technology, Engineering, and Mathematics (STEM) education is an essential element of America’s future competitiveness in the world;
- “Advances in technology have resulted in significant improvement in the daily lives of Americans;
- “A new generation of Americans educated in STEM is crucial to ensure continued economic growth; and
- “Nations around the world have held science festivals which have brought together hundreds of thousands of visitors celebrating science.”

Committee Action: H.Res. ___ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 1421 - Recognizing the 40th anniversary of the Apollo 13 mission and the heroic actions of both the crew and those working at mission control in Houston, Texas, for bringing the three astronauts, Fred Haise, Jim Lovell, and Jack Swigert, home to Earth safely (Poe, R-TX)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1421 resolves that the House of Representatives:

- “Recognizes the 40th anniversary of the Apollo 13 mission;
- “Recognizes the bravery and heroism of the astronauts of the Apollo 13 mission, as well as the men and women in mission control;
- “Reaffirms its support of National Aeronautics and Space Administration (NASA) and human space flight; and
- “Recognizes the tremendous advances to science and technology in the United States that were spurned by the Apollo space program.”

The resolution contains a number of findings, including:

- “On April 11, 1970, Apollo 13 was launched with an intended destination of Fra Mauro highlands on the Moon;

- “On the way to the Moon, roughly 199,990 miles from Earth, the number 2 oxygen tank exploded and seriously damaged the Apollo 13 spacecraft;
- “The heroic work of mission control in Houston, Texas, solved a number of unique engineering problems, such as using the lunar module as a lifeboat for the crew and devising a carbon dioxide control system completely from scratch; and
- “The Apollo missions sparked interest in many fields of engineering which benefitted the United States economy, national psyche, and leadership in science and technology.”

Committee Action: H.Res. 1421 was introduced on May 28, 2010, and referred to the House Science and Technology Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 6160—Rare Earths and Critical Materials Revitalization Act (Dahlkemper, D-PA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 28, 2010 under a motion to suspend the rules and pass the bill.

Summary: H.R. 6160 creates a new program in the Department of Energy to characterize and quantify virgin stocks of rare earth materials, improve methods for extraction, recovery, and recycling of rare earth materials, identify and test alternative materials to be substituted for rare earth materials, and collect and disseminate data on rare earth materials. The bill defines “rare earth materials” to include scandium, yttrium, lanthanum, cerium, praseodymium, neodymium, promethium, samarium, europium, gadolinium, terbium, gadolinium, terbium, dysprosium, holmium, erbium, thulium, ytterbium, and lutetium. The bill encourages expanding participation through

multidisciplinary collaborations among program participants, extensive opportunities for students at institutions of higher education, and requires the Secretary of Energy to collaborate with the European Commission to coordinate activities of mutual interest and avoid duplication.

The bill requires the Secretary to provide a plan to Congress within 180 days to describe the research and development activities of the program, expected contributions, criteria to evaluate applications for loan guarantees, promotion of the program, and actions taken that reflect recommendations taken from the National Academy of Sciences.

The bill amends the Energy Policy Act of 2005 to establish, “only to the extent provided in advance in a subsequent appropriations act,” a new rare earth materials loan guarantee program at the Department of Energy for the commercial application of new or significantly improved technologies for:

- ◆ The separation and recovery of rare earth materials from ores and other sources
- ◆ The preparation of materials from oxide, metal, alloy, or other forms needed for national security, economic well-being, or industrial production purposes.
- ◆ Improving the production of magnets, batteries, refrigeration systems, optical systems, electronics, and catalysis.
- ◆ And other uses to be determined by the Secretary.

The bill requires the Secretary to minimize delays in approving loan guarantee applications, “consistent with the appropriate protection of taxpayer interest.” The bill also requires, “to the maximum extent practicable,” for the Secretary to cooperate with private sector participants. The bill prohibits the Secretary to award a guarantee for a project unless the project’s proponent provides to the Secretary an assurance that the loan or guarantee will be used to support the separation, recovery, preparation, or manufacturing of rare earth materials in the United States for customers within the United States unless insufficient domestic demand for such materials results in excess capacity.

The bill sunsets the authority for the Secretary to provide loan guarantees after September 30, 2015.

Finally, the bill amends the National Materials and Mineral Policy Research & Development Act to comply with the provisions enacted under H.R. 6160 and repeals Title II of the National Critical Materials Act of 1984.

Potential Conservative Concerns:

- **Cost:** While the bill contains no authorizations, there is no funding mechanism either to establish the loan guarantee program granting potential broad authority for the Secretary. Some conservatives have expressed concern that, without a CBO score, there is no way to evaluate how much H.R. 6160 will end up costing taxpayers.

- ***Doesn't Solve the Problem:*** The private sector does not need taxpayer subsidized loan guarantees to help extract rare earth materials. For essentially all elements classified as “rare earth,” there is plenty of financial incentive for the private sector to improve the “separation and recovery of rare earth materials from ores and other sources.” House Democrats are using H.R. 6160 to distract us from the real reason it is difficult to extract rare earth minerals domestically is endless litigation brought by environmentalists.

Additional Background: For more information on “rare earth materials,” [click here](#) to review this report by the U.S. Geological Survey.

Committee Action: On September 22, 2010, the bill was introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. On September 23, 2010, the bill was received in the House.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: A CBO report for H.R. 6160 is unavailable at press time.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the legislation creates a new loan guarantee program under the Department of Energy for “rare earth” elements.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available at press time. However, such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report sighting Constitutional authority is not available at press time.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 6200 - WIPA and PABSS Extension Act of 2010 (Pomeroy, D-ND)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6200 provides a one year extension of the Work Incentives Planning and Assistance (WIPA) program, and the Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. Funding for these programs is set to expire on September 30, 2010, and this legislation will extend funding through September 30, 2011.

H.R. 6200 also requires an annual report by every entity receiving a grant under the Work Incentives Planning and Assistance Program.

Additional Information: The following is provided by the Ways and Means Republican office:

“Authorization for the WIPA and PABSS programs was created in the Ticket to Work and Work Incentives Improvement Act of 1999, P.L. 106-170, signed into law on December 17, 1999. This Act established the Ticket to Work and Self-Sufficiency Program, expanded the availability of health care coverage for the disabled, and provided for demonstration projects and studies. The Ticket to Work Program, administered by the Social Security Administration (SSA), allows Disability Insurance (DI) and Supplemental Security Income (SSI) disability recipients to obtain rehabilitation and vocational services that provide enhanced opportunities for those who wish to work.”

“The WIPA program funds community-based organizations that assist beneficiaries in understanding the SSA’s complex work incentives policies and the effect of working on their benefits. There are currently 103 community-based cooperative agreements that ensure the availability of WIPA programs in all 50 States, the District of Columbia, and U.S. Territories. These include 614 Community Work Incentives Coordinators (many subsidized by other funding sources) and 212 community partners. The SSA has contracted with Virginia Commonwealth University to provide all technical assistance and training on the SSA's disability programs and work incentives, the Medicare and Medicaid programs, and other Federal work incentives programs. Since the program was created in 1999, authorization for WIPA funding has remained at \$23 million. In 2009, 37,406 beneficiaries received WIPA services.”

“The PABSS program is a protection and advocacy program designed to complement and supplement existing programs. Beneficiaries approach PABSS offices with concerns related to employment or employment effects on benefits. In FY 2009, 8,603 beneficiaries received PABSS services. The authorized funding of \$7 million (which has remained constant since the program was created) provides resources for 57 grant programs which cover all 50 states and territories.”

Committee Action: H.R. 6200 was introduced on September 23, 2010, and referred to the House Ways and Means Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 4337—Regulated Investment Company Modernization Act (Waters, D-CA)

Order of Business: H.R. 4337 is scheduled to be considered on Tuesday, September 28, 2010 under a motion to suspend the rules and pass the bill.

Summary: The legislation consists of a series of changes to the tax treatment of regulated investment companies (RICs). On net, the legislation would increase federal revenue by \$30 million over ten years. Some of the notable tax provisions:

- **Capital Loss Carryovers of RICs:** Permit Regulated Investment Companies (RIC) to do unlimited carryforwards of their net capital losses. *This provision would increase tax revenue by \$104 million over 10 years.*
- **Modification of gross income and asset tests of regulated investment companies:** The bill would include commodities as a source of “good income” for purposes of the 90% requirement that an RIC must meet. The provision is intended to allow mutual funds to invest in commodities. *The provision is not projected to have a discernible revenue impact.*
- **Provision for failure to satisfy gross income test:** The legislation would allow a RIC to cure inadvertent failures to comply with the 90% gross income test described above by paying a tax equal to the amount that the RIC failed the test. *This provision is projected to have a negligible impact on revenue.*
- **Savings provision for failures of regulated investment companies to satisfy gross asset test:** This provision would in general allow an RIC to make use of the same remedies to make up for a failure to meet an asset diversification test that REITs can use under current law. *The provision is not projected to have a discernible revenue impact.*
- **Modification of dividend allocation rules for RICs:** The legislation would allow a fund to first reduce capital gains dividends reported in the subsequent

calendar year by the amount of the excess capital gain dividends reported in the prior calendar year. *This provision is projected to have a negligible impact on revenue.*

- **Earnings and profits of regulated investment companies:** The bill would allow certain disallowed deductions associated with tax-exempt income to be taken into account in calculating earnings and profits. *This provision is projected to have a negligible impact on revenue.*
- **Pass-through of exempt-interest dividends and foreign tax credits in fund-of-funds structure:** The provision would allow a fund of funds that invests 95% of its assets in cash to pass-through tax exempt interest and foreign tax credit without regard to the 50% requirement. *This provision would save taxpayers \$39 million over 10 years.*
- **Exchange treatment of redemption of stock of a regulated investment company:** The bill would allow all publicly-offered RICs, with shares that are redeemable upon demand, to treat distributions in redemption of stock as an exchange. *This provision would save taxpayers \$94 million over ten years.*
- **Modification of sales load basis deferral rule for regulated investment companies:** The bill would limit the application of a rule (the rule requiring an increase in basis of RIC stock by the amount of a load change that was paid with respect to a previously-owned RIC stock). *The provision would save taxpayers \$25 million over ten years.*
- **Increase distribution rate on capital gain income by RICs:** The legislation would increase from 98% to 98.2% the required distribution rate on capital gains income by regulated investment companies. *The provision would increase revenues by \$92 million over ten years.*

Committee Action: H.R. 4337 was introduced on December 16, 2009, and referred to the House Committee on Ways and Means.

Cost to Taxpayers: The bill increases federal revenue by \$30 million over ten years.

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 report listing any such information is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No committee report is available, but the legislation does not appear to contain any earmarks.

Constitutional Authority: No committee report citing constitutional authority is available.

RSC Staff Contact: Brad Watson; brad.watson@mail.house.gov; 202-226-9719

H.R. 4168 - Algae-based Renewable Fuel Promotion Act
(Teague, D-NM)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4168 would clarify for tax purposes, that algae based fuels should be treated the same as cellulosic based fuels.

Additional Information: A similar bill was introduced by Rep. Bilbray, H.R. 3460. Cellulosic based fuels are biofuels that include corn-based fuels, such as ethanol, and other fuels that are produced from plants.

Committee Action: H.R. 4168 was introduced on December 1, 2009, and referred to the House Ways and Means Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

**Senate Amendment to H.R. 3980 - Redundancy Elimination and
Enhanced Performance for Preparedness Grants Act**
(Cuellar, D-TX)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3980 would require that within 90 days of enactment, the Administrator of the Federal Emergency Management Agency (FEMA) would submit a report to Congress to identify the redundancy of reporting requirements for recipients of certain

grant programs identified by the agency. The legislation also requires the administrator to submit program assessments for each program to Congress no later than 120 days after enactment and then each succeeding two years.

Additional Background: The State Homeland Security Grant Program provides \$861 million in funds to “build capabilities at the State and local levels and to implement the goals and objectives included in State homeland security strategies and initiatives in the State Preparedness Report.” The Urban Area Security Initiative provides approximately \$800 million in funds on programs “that enhance regional preparedness in major metropolitan areas. The UASI program directly supports the National Priority on expanding regional collaboration in the National Preparedness Guidelines and is intended to assist participating jurisdictions in developing integrated regional systems for prevention, protection, response, and recovery.”

Committee Action: On November 2, 2009, the bill was introduced and referred to the Committee on Homeland Security. On November 17, 2009, the committee held a markup and ordered the bill to be reported by a voice vote. H.R. 3980 passed the House on December 2, 2009, by a roll call vote of 414 – 0. It was then referred to the Senate Committee on Homeland Security and Governmental Affairs, where it was amended by Senator Lieberman. The legislation passed the Senate on September 22, 2010, by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to CBO, “implementing H.R. 3980 would have a negligible impact on federal spending over the next five years; any additional spending would be subject to the availability of appropriated funds.”

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: House Report [111-346](#) states that this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

Constitutional Authority: House Report [111-346](#) states that the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 1, which grants Congress the power to provide for the common Defense of the United States.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

Senate Amendments to H.R. 553—Reducing Over-Classification Act of 2009 (*Harman, D-CA*)

Order of Business: The bill is scheduled to be considered on Tuesday September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: This legislation passed the House on February 3, 2009, by a voice vote. The Senate amendments primarily expand the original scope of the bill and apply them to all government agencies, not just Homeland Security. Additionally, the Senate amendments increase the responsibilities of the Director of National Intelligence with respect to information sharing. The Senate Amendments would also place requirements on employees for annual training for each employee or contractor who has classification authority or is responsible for analysis, dissemination, preparation, production, receiving, publishing or otherwise communicating written classified information.

H.R. 553 requires the Secretary of Homeland Security to develop and administer policies, procedures, and programs to prevent the over-classification of homeland security information. This includes information regarding security, terrorism, weapons of mass destruction, or any other type of information that must be disseminated to prevent terrorism. This bill also requires the Department of Homeland Security to continue its current practice of producing unclassified versions of the majority of its classified products. For additional information on H.R. 553, [click here](#) to review original legislation bulletin.

Additional Background: In the 110th Congress, the Committee on Homeland Security provided [House Report 110-776](#) that determined the over-classification of DHS documents may be defined as “the automatic decision to classify government information rather than an informed, deliberative process.” The committee is concerned that certain intelligence and security information has been “over-classified” by the DHS, meaning that the information has been labeled as classified without proper review. As classified information may not be widely disseminated throughout agencies, some have expressed a concern that over-classification limits information sharing that is vital to the nation’s defense.

Committee Action: On January 15, 2009, the bill was referred to the Committee on Homeland Security, which took no subsequent public action.

Administration Position: No Statement of Administration Policy was provided.

Cost to Taxpayers: CBO estimated that implementing the Senate Amendments to H.R. 553 would cost CBO “cost \$22 million over the 2011-2015 period, assuming the appropriation of the estimated amounts.”

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and the Senate accompanying committee report does not include a statement of earmarks, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable for H.R. 553.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720

H.R. 5458—Christopher Bryski Student Loan Protection Act (Adler, D-NJ)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill

Summary: The legislation increases disclosure requirements on private student loan lenders to notify cosigners that they are liable for the loan in the event of the student's death, disability, or incapacitation. The industry is already required to disclose this information, but this bill would set new regulations on the form that this disclosure may take. In addition, the bill requires the federal government to publish a model form to this effect.

In addition, the bill also mandates certain disclosure requirements on private lenders related to the potential benefits of credit insurance that would protect the signer and any cosigner in the event of the death, incapacitation, or disability of the signer.

Committee Action: The bill was introduced on May 28, 2010 and referred to the Committee on Financial Services, and in addition the Committee on Education and Labor.

Cost to Taxpayers: No CBO score is available.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the legislation imposes new requirements on the private-sector.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No CBO report containing this information is available. However, the legislation consists of a mandate on the private-sector.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No committee report is available with this information.

Constitutional Authority: No committee report citing constitutional authority is available.

RSC Staff Contact: Brad Watson; brad.watson@mail.house.gov; 202-226-9719

H.R. 3421 - Medical Debt Relief Act (*Kilroy, D-OH*)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 3421 would amend the Fair Credit Reporting Act to prohibit credit reporting agencies from listing medical debts that have been paid if these debts were paid more than 45 days before the report was issued. The language on LIS states that the legislation would mandate that that medical debts not be listed if they were paid more than 30 days prior to the report, but the legislation was amended in committee.

Conservative Concern: Some conservatives might be concerned that this private-sector mandate on consumer credit reporting agencies is unwise. More information is below.

Committee Action: H.R. 3421 was introduced on July 30, 2009, and referred to the House Financial Services Committee, which held a markup on July 27, 2010. An amendment by Rep. Frank was agreed to by voice vote, and the legislation was then reported by voice vote.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: CBO states that H.R. 3421 would not significantly increase spending subject to appropriation.

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?: H.R. 3421 would impose a private-sector mandate on consumer credit reporting agencies by requiring them to exclude certain debts from credit reports. Based on information from industry sources, CBO estimates that the cost of complying with this mandate would fall well below the annual threshold for private-sector mandates established in UMRA (\$141 million in 2010, adjusted annually for inflation).

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's

no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. __ - To amend the Small Business Jobs Act of 2010 to include certain construction and land development loans in the definition of small business lending (*Miller, D-NC*)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. __ amends the definition of construction to include certain land development loans within the definition of small business lending.

The legislation states that the term “construction”: “includes the construction of new structures, additions or alterations to existing structures, and the demolition of existing structures to make way for new structures.”

Committee Action: H.R. __ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 6058 - Wounded Warrior and Military Survivor Housing Assistance Act of 2010 (Paulsen, R-MN)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6058 would require the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs to ensure of housing assistance programs under their departments are accessible by and available to, and address the particular needs and circumstances of, veterans and members of the Armed Forces who have service-connected injuries and survivors and dependents of veterans and members of the Armed Forces.

Committee Action: H.R. 6058 was introduced on July 30, 2010, and referred to the House Financial Services, and Veterans' Affairs Committees, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 4072 – AMERICA Works Act (*Minnick, D-ID*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 28, 2010 under a motion to suspend the rules and pass the bill.

Summary: H.R. 4072, the American Manufacturing Efficiency and Retraining Investment Collaboration Achievement Works Act (AMERICA) Act, would require that certain federal job training and career education programs give priority to programs that

provide an industry-recognized (defined in the definitions section below) and national portable (defined below) credential.

Specifically, the bill amends the Workforce Investment Act of 1998 (WIA) to do the following:

- Requires one-stop operators and employees of one-stop centers to give priority consideration to services and programs that lead to a credential that is in high demand in a local area served and listed in the registry (described below);
- With regard to general employment and training activities under WIA, the bill gives priority consideration to be given to programs of study that lead to an appropriate skills credential that is in high demand in the area served and listed in the registry (described below);
- With regard to career and technical education, the bill gives priority consideration to programs of study that lead to an appropriate skills credential that is in high demand in the area served and listed in the registry (described below), and provides a basis for additional credential, certificates, or degrees;
- Amends the Carl D. Perkins Career and Technical Education Act of 2006 to require that schools receiving federal funding have in place a plan that allows students to receive an industry-recognized credential or certificate, and give priority consideration to programs of study that lead to an appropriate skills credential that is in high demand in the area served and listed in the registry;
- No later than 120 days after enactment, the bill requires the Secretary of Labor to create a registry of skill credentials to enable programs that lead to such a credential to receive priority. With regard to the registry, the Secretary must do the following:
 - List the credential in the registry if the credential is required by federal or state law for an occupation;
 - List the credential in the registry if the credential is from the Manufacturing Institute-Endorsed Manufacturing Skills Certification System; and
 - List the credential in the registry if the credential involved is an industry-recognized, nationally portable credential that is consistent with the Secretary's established industry competency models and is consistently updated through third party validation to reflect changing industry competencies.
- The Act shall take effect 120 days after enactment.

Definitions.

- *Industry-recognized*: When used with respect to a credential, it means a credential that is sought or accepted by companies within the industry sector involved as recognized, preferred, or required for recruitment, screening, or hiring; and is

endorsed by a nationally recognized trade association or organization representing a significant party of the industry sector.

- *Nationally portable*: When used with respect to a credential, it means a credential that is sought or accepted by companies within the industry sector involved, across multiple states, as recognized, preferred, or required for recruitment, screening, or hiring.

Please note that this is a change in text from the bill found on LIS.

Additional Background: The Workforce Investment Act of 1998 provides job training to individuals who are unemployed and underemployed. Despite efforts in previous Congresses to reauthorize the program, WIA’s authorization expired in 2003. It continues to be funded through the Labor, HHS appropriations bill.

The National Association of Manufacturers (NAM) supports passage of H.R. 4072, and votes on this legislation may be considered for designation as “Key Manufacturing Votes” in the 111th Congress.

Potential Conservative Concerns: Some conservatives might argue that Congress should first engage in a broader discussion of reauthorizing the Workforce Investment Act (WIA), rather a piecemeal approach which places new requirements on existing programs.

Committee Action: The bill was introduced on December 16, 2009 and referred to the House Education and Labor Subcommittee on Higher Education, Lifelong Learning, and Competitiveness. No further public action was taken.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO score is available.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

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

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H.Con.Res. __ - Recognizing the goals and ideals of sickle cell disease awareness month (*Fudge, D-OH*)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res.__ resolves that the House of Representatives:

- “Supports the goals and ideals of Sickle Cell Disease Awareness Month; and
- “Promotes education of teachers, school nurses, and school personnel in educational strategies such as distance learning and tutoring that will ensure children with sickle cell can continue to access and pursue their education.”

The resolution contains a number of findings, including:

- “Sickle Cell Disease causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, damaging tissue in the liver, spleen, and kidneys, and death;
- “Approximately 1,000 babies are born with Sickle Cell Disease each year in the United States, with the disease occurring in approximately 1 in 500 newborn African American infants, 1 in 1,000 newborn Hispanic Americans, and is found in persons of Greek, Italian, East Indian, Saudi Arabian, Asian, Syrian, Turkish, Cypriot, Sicilian, and Caucasian origin;
- “Congress recognizes the importance of researching, preventing, and treating Sickle Cell Disease by authorizing treatment centers to provide medical intervention, education, and other services and by permitting the Medicaid program to cover some primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease;
- “The Sickle Cell Disease Association of America, Inc. remains the preeminent advocacy organization that serves the sickle cell community by focusing its efforts on public policy, research funding, patient services, public awareness, and education related to developing effective treatments and a cure for Sickle Cell Disease; and
- “The Sickle Cell Disease Association of America, Inc. has requested that the Congress designate September as Sickle Cell Disease Awareness Month in order to educate communities across the Nation about sickle cell and the need for research funding, early detection methods, effective treatments, and prevention programs.”

Committee Action: H.Con.Res.__ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 1637 - Supporting the goals and ideals of National Domestic Violence Awareness Month 2010 and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs and practices designed to prevent and end domestic violence (Poe, R-TX)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1637 resolves that

- “The House of Representatives:
 - “Supports the goals and ideals of National Domestic Violence Awareness Month; and
 - “Recognizes Health Cares About Domestic Violence Day (HCADV Day) as an awareness-raising day to reach members of the health care community and educate them about the critical importance of assessing for domestic violence, as well as the long-term health implications of domestic violence and lifetime exposure to violence; and
- “It is the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence.”

The resolution contains a number of findings, including:

- “A large study found that men exposed to physical abuse, sexual abuse, and adult domestic violence as children were almost 4 times more likely than other men to have perpetrated domestic violence as adults;
- “Approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth;
- “Primary prevention programs are a key part of addressing teen dating violence, and many successful community examples include education, community outreach, and social marketing campaigns that account for the cultural appropriateness of programs
- “According to the Centers for Disease Control and Prevention, in 2003, the costs of intimate partner violence exceed \$8,300,000,000 and \$1,200,000,000 in the value of lost lives; and
- “Although doctors and nurses routinely screen for high blood pressure and high cholesterol, too few assess for domestic violence and the burden on health care costs would be reduced if routine assessment and intervention for domestic violence was part of a preventative health care strategy.”

Committee Action: H.Res. 1637 was introduced on September 16, 2010, and referred to the House Education and Labor Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 1645 - Expressing support for designation of the week beginning on November 8, 2010, as National School Psychology Week (Loebsack, D-IA)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1645 resolves that the House of Representatives:

- “Supports the designation of National School Psychology Week;
- “Honors and recognizes the contributions of school psychologists to the success of students in schools across the United States; and
- “Encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the vital role school psychologists play in schools, in the community, and in helping students develop into successful and productive members of society.

The resolution contains a number of findings, including:

- “Schools can more effectively ensure that all students are ready and able to learn if schools meet all the needs of each student;
- “School psychologists are specially trained to deliver mental health services and academic support that lowers barriers to learning and allows teachers to teach more effectively;
- “State educational agencies and other State entities credential more than 35,000 school psychologists who practice in schools in the United States as key professionals that promote the learning and mental health of all children;
- “The week beginning on November 8, 2010, would be an appropriate week to designate as National School Psychology Week.”

Potential Conservative Concern: Some conservatives would argue that a lack of parental involvement has led to the decline in the U.S. public educational system. This resolution implies that a goal of the U.S. public school system should be that “schools meet all the needs of each student.” Some conservatives would argue that schools should not seek to meet the needs of all students, as some needs are best met at home by parents.

Additionally, some conservatives may be concerned that parents have no control over what type of counseling school psychologists give to their children. This counseling could be antithetical and contradictory to what the parents are trying to teach at home about matters of morality.

Committee Action: H.Res. 1645 was introduced on September 22, 2010, and referred to the House Education and Labor Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

House Amendment to S. 3839 - Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 (*Sen. Landrieu, D-LA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5849 will extend programs covered under the Small Business and Small Business Investment Acts through January 31, 2010. Both of these acts were previously extended in July and are now set to expire without reauthorization on September 30, 2010. This is the eighth temporary extension passed for these programs during the 111th Congress.

Additional Information: The Small Business Act (SBA) established the Small Business Administration to "encourage" and "develop" small business growth, and to aid minorities and other disadvantaged peoples in securing loans and learning management techniques in 1953. In 1958, Congress passed into law the Small Business Investment Act to ensure a "fair proportion" of government contracts and sales of surplus property include privately operated small businesses.

Other extensions were:

[H.R. 5849](#) – extended from August 1, 2010, through September 30, 2010

[S. 3253](#) – extended from April 30, 2010, through July 31, 2010

[H.R. 4508](#) - extended from January 30, 2010, through April 30, 2010

[S. 1929](#) – extended from October 31, 2009, through January 31, 2010

[H.R. 3614](#) – extended from September 30, 2009, through October 31, 2009

[S. 1513](#) – extended from July 31, 2010, through September 30, 2009

[H.R. 1541](#) – extended from March 20, 2009, through July 31, 2009

Committee Action: S. 3839 was introduced on September 24, 2010, and passed the Senate on September 24, 2010, by unanimous consent. The legislation was then held at the desk.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

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**H.Res. 1639 - Recognizing the contributions of the National
Waterways Conference on the occasion of its 50th anniversary
(Hare, D-IL)**

Order of Business: The resolution is scheduled to be considered on Tuesday, September 28, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1639 resolves that the House of Representatives:

- “Recognizes the value of the Corps of Engineers and its civil works mission to the economic prosperity and sustainable environmental health of the Nation;
- “Recognizes the contributions of the National Waterways Conference in the formulation of the Nation's water resources-related policies and programs for the Corps' civil works mission and its advocacy for continued and increased investment in meeting the water resource needs of the Nation; and
- “Commends the National Waterways Conference on the occasion of its 50th anniversary.”

The resolution contains a number of findings, including:

- “The Corps of Engineers (Corps) is the Nation's premier water resources agency, charged by the Congress with responsibility over its 3 principal mission areas of navigation, flood damage reduction, and environmental restoration;
- “The Corps is responsible for the maintenance of more than 11,000 miles of channels in 41 States for commercial navigation, the operation of locks at 230 individual sites, the maintenance of over 300 deep-draft commercial harbors and

- over 600 shallow-draft, coastal, and inland harbors, and the maintenance of over 8,500 miles of flood damage reduction structures, including levees;
- “It is the tradition of the House of Representatives to consider a water resources development act in every Congress to address current and future needs for water-related projects and policy changes, including the historic override of a Presidential veto of the Water Resources Development Act of 2007 (Public Law 110-114);
 - “The National Waterways Conference was established in 1960 to advocate before the Congress for ‘common-sense water resources policies that maximize the economic and environmental value’ of the Nation’s inland, coastal, and Great Lakes waterways; and
 - “The Conference recognizes that regular authorization of a water resources development act is ‘essential to our nation’s environmental well-being and our economic vitality.’”

Committee Action: H.Res. 1639 was introduced on September 22, 2010, and referred to the House Transportation and Infrastructure Committee, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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

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