



Legislative Bulletin.....June 26, 2012

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H.R. 3870 - To designate the facility of the United States Postal Service located at 6083 Highway 36 West in Rose Bud, Arkansas, as the “Nicky ‘Nick’ Daniel Bacon Post Office” (Griffin, R-AR)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) will designate the United States Postal Service facility located at 6083 Highway 36 West in Rose Bud, Arkansas as the “Nicky ‘Nick’ Daniel Bacon Post Office.”

Background: Nick Bacon was born in Caraway, Arkansas in 1945. He enlisted in the U.S. Army at age 17 volunteering to serve in two full combat tours in Vietnam. During his second tour, Bacon’s platoon leader was wounded during a battle and Bacon assumed command. He evacuated the

wounded and is personally credited with killing at least four enemy soldiers and destroying an antitank gun.

President Nixon awarded Bacon a Medal of Honor in 1969 for his valor.

More information about Nick Bacon can be found [here](#).

Committee Action: This legislation was introduced on February 1, 2012, and referred to the House committee on Oversight and Government Reform where a mark-up session was held on February 7, 2012. H.R. 3870 was reported out by voice vote on February 7, 2012.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks?: No.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 7: The Congress shall have Power to establish Post Offices and post roads.”

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3501 - To designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the “SPC Nicholas Scott Hartge Post Office” (Stutzman, R-IN)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the “SPC Nicholas Scott Hartge Post Office.”

Background: Nicholas Scott Hartge was born on April 24, 1987, in Toledo, Ohio. After being profoundly affected by the terrorist attacks of September 11, 2001, Hartge was adamant about joining the army.

A high school wrestler and member of his high school’s marching band, Army Pfc. Hartge was assigned to the 1st Battalion, 26th Infantry Regiment, 2nd Brigade combat Team, 1st Infantry

Division. Hartge passed away on March 14, 2007 in Baghdad when his unit came in contact with energy forces using grenades and IEDs.

More information about Nicholas Hartge can be found [here](#).

Committee Action: The bill was introduced on November 18, 2011, and referred to the House committee on Oversight and Government Reform. On February 7, 2012, a mark-up session was held, and H.R. 3501 was reported out by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.”

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3276 - To designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the “Reverend Abe Brown Post Office Building” (*Castor, D-FL*)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the “Reverend Abe Brown Post Office Building.”

Background: The Rev. Abraham Brown spent his life in Tampa where he taught high school and was a revered football coach. As a devout Christian, he was compelled to visit a former student in prison, where his talks transformed into full sermon for the prisoners, transforming the lives of many of the inmates. He ended his career as the minister of the First Baptist Church of College Hill.

More information about the Rev. Abe Brown can be found [here](#).

Committee Action: The bill was introduced on October 27, 2011, and referred to the House Committee on Oversight and Government Reform, then the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy. On February 7, 2012, a mark-up session was held, and H.R. 3276 was reported out by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: Section 8 of Article 1 of the Constitution.”

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3412 - To designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the “Sergeant Richard Franklin Abshire Post Office Building” (Boustany, R-LA)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the “Sergeant Richard Franklin Abshire Post Office Building.”

Background: Sergeant Abshire served in the US Marine Corps during the Vietnam War. Sergeant Abshire’s unit was launched on a coordinated attack against a well-entrenched North Vietnamese Army force in the village of Dinh To. In order to protect his soldiers, Sergeant Abshire exposed his position to throw grenades at the enemy and coordinate orders— but was killed when he attempted to rejoin his unit.

Sergeant Abshire’s bravery earned him a posthumous Navy Cross and Purple Heart. Sergeant Abshire is buried at St. Mary Magdalen Cemetery in Abbeville, Louisiana.

More information can be found [here](#).

Committee Action: The bill was introduced on November 14, 2011, and referred to the House Committee on Oversight and Government Reform. On February 7, 2011, the committee held a mark-up session and H.R. 3412 was ordered to be reported by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: ‘Article I, Section 8--To establish Post Offices and post roads.’”

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3593 - To designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the “National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office” (Hayworth, R-NY)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the “National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office.”

Background: Gregg David Wenzel was born in Manhattan in 1969, graduating from Binghamton University and earning a J.D. from the University of Miami School of Law. Wenzel worked as an Assistant Public Defender before becoming a member of the first clandestine service training class to graduate after the September 11, 2001 terrorist attacks. Wenzel was known as being a leader with great intellect and sense of humor. He died in a car accident in Ethiopia in 2003 while serving for the CIA.

More information can be found [here](#).

Committee Action: The bill was introduced on December 7, 2011, and referred to the House Committee on Oversight and Government Reform. On February 7, 2012, a mark-up session was held, and H.R. 3593 was reported out by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to its sponsor, "Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution."

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3772 - To designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building" (*Thompson, D-MS*)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary: This [legislation](#) would designate the facility of the United States Postal Service located at 150 South Union Street in Canton, Mississippi, as the "First Sergeant Landres Cheeks Post Office Building."

Background: Sergeant Landres Cheeks served in the US Army Medical Corps for thirty years, serving in World War II and in Vietnam. He is a decorated serviceman, having received the nine medals including the National Defense Medal, Army Commendation Medal, and the Bronze Star. After being honorably discharged from the military it was discovered that Sgt. Cheeks contracted Agent Orange and PTSD, but he dedicated the remainder of his life to sponsoring extracurricular activities for the youth of Canton, Mississippi.

More information can be found [here](#).

Committee Action: The bill was introduced on January 13, 2012, and referred to the House Committee on Oversight and Government Reform. On February 7, 2012, a mark-up session was held, and H.R. 3772 was reported out by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The CBO has not scored this bill.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill simply renames an existing post office.

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

Does the Bill Contain Earmarks: No.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 7 of the United States Constitution.”

RSC Staff Contact: Derek S. Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718.

H.R. 3173 - To direct the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of a Transportation Worker Identification Credential (TWIC) to require, in total, not more than one in-person visit to a designated enrollment center (Scalise, R-LA)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: The [legislation](#) expresses the sense of Congress that it is urgent that the Transportation Worker Identification Credential (TWIC) application process be reformed by the end of 2012. H.R. 3173 also directs the Secretary of Homeland Security to reform the process for the enrollment, activation, issuance, and renewal of the program to require no more than one in-person visit to a designated enrollment center.

Background: US workers at nearly 2,600 marine facilities and onboard 13,000 US-flag vessels are required to carry a TWIC under the Maritime Transportation Security Act of 2002 (MTSA). Nearly two million transportation workers have received a TWIC which requires paying \$132.50 and making two or more trips to an enrollment center to apply for, and pick up, their card. Often times these enrollment centers are hundreds of miles away from a workers’ place of employment or residence. The card is only valid for five years, when employees must return to the enrollment center for another set of trips and pay an additional \$132.50. This legislation seeks to streamline the process of TWIC certification so it is less burdensome for these employees.

A CRS report can on this topic can be found [here](#).

Committee Action: H.R. 3173 was introduced on October 12, 2011, when it was referred to the House Committee on Homeland Security. On October 14, 2011, provisions of H.R. 3173 were offered as an amendment to H.R. 3116 while H.R. 3173 was referred to the Subcommittee on

Border and Maritime Security. On May 9, 2012, a mark-up session was held for the bill, and was ordered to be reported as amended by a voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the [CBO](#), the bill would not affect direct spending significantly in any year. CBO also states that “The costs of implementing reformed TWIC procedures under H.R. 3173 are uncertain and would depend on specific changes that TSA would make.”

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill seeks to eliminate excessive waiting times and paperwork associated with TWIC certification.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. According to the [CBO](#), “H.R. 3173 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.”

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to the sponsor of the bill, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18.”

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H.R. 3857 - Public Transit Security and Local Law Enforcement Support Act (Turner, R-NY)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: This [legislation](#) amends the Implementing Recommendations of the 9/11 Commission Act of 2007 to allow grants to eligible public transportation agencies for security improvements to be used for specialized patrol teams. The bill applies to grants made on or after the date of the bill’s enactment.

Background: In past years, transit systems could not allocate Transit Security Grant Program (TSGP) funding toward specialized patrol teams without a waiver from the Secretary of Homeland Security. Earlier this year though, DHS modified its policy to allow these TSGP funds to be used for patrol teams. This bill codifies what DHS has already agreed to, and eliminates the bureaucratic step of forcing a transit agency to request a waiver to apply for funding necessary for critical manpower to deter a terrorist attack.

A CRS report on this topic can be found [here](#).

Committee Action: H.R. 3857 was introduced on January 31, 2012. It was referred to the House Homeland Security Subcommittee on Emergency Preparedness, Response and Communications and the Subcommittee on Transportation Security. On May 9, 2012, the Subcommittee on Emergency Preparedness, Response and Communications discharged the bill and a mark-up session was held. H.R. 3857 was reported (amended) by the Committee on Homeland Security on May, 30, 2012.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: [CBO](#) estimates that implementing H.R. 3857 would cost \$702 million over the five year period of 2012-2017, assuming appropriation of the authorized amounts.

Does the Bill Expand the Size and Scope of the Federal Government?: No. H.R. 3857 simply allows existing TSGP grants to be allocated to specialized patrol teams without needing a waiver.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No, according to the [CBO](#), H.R. 3857 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the Constitution of the United States: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; Article I, Section 8, Clause 1 of the Constitution of the United States: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; Article I, Section 8, Clause 18 of the Constitution of the United States: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Office thereof.”

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H.R. 4251- Securing Maritime Activities through Risk-based Targeting for Port Security Act (Miller, R-MI)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: [H.R. 4251](#) would require the Department of Homeland Security (DHS) to carry out two pilot programs relating to border and port security and would direct DHS and the Government Accountability Office (GAO) to prepare several reports on improving port security.

In addition, the legislation would authorize the appropriation of \$4 million for a security program jointly operated by the United States Coast Guard (USCG) and the Canadian government. H.R. 4251 also would direct DHS to make changes to procedures for issuing Transportation Worker Identification Credentials (TWICs) to individuals who require unescorted access to secure areas of ports and certain other facilities.

Background: Based on a series of oversight hearings in June/July of 2011 with testimony from U.S. Customs and Coast Guard officials, the Committee on Homeland Security learned that coordination between the U.S. Coast Guard and Customs and Border Protection, and other state and local partners should be more fully developed.

A CRS report on this subject can be found [here](#).

Committee Action: H.R. 4251 was introduced on March 22, 2012 and referred Homeland Security Subcommittee on Border and Maritime Security where a mark-up session was held. On June 6, 2012, the Full Committee held a mark-up session and the bill was reported as amended by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: [CBO](#) estimates that implementing H.R. 4251 would cost \$9 million over the next five years, assuming appropriation of the necessary amounts.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill aims to streamline operations between state/local partners and U.S. Customs officials relating to port security. However, H.R. 4251 does authorize additional appropriations for a new security program between USCG and the Canadian government.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No, according to the [CBO](#), H.R. 4251 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to Article I, Section 8, Clause 1; Article I, Section 8, Clause 3; and Article I, Section 8, Clause 18 of the Constitution of the United States.”

RSC Staff Contact: Derek Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718

H.R. 5843- To amend the Homeland Security Act of 2002 to permit use of certain grant funds for training conducted in conjunction with a national laboratory or research facility (Lungren, R-CA)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: [H.R. 5843](#) would amend the Homeland Security Act of 2002 to permit the use of certain grant funds for training conducted in conjunction with a national laboratory or research facility.

Committee Action: The bill was introduced on May 18, 2012, and referred to the House Homeland Security Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies, which took no public actions

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO score 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 Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to its sponsor, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.”

RSC Staff Contact: Derek Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718

**H.R. 1129 - Homeland Security Grant Management Improvement Act
(Richardson, D-CA)**

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: This [legislation](#) would amend the Homeland Security Act of 2002 to prohibit the Administrator of Federal Emergency Management Agency (FEMA) from requiring the recipient of a grant (under the Urban Area Security Initiative or the State Homeland Security Grant Program) to use a specific percentage of such grant for any one of the specified permitted uses.

The grant money could be divided up by the recipient however they choose, provided that it is one of the permitted uses for the funding.

Committee Action: H.R. 1129 was introduced on March 16, 2011, and referred to the House Homeland Security Subcommittee on Emergency Preparedness, Response and Communications. On December 18, 2011, the subcommittee held a mark-up session and the bill passed (as amended) by voice vote. The full committee took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO score available.

Does the Bill Expand the Size and Scope of the Federal Government?: No. This bill reduces the scope of the federal government because it eliminates the ability of FEMA to mandate exactly how grant money should be spent among the “permitted uses”.

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

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to the sponsor: “Congress has the power to enact this legislation pursuant to the following: This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.”

RSC Staff Contact: Derek Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718

H.R. 4005 – GAPS Act (*Hahn, D-CA*)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: [H.R. 4005](#) directs the Department of Homeland Security (DHS) to conduct a study of the gaps in U.S. port security and to submit to Congress a classified report that includes a prioritization of such gaps and a plan for addressing them. The results of the DHS’s study would be shared with appropriate federal agencies, state, local, and tribal governments, and port system owners and operators.

Background: More than 11 million cargo containers arrive in America’s ports each year, coming from ports all over the world. The Secretary of Homeland Security is responsible for monitoring these ports, and this bill would ask that the Secretary of Homeland Security examine existing port security legislation to see if there are significant gaps that need to be addressed. If gaps exist, the Secretary would be asked to report how they can be addressed in a cost-effective manner.

Read the full CRS report on this subject [here](#).

Committee Action: This legislation was introduced on February 9, 2012, when it was referred to the House Subcommittee on Border and Maritime Security. On May 9, 2012, a mark-up session was held. H.R. 4005 was reported (as amended) and reported as amended by the Committee on Homeland Security on May 30, 2012.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to [CBO](#), implementing H.R. 4005 would cost about \$1 million in fiscal year 2013, from 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. The [CBO](#) reports that “H.R. 4005 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.”

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to its sponsor, Congress has the power to enact this legislation pursuant to, “the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.”

RSC Staff Contact: Derek Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718

H.R. 1447 – Aviation Security Stakeholder Participation Act of 2011 *(Thompson, D-MS)*

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: This [legislation](#) directs the Assistant Secretary of Homeland Security (TSA) to establish an Aviation Security Advisory Committee in the TSA. The legislation would require the Assistant Secretary to consult with the new Advisory Committee on aviation security matters, and requires the Advisory Committee to develop recommendations to improve aviation security.

The Assistant Secretary can appoint members from up to 27 organizations to the Advisory Committee, including air carriers, labor organizations, aircraft manufacturers, and the travel industry among others.

Background: The FAA established the Aviation Security Advisory Committee (ASAC) in 1989 after the bombing of Pan American World Airways Flight 103. When the TSA was established, control of ASAC was moved to the TSA. Despite strong support from aviation stakeholders and contributions to TSA policy, ASAC’s charter was allowed to expire. On July 7, 2011, the TSA announced their desire to re-establish ASAC to assist TSA on aviation security matters. This legislation would codify that request.

A CRS report on this subject can be found [here](#).

Potential Conservative Concern: Some conservatives would argue that this legislation could lead to a recommendation to increase the size of the TSA, when many conservatives would prefer to reduce the size and scope of the TSA.

Committee Action: H.R. 1447 was introduced on April 8, 2011, and was referred to the Homeland Security Subcommittee on Transportation Security. On September 21, 2011, the subcommittee discharged the legislation and a mark-up session was held followed by a voice vote. On November 4, 2011, H.R. 1447 was reported by the Committee on Homeland Security.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: [CBO](#) estimates that H.R. 1447 would total less than \$500,000 annually, subject to appropriated funds.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The legislation creates a new governmental organization, the Aviation Security Advisory Committee within the TSA.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. According to the [CBO](#), “H.R. 1447 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.”

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to the bill’s sponsor, “Congress has the power to enact this legislation pursuant to the following: The U.S. Constitution, including Article 1, Section 8.”

RSC Staff Contact: Derek Khanna, Derek.Khanna@mail.house.gov, (202) 226-0718

H.R. 1165 – Transportation Security Administration Ombudsman Act of 2011 (*Jackson Lee, D-TX*)

Order of Business: The bill is scheduled to be considered under a motion to suspend the rules and pass the bill.

Summary of the Legislation: This [legislation](#) would establish an Office of the Ombudsman within the TSA. The individual appointed as Ombudsman would have expertise in labor and employment relations with federal agencies and would be required to assist TSA employees who have complaints about the TSA. The Office of the Ombudsman's contact information would be publicly available on the TSA's website, and the Ombudsman would be compelled to report annually to Congress regarding TSA employee complaints.

Background: In May 2008, DHS released a [report](#) entitled "Transportation Security Administration's Efforts to Proactively Address Employee Concerns." The report found that many employees lacked trust and confidence in the TSA's Office of Ombudsman, and that airport site visits from the Office could be more effective in increasing the Office's visibility within the agency.

H.R. 1165 codifies the Ombudsman Office within the TSA and clearly defines the responsibilities of the office with Congress's direction.

A CRS report on this subject can be found [here](#).

Potential Conservative Concern: Some conservatives may worry that this expands the TSA, rather than reducing the TSA. Further it would create an unelected bureaucrat who will have alleged expertise in "labor" relations. Some conservatives could argue that this is just an expansion of patronage to individuals with labor union ties.

Committee Action: H.R. 1165 was introduced on March 17, 2011, and referred to the House Homeland Security Subcommittee on Transportation Security where a mark-up session was held on May 12, 2011. On September 21, 2011, the full Committee held consideration and a mark-up Session, and it was ordered to be reported, as amended, by voice vote.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to the [CBO](#), implementing H.R. 1165 would cost \$1.725 million over the 2012-2014 period. The bill would authorize the appropriations of \$575,000 in 2012, 2013, and 2013.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. This creates a new governmental position for labor relations.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No. According to the [CBO](#), "H.R. 1165 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments."

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation contains no earmarks, limited tax benefits or limited tariff benefits.

Constitutional Authority: [According](#) to its sponsor, "Congress has the power to enact this legislation pursuant to the following: Commerce Clause of the Constitution."

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H.R. 4850 - Enabling Energy Saving Innovations Act (Aderholt, R-AL)

Order of Business: The bill is scheduled to be considered on June 25, 2012, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4850 amends the Energy Policy and Conservation Act of 2007 (42 U.S.C. 6313) and allows the Secretary to waive certain requirements for walk-in coolers and freezers that do not meet the specified “r-value” but still provide the same amount of reduced energy consumption.

Additional Information: The Energy Policy and Conservation Act of 2007 contained several energy efficiency standards that applied to numerous products, including walk-in coolers and freezers.

An “r-value” indicates insulation’s resistance to heat flow. A factor in determining the “r-value” is the thickness of the insulation. Requiring products to meet an “r-value” without exception prohibits technologies that are just as efficient but utilize other materials or innovations, or are not as thick.

The sponsor’s office states, “This simple fix will allow the Department of Energy to permit energy efficient products that may not be foam based if the Department determines those products meet EISA’s desired energy saving goals.”

Outside Group Support: The legislation is supported by the following:

- American Council for an Energy Efficient Economy

Committee Action: H.R. 4850 was introduced on April 26, 2012, and referred to the House Energy and Commerce Subcommittee on Energy and Power, that took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report detailing the cost to taxpayers is unavailable.

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 Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Aderholt states “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3--The Commerce Clause and Article I, Section 8, Clause 18--Necessary and Proper Clause.” The statement can be [found here](#).

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H.R. 5625 - Collinsville Renewable Energy Promotion Act (*Murphy, D-CT*)

Order of Business: The bill is scheduled to be considered on June 25, 2012, under a motion to suspend the rules and pass the bill.

Summary: The legislation allows the Federal Energy Regulatory Commission (FERC) to reinstate two currently expired licenses for 2 years. These licenses would reinstate the terminated licenses for the Upper and Lower Collinsville Dams hydroelectric projects, located in Canton, Connecticut.

H.R. 5625 directs these licenses be transferred to the town of Canton, Connecticut.

The legislation directs the FERC to complete an environmental assessment for both licenses. After completion of the assessment, the Commission shall initiate a 30-day comment period before transferring the licenses to the town.

Within 270 days of enactment, the Commission shall make a decision to reinstate the licenses. If the Commission decides to reinstate the licenses then the Commission shall transfer the licenses to the town.

Additional Information: Similar legislation, H.R. 4451, agreed to by voice vote on June 16, 2010. The RSC Legislative Bulletin for H.R. 4451 is [linked here](#).

The following information has been provided by the sponsor’s office:

Originally, the two Collinsville hydroelectric dams were built on Connecticut’s Farmington River to power an axe factory; however, both dams have been inactive since the factory’s closure in 1966. This legislation would allow the Federal Energy Regulatory Commission (FERC) to reactivate existing licenses to operate both dams and transfer them to the town of Canton, Connecticut for municipal power generation. Taken together, these two small dams will be able to generate enough energy to power over a thousand homes.

Committee Action: H.R. 5625 was introduced on May 8, 2012, and was referred to the House Energy and Commerce Subcommittee on Health, which took no public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report detailing the cost to taxpayers is unavailable.

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 Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: The legislation does not contain earmarks, limited tax benefits, or limited tariff benefits.

Constitutional Authority: Rep. Murphy states “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8.” The statement can be [found here](#).

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