



Legislative Bulletin.....November 12, 2013

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S. 252 — PREEMIE Reauthorization Act — (Alexander, R-TN)

Order of Business: [S. 252](#) is scheduled to be considered on November 12, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage

Summary:

Title I: S. 252 reauthorizes the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act through 2018. This bill provides for the epidemiological studies of factors which lead to preterm birth, tracks national data to determine the burden of preterm birth, and continues efforts to prevent preterm birth.

This legislation, Allows for preference in awarding grants to eligible entities that use the grant funds to develop plans for, or to establish, tele-health networks that provide prenatal care for high-risk pregnancies.

Provides \$1,900,000 for each fiscal year 2014-2018 for demonstration projections which purpose of improve the information on prematurity to health professionals and other health care providers and the public and improve the treatment and outcomes for babies born preterm.

Establishes the Advisory Committee on Infant Mortality which provides strategies to reduce infant mortality, coordinate various Federal, state, local and private programs and implement strategies to reduce preterm birth through research, programs and education. Through HHS this Advisory Committee will submit their plan to Congress which included recommendations from the studies conducted.

Title II: National Pediatric Research Network

This section allows for the establishment of the National Pediatric Research Network which would support pediatric research and optimize the use of federal funds. In addition, the NIH director may award funding to both private and public entities for training pediatric researchers and for pediatric research. The funding received is intended to supplement, not supplant other funding.

Title III: Chimp Act

This section authorizes funding for FY 2014-2018 for the care, maintenance and transportation of all chimpanzees under the ownership or control of the NIH. In addition, the GAO issue a report to Congress regarding the chimpanzees at the NIH regarding their care, research status, services and location.

Major Changes Since the Last Time This Legislation was Before the House: [S. 1440](#) passed the House on December 19, 2012, by a voice vote and contained similar versions titles I and II of this bill.

Committee Action: This bill favorably [passed](#) the Senate Committee on Health, Education, Labor and Pensions on February 14, 2013. It then passed the Senate by voice vote on September 23, 2013. The bill was then referred to The House Energy and Commerce Committee subcommittee on Health, where it awaits further action.

Administration Position: No statement of administration position is available at this time.

Cost to Taxpayers: [CBO](#) estimates the outlays for this bill to be \$71 million over the years 2014-2018.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill creates a new Advisory Committee on Infant Mortality which can be created by the Secretary of HHS. It is important to note, while creating this committee it repeals the establishment of the Interagency Coordinating Council on Prematurity and Low Birthweight.

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

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Constitutional Authority: The rules of the Senate do not require a statement of constitutional authority to accompany legislation upon introduction.

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S. 893 Veterans' Compensation Cost-of-Living Adjustment Act of 2013 — (*Sanders, I-VT*)

Order of Business: [S. 893](#) is scheduled to be considered on November 12, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This bill would increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. This increase would be the same percentage as the cost-of-living adjustment provided to Social Security recipients and VA pension beneficiaries, which the [CBO](#) estimates to be at 1.5%. It would take effect on December 1, 2013.

This would apply specifically to:

- Wartime disability compensation
- Additional compensation for dependants
- Clothing allowance
- Dependency and indemnity compensation to surviving spouse
- Dependency and indemnity compensation to children

Major Changes Since the Last Time This Legislation was Before the House: [H.R. 4114](#), Veterans' Compensation Cost-of-Living Adjustment of 2012 passed the House by a voice vote on July 9, 2012, and was signed into law on November 27, 2012.

Additional Background: The service-connected disability compensation program under provides monthly cash benefits to veterans who have disabilities incurred or aggravated during active duty in the Armed Forces. The amount of compensation paid depends on the nature and severity of the veteran's disability or combination of disabilities. Congress has provided annual increases in these rates for every fiscal year since 1976.

Committee Action: The Senate Committee on Veterans' Affairs considered this legislation on July 24, 2013. The Committee voiced voted this bill out and reported it favorably to the Senate. It then [passed](#) the Senate on October 28, 2013 by Unanimous Consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: [CBO](#) estimates that enacting this bill would increase spending for those programs by \$0.9 million in fiscal year 2014. This estimate assumes that the COLA effective on December 1, 2013, would be 1.5 percent. The annualized cost would be about \$1.2 billion in subsequent years. CBO previously estimated that the COLA change relative to current law would be about \$2.6 billion on an annualized basis in contrast to that corrected figure of about \$1.2 billion.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, it increases the size of benefits, thereby increasing spending relative to current law.

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

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: The rules of the Senate do not require a statement of constitutional authority to accompany legislation upon introduction.

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S. 330 HIV Organ Policy Equity Act — (*Boxer, D-CA*)

Order of Business: [S. 330](#) is scheduled to be considered on November 12, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This piece of legislation amends the Public Health Service Act allowing the Organ Procurement and Transplantation Network to adopt standards which would allow for the transplantation of HIV infected organs to individuals who were infected with HIV before receiving the organ or are participating in clinical research.

It also requires the Secretary to publish criteria no later than two years after enactment of research relating to the transplantation of organs from donors infected with HIV to other individuals who were infected with HIV before receiving the organ. In addition, the Secretary will review the quality standards related to the safety of transplanted organs and direct the Organ Procurement and Transplantation Network to update the standards, if necessary.

Additional Background: The bill would remove a provision in current law from 1988 that prohibits the acquisition and procurement of donated organs that are infected with the virus that causes acquired immune deficiency syndrome.

Committee Action: This bill [passed](#) the Senate by Unanimous Consent on June 17, 2013, and was referred to the House Energy and Commerce Committee and House Judiciary Committee where it awaits further action.

Administration Position: No Statement of Administration Policy is available

Cost to Taxpayers: [CBO](#) estimates that HHS would incur administrative costs of less than \$500,000 annually and about \$1 million over the 2014-2018 period. Any such costs 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.

Constitutional Authority: The rules of the Senate do not require a statement of constitutional authority to accompany legislation upon introduction.

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H.R. 2922 - To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds — (Holding, R-NC)

Order of Business: [H.R. 2922](#) is scheduled to be considered on Tuesday, November 12, 2013, under motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: H.R. 2922 extends the authority of the Supreme Court Police and the Marshal of the Supreme Court to protect court officials or employees, Justices, and official guests of the Supreme Court away from Supreme Court grounds. The current authority is set to expire on December 29, 2013. This legislation extends the authority until December 29, 2019.

Committee Action: The bill was introduced on August 1, 2013, and referred to the House Committee on the Judiciary. On September 11, 2013, the Committee favorably reported the bill by [voice vote](#).

Administration Position: At time of press, no Statement of Administration Policy was available.

Cost to Taxpayers: According to the Congressional Budget Office [cost estimate](#), “implementing the legislation would have no significant impact on the federal budget.”

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 Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the bill sponsor, “Congress has the power to enact this legislation pursuant to the following: Article III, Section I of the U.S. Constitution.” Congressman Holding’s statement in the Congressional Record can be viewed [here](#).

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NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

H. Res. 196 - Supporting the Sixth Amendment to the United States Constitution, the right to counsel, as amended — (Deutch, D-FL)

Order of Business: [H. Res. 196](#) is scheduled to be considered on Tuesday, November 12, 2013, under motion to suspend the rules and pass the bill, which requires a two-thirds majority vote for passage.

Summary: This resolution expresses support for the right to counsel as guaranteed by the Sixth Amendment to the United States Constitution. In addition, it expresses support for “strategies to improve the criminal justice system to ensure that indigent defendants in all felony cases are adequately represented by counsel.”

Committee Action: The resolution was introduced on May 3, 2013, and referred to the Committee on the Judiciary. On May 7, 2013, the Committee on the Judiciary reported the resolution favorably by [voice vote](#).

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 Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

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H.R. 2871 – To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes. (Coble, R-NC)

Order of Business: [H.R. 2871](#) is scheduled for consideration on Tuesday, November 12, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds vote for passage.

Summary: H.R. 2871 consolidates the southern judicial district in the state of Mississippi from five divisions to four. The bill responds to the expected closure of the Meridian, Mississippi courthouse, which served as the Eastern Division Court. The bill reorganizes Mississippi's Southern District divisions by abolishing the current Eastern Division; modifying the designations of division courthouses; realigning the remaining four divisions and court designations; and, renaming the realigned divisions. Changes in Southern District divisions and court designations are summarized below.

| <i>Current Law Divisions of Southern District</i> | <i>Current Law Courts</i> | <i>Proposed Amendment to Divisions of Southern District</i> | <i>Proposed Law Courts</i> |
|--|---------------------------|--|----------------------------|
| Jackson Division: Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Scott, Simpson, and Smith. | Jackson | Northern Division: Copiah, Hinds, Holmes, Issaquena, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Simpson, Sharkey, Smith, Warren, and Yazoo. | Jackson |
| Eastern Division: Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne. | Meridian | Eastern Division: Clarke, Covington, Forrest, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, Wayne, and Walthall | Hattiesburg |
| Western Division: Adams, Claiborne, Issaquena, Jefferson, Sharkey, Warren, Wilkinson, and Yazoo. | Natchez and Vicksburg | Western Division: Adams, Amite, Claiborne, Franklin, Jefferson, Lincoln, Pike, and Wilkinson | Natchez |
| Southern Division: George, Hancock, Harrison, Jackson, Pearl River, and Stone. | Biloxi and Gulfport | Southern Division: George, Hancock, Harrison, Jackson, Pearl River, and Stone. | Gulfport |
| Hattiesburg Division: Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall. | Hattiesburg | | |

Additional Background: According to the Committee on the Judiciary, the bill responds to the need to reorganize Federal judicial districts in the State of Mississippi upon the scheduled closing of the Meridian courthouse. The bill integrates recommendations made by an ad hoc committee of judges that formed last year to propose a solution. The proposal was reviewed and endorsed by local stakeholders, such as the local bar associations and inns of the court, and the Judicial Conference of the United States.

The [Committee](#) notes that the legislation is "time-sensitive" as the "affected courts are already engaged in the time-consuming and expensive process of replenishing their jury wheel."

Committee Action: Rep. Howard Coble introduced H.R. 2871 on July 31, 2013. The bill was referred to the Committee on the Judiciary and within the Committee to the Subcommittee on Courts, Intellectual Property, and the Internet on August 1, 2013. The legislation was discharged from the Subcommittee on Courts, Intellectual Property, and the Internet on September 10, 2013. The Full Committee met to mark-up and consider the bill on September 11, 2013, and reported the bill favorably by voice vote.

Administration Position: No Statement of Administration Policy was available at time of press.

Cost to Taxpayers: According to the [Congressional Budget Office](#) cost estimate, implementing this bill would have "no significant impact on the federal budget." Furthermore the cost of consolidation and any potential savings from operating fewer courthouses would not be "significantly different from the costs to the district under the scheduled closing of the Meridian courthouse."

According to the [bill sponsor](#), the Administrative Office of the Courts estimates the bill would save \$135,000 through the reduction in jury wheel replenishment costs and expenses and other general savings related to judicial and juror travel.

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? The Bill 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? No.

Constitutional Authority: The Constitutional Authority Statement accompanying the bill upon introduction states, "Congress has the power to enact this legislation pursuant to the following: Article III, Section I of the U.S. Constitution." The Constitutional Authority Statement can be found [here](#).

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