



## Legislative Bulletin.....March 1, 2006

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### Summary of the Bills Under Consideration Today:

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

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

**Effect on Revenue:** \$0

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

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

**Total New Private Sector Mandates:** 0

**Number of Bills Without Committee Reports:** 0

**Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority:** 0

**H.Con.Res. 316 — Raising awareness and encouraging prevention of stalking by establishing January 2006 as "National Stalking Awareness Month"— as introduced (Rep. Chabot, R-OH)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, March 1, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 316 states that it is resolved by the House of Representatives that “it is the sense of Congress that-

- “National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;
- “all Americans should applaud the efforts of the many victim service providers, police, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about stalking; and
- “policymakers, criminal justice officials, victim service and human service agencies, nonprofits, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and  
“Congress urges national and community organizations, businesses in the private sector, and the media to promote, through National Stalking Awareness Month, awareness of the crime of stalking.”

**Additional Information:** According to the resolution’s findings, an estimated 1 million women and 370,990 men are stalked annually in the U.S. Eighty-one percent of women who are stalked by an intimate partner are also physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner. **The resolution notes that “Stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status”** and is a crime under Federal law and under the laws of all 50 States and the District of Columbia (emphasis added).

**Note:** The 104<sup>th</sup> Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>) The resolution states in the findings that “Congress urges the establishment of January, 2006 as National Stalking Awareness Month.” Because the resolution urges and does not establish a month, the parliamentarian’s office has ruled that it is allowable under House rules.

**Committee Action:** On December 14, 2005, the bill was introduced and referred to the House Committee on the Judiciary, which took no official action.

**Cost to Taxpayers:** The resolution has no cost.

**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.

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**H.Res. 357 — Honoring Justice Sandra Day O’Connor (Brown-Waite, R-FL)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, March 1<sup>st</sup>, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 357 would resolve that the House:

- “honors Justice Sandra Day O’Connor on the occasion of her retirement from the United States Supreme Court;
- “commends Justice Sandra Day O’Connor for her hard work and dedication to the law; and
- “recognizes Justice Sandra Day O’Connor as a pioneer for women in law, helping women become a permanent and integral part of the legal profession.”

**Additional Background:** In 1981, President Ronald Reagan nominated Sandra Day O’Connor to be the 102<sup>nd</sup> Supreme Court Justice and the first female member of the Supreme Court. The Senate unanimously confirmed her that same year.

**Committee Action:** On July 12, 2005, the resolution was referred to the Judiciary Committee, which took no official action on it.

**Possible Conservative Concerns:** Justice O’Connor was seen by many conservatives as the fifth vote on numerous decisions that either expanded the scope of the federal government or failed to limit it. A few examples of such cases are: *McConnell v. FEC* (upholding the McCain-Feingold-Shays-Meehan campaign finance law); *Grutter v. Bollinger* (allowing certain race-based decisions at the University of Michigan Law School); and *Lawrence v. Texas* (contending that state laws prohibiting homosexual—but not heterosexual—sodomy are unconstitutional).

However, O’Connor was also the fifth vote on other decisions that conservatives heralded, including: *Bush v. Gore* (declaring that there was insufficient time to establish new recount standards that would meet Florida’s deadline for certifying presidential electors); *Zelman v. Simmons-Harris* (allowing school vouchers to be used for religious schooling); and *Boy Scouts of America v. Dale* (declaring New Jersey’s sexual orientation discrimination prohibition in violation of the Boy Scouts’ freedom of association).

O’Connor was also criticized recently for her cites of international law when making constitutional decisions.

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

**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.

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**H.Con.Res. 335 — Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 97th anniversary — as introduced (*Rep. Al Green, D-TX*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, March 1, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 335 states that it is resolved by the House of Representatives that Congress:

“recognizes the 97<sup>th</sup> anniversary of the historic founding of the National Association for the Advancement of Colored People; and

“honors and praises the National Association for the Advancement of Colored People on the occasion of its anniversary for its work to ensure the political, educational, social, and economic equality of all persons.”

**Additional Information:** According to the resolution’s findings, the NAACP was founded in New York City on February 12, 1909, the centennial of Abraham Lincoln’s birth, by a multiracial group of activists, and is the oldest and largest civil rights organization in the U.S. The resolution states it is “the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination” and that “the NAACP has used political pressure, marches, demonstrations, and effective lobbying to serve the voice, as well as the shield, for minority Americans.” The NAACP was prominent in lobbying for the passage of the Civil Rights Acts of 1957, 1960, and 1964, the Voting Rights Act of 1965, and the Fair Housing Act.

**Possible Conservative Concerns:** The resolution specifically resolves that Congress praises the work of the NAACP. Some conservatives may be concerned over recent legislation and issues that the NAACP has worked for or against, many of which have questionable relation to racial equality, and recent statements by the head of the NAACP regarding the Republican Party and the Nazi Party.

“The Republican Party would have the American flag and the swastika flying side by side,” NAACP Chairman Julian Bond said in a speech at Fayetteville State University in North Carolina on Feb. 1, 2006

<http://www.opinionjournal.com/best/?id=110007929>

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NAACP HEALTH POLICIES AND RESOLUTIONS...

WHEREAS, today, women of color seek abortion at rates higher than their percentage in the population, and overwhelmingly describe themselves as pro-choice in public opinion surveys, and

WHEREAS, on April 25, 2004, thousands of pro-choice supporters will gather in Washington, D.C. for the March Against Fear to demonstrate their support for the right to choice, and

WHEREAS, a woman denied the right to control her own body is denied equal protection of the law, a fight the NAACP has fought for and defended for nearly 100 years, and

... THEREFORE, BE IT RESOLVED, that the NAACP adds its endorsement and support for the March Against Fear and urges all who believe in equal rights to attend on April 25, 2004 in Washington, D.C. 2004

[http://www.naacp.org/inc/docs/health/health\\_resolutions-04.pdf](http://www.naacp.org/inc/docs/health/health_resolutions-04.pdf) (PDF page 41)

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Call to Action on Health ...

Confidentiality of services and access to a trusted medical provider are particularly important in sensitive healthcare areas ... for example, sexually transmitted diseases, including HIV; reproductive health services, including fertility services, pregnancy testing, and abortion...

[http://www.naacp.org/inc/docs/health/health\\_call\\_to\\_action.pdf](http://www.naacp.org/inc/docs/health/health_call_to_action.pdf)

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The NAACP scorecard for the first session of the 109<sup>th</sup> Congress, in which more than 50% of Congress received a failing grade, rates and scores Members on the following votes, among others:

- Souder Amendment on DC gun ownership (NAACP advocated a no vote)
- Boehner amendment allowing faith-based groups to participate in Head Start programs and maintain their ability to consider faith in hiring (NAACP advocated a no vote)
- “REGRESSIVE FEDERAL BUDGET RESOLUTION FOR FISCAL YEAR 2006” (NAACP advocated a no vote)
- CAFTA (NAACP advocated a no vote)
- Hate Crimes Conyers Amendment (NAACP advocated a yes vote)
- “REGRESSIVE, MEAN-SPIRITED BUDGET RECONCILIATION BILL (NAACP advocated a no vote)
- *Protection of Lawful Commerce in Arms Act* (Gun manufacture liability bill) (NAACP advocated a yes vote)
- The Senate scorecard, scored the “CONFIRMATION OF EXTREME RIGHT-WING JUDICIAL NOMINEE WILLIAM H. PRYOR, JR., TO THE US COURT OF APPEALS FOR THE 11TH CIRCUIT”

[http://www.naacp.org/inc/docs/washington/109/109\\_report\\_card.pdf](http://www.naacp.org/inc/docs/washington/109/109_report_card.pdf)

<http://www.naacp.org/news/2006/2006-01-23.html>

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**“NAACP SUPPORTS REINTRODUCTION OF REPARATIONS STUDY LEGISLATION; BILL SEEKS TO CREATE FEDERAL AGENCY TO STUDY EFFECTS OF SLAVERY ON AFRICAN AMERICANS AND TO APOLOGIZE FOR THE INJUSTICE, CRUELTY, BRUTALITY AND INHUMANITY OF SLAVERY**

...

“While this legislation has consistently been a priority of the NAACP, it has, unfortunately, been shunned by Congressional leadership ... The commission would also be charged with reviewing reparation proposals to help black Americans regain some of the stature stripped of their forefathers lost through no fault of their own and making recommendations on how we as a nation can best heal these wounds.”

[http://www.naacp.org/inc/docs/washington/109/109\\_aa-2005-01-18.pdf](http://www.naacp.org/inc/docs/washington/109/109_aa-2005-01-18.pdf)

**Committee Action:** On February 8, 2006, the bill was introduced and referred to the House Committee on the Judiciary, which took no official action.

**Cost to Taxpayers:** The resolution has no cost.

**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.

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