



## Legislative Bulletin.....May 2, 2006

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### Summary of the Bills Under Consideration Today:

**Total Number of New Government Programs:** 1

**Total Cost of Discretionary Authorizations:** \$88.5 million over six years

**Effect on Revenue:** Increase by \$230 million over the FY06-FY15 period

**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:** 6

**Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority:** 2

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**H.R. 5107 — Earl D. Hutto Post Office Designation Act — *as introduced*  
(Miller, R-FL)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2<sup>nd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5107 designates the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the “Earl D. Hutto Post Office Building.”

**Additional Information:** Former Congressman Hutto was born near Midland City, Alabama in 1926. He served in the Navy from 1944-1946. In 1973, Hutto won a seat in the Florida House of Representatives and served until 1978. During his tenure in the Florida House, he owned an advertising agency. In 1979, he won a seat in the U.S. House of Representatives, where served 16 years representing Florida’s 1<sup>st</sup> District. Former Rep. Hutto currently lives in Pensacola. (source: <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H001018>)

**Committee Action:** On April 5, 2006, the bill was introduced and referred to the House Government Reform Committee, which took no official action.

**Cost to Taxpayers:** The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect 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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and Post Roads.”

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**H.R. 4811 — John Paul Hammerschmidt Post Office Building  
Designation Act — *as introduced* (Boozman, R-AR)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2<sup>nd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4811 designates the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the "John Paul Hammerschmidt Post Office Building."

**Additional Information:** Former thirteen-term Congressman Hammerschmidt attended The Citadel and the University of Arkansas before joining the U.S. Army Air Corps in 1942. A highly decorated veteran, he flew over 300 missions in the China-Burma-India theater with the Third Combat Cargo Group. After the World War II, Hammerschmidt earned a Bachelor's degree from the University of Oklahoma. He served from 1967-1993 in the House of Representatives and currently lives in Harrison, Arkansas. (Source: <http://www.northark.edu/Departments/jph/jph.htm>)

**Committee Action:** On February 28, 2006, the bill was introduced and referred to the House Government Reform Committee. The committee considered it and reported it to the full House by unanimous consent on March 30, 2006.

**Cost to Taxpayers:** The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect 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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to "establish Post Offices and Post Roads."

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## **H.R. 4674 — Governor John Anderson, Jr. Post Office Building Designation Act — *as introduced (Moore, D-KS)***

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2<sup>nd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4674 designates the facility of the United States Postal Service located at 110 North Chestnut Street in Olathe, Kansas as the "Governor John Anderson, Jr. Post Office Building."

**Additional Information:** Governor Anderson earned a Bachelor's degree from Kansas State University in 1943, and went on to earn a law degree from the University of Kansas in 1944. He dedicated his life to public service, including working on the staff of a U.S. District judge, being elected as a Johnson County Attorney, serving in the Kansas Senate,

was appointed Attorney General, and then elected Governor of Kansas. Anderson was Kansas' chief executive during the state's centennial, and he signed many reform bills into law. Governor Anderson lives on his ranch in Olathe, Kansas.

(Source: <http://www.kshs.org/research/collections/documents/govtrecords/governors/anderson.htm>)

**Committee Action:** On January 31, 2006, the bill was introduced and referred to the House Government Reform Committee. The committee considered it and reported it to the full House by unanimous consent on March 9, 2006.

**Cost to Taxpayers:** The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect 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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to "establish Post Offices and Post Roads."

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## **H.R. 4995 — Ronald Bucca Post Office Designation Act — *as introduced* (Lowey, D-NY)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2<sup>nd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4995 designates the facility of the United States Postal Service located at Columbus Avenue in Tuckahoe, New York, as the "Ronald Bucca Post Office."

**Additional Information:** Ronnie Bucca spent 29 years in the U.S. military serving as a Green Beret and a Special Forces Group Defense Intelligence Analyst. Additionally, he served 23 years in several fire units in New York City, and was promoted to Fire Marshal in 1992. After the bombing attack on the World Trade Center in 1993, Bucca began to study terrorism and the attack on the World Trade Center. When terrorists struck the World Trade Center again in 2001, instead of staying a safe distance away from the building and directing firemen, Bucca entered the burning South Tower in an attempt to rescue the Center's occupants. His heroism cost him his life that day.

**Committee Action:** On March 16, 2006, the bill was introduced and referred to the House Government Reform Committee. The committee considered it and reported it to the full House by unanimous consent on March 30, 2006.

**Cost to Taxpayers:** The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect 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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and Post Roads.”

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### **H.R. 4101 — Lieutenant Michael P. Murphy Post Office Building Designation Act — *as introduced (Bishop, D-NY)***

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2<sup>nd</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4101 designates the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the “Lieutenant Michael P. Murphy Post Office Building.”

**Additional Information:** Lt. Murphy graduated from Penn State University and was a member of the Pearl Harbor SEAL Delivery Vehicle Team One. At the age of 29, he gave his life in service to his country in the Kunar province of Afghanistan when his SEAL unit was ambushed by Taliban insurgents.



(Source: <http://www.pigstye.net/afghanistan/article.php/20050708074133841>)

**Committee Action:** On November 16, 2005, the bill was introduced and referred to the House Government Reform Committee, which reported it to the full House by unanimous consent on the same day.

**Cost to Taxpayers:** The only costs associated with a postal facility renaming are those for sign and map changes, none of which significantly affect 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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to “establish Post Offices and Post Roads.”

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## **H.R. 3351 – To make technical corrections to laws relating to Native Americans – *as amended* (Pombo, R-CA)**

**Order of Business:** The bill is expected to be considered on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the bill, as amended.

Note: A previous version of H.R. 3351 passed the House by a voice vote on November 16, 2005, and was amended and passed the Senate on April 7, 2006, by unanimous consent. The Senate’s amendment replaced the entirety of the House-passed bill text.

**Summary:** H.R. 3351 would make numerous changes to current law relating to Native Americans including the following highlights:

- Makes technical corrections to the Alaska Native Claims Settlement Act (drafting errors), relating to incorrect references;
- Clarifies that land conveyed by the federal government to an Alaskan Native Corporation that is then exchanged with another Alaskan Native Corporation is deemed to have been conveyed pursuant to the Alaska Native Claims Settlement Act. According to the Resources Committee, this provision clarifies that such land retains its non-taxable status after the exchange;
- Authorizes the Bureau of Indian Affairs (BIA) to accept funds from the State of Mississippi for deposit in a trust account for the benefit of the MS Band of Choctaw Indians pursuant to an agreement made between the tribe and the Department of Transportation on June 7, 2005 (for the purpose of improving Highway 16 in Neshoba County, MS);
- Amends the Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990 to adjust spending rules set forth in that Act for the Tribe’s Settlement Fund. The bill would authorize six percent of the average market value of the Settlement Fund to be spent over the preceding three years, and eliminate the current authorization to spend 20 percent of the Fund’s principal (provisions contained in S. 1484, which passed the Senate on July 26, 2005);
- Authorizes the transfer of lands now held by the U.S. Corps of Engineers to the Interior Department, to be held in trust for the benefit of the Prairie Island Indian community in Red Wing, Minnesota. The transfer will have no effect on the tax status of the lands, and the Prairie Island Indian community will not be permitted to develop commercial or gaming facilities on the land (provisions contained in S. 706, which passed the Senate on July 26, 2005);
- Authorizes 99-year leases of Indian Land, instead of the current 50-year leases permitted;

- Authorizes the National Indian Gaming Commission (NIGC) to collect fees up to .08 percent of gross gaming revenues (provisions contained in S. 1295 and previously passed by the Senate on December 12, 2005); subjects NIGC to the Government Performance and Results Act;
- Amends Indian Financing Act of 1974, stating that non-profit tribal entities are eligible for the Bureau of Indian Affairs (BIA) Loan Guaranty Program;
- Increases the BIA loan limit to \$1.5 billion (BIA is approaching its current limit of \$500 million);
- Makes technical corrections and other amendments to the American Indian Probate Reform Act of 2004, including technical drafting corrections in S. 1481 (P.L. 109-157, the Indian Land Probate Reform Technical Corrections Act of 2005) relating to transfers and exchanges of restricted lands and shares of Indian tribes under 25 U.S.C. 464.

**Committee Action:** On July 19, 2005, the bill was referred to the Resources Committee, which on September 22 marked-up and by unanimous consent, ordered the amended bill favorably reported to the full House for consideration (H. Rept. [109-298, Part I](#)). The House passed the bill on November 16, 2005, and the Senate amended H.R. 3351 (by substitution the entire text of the bill), and passed it by unanimous consent on April 7, 2006.

**Cost to Taxpayer:** According to CBO, implementing H.R. 3351 would increase direct spending by \$7 million in 2006 and about \$230 million over the FY06-FY15 period. CBO also estimates that enacting the legislations would “increase revenues by \$7 million in FY06 and about \$230 million over the FY06-FY15 period.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill increases the BIA loan program limit by \$1 billion.

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

**Constitutional Authority:** According to a draft report, the Resources Committee cites constitutional authority in Article I, Section 8 but does not provide a specific clause. However, the Indian Commerce Clause (Clause 3) provides authority to regulate Commerce with the Indian tribes.

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## **H.R. 2720 — Salt Cedar and Russian Olive Control Demonstration Act— *as introduced (Pearce, R-NM)***

**Order of Business:** The bill is scheduled to be considered on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the bill. **Under Republican Conference rules, bills that create new programs are not allowed to be scheduled on suspension.**

**The elected Republican Leadership has waived the Conference Rule with regard to H.R. 2720, which authorizes a new program.**

**NOTE:** On February 24, 2004, a similar bill creating a new Salt Cedar program was considered by the House and passed by a vote of 367 - 40 ([Roll no. 26](#)).  
<http://clerk.house.gov/evs/2004/roll026.xml>

**Summary:** The bill **authorizes \$80 million** over five years to create a **new** demonstration program, to authorize new reports and to create new grants to help in crafting one of the reports on the salt cedar and Russian olive tree invasion. H.R. 2720 requires that, within a year after funds become available, the Secretary of Agriculture in cooperation with the Secretary of the Interior, complete an assessment (authorized at no more than \$4 million) of “the extent of salt cedar and Russian olive invasion” in the western U.S.

Under the bill, the Interior Secretary must prepare a report to Congress identifying long-term management and funding strategies to address the invasion of salt cedar and Russian olive. The bill authorizes the Interior Secretary to make grants of no less than \$250,000 to eligible entities to help in this report. The bill authorizes not more than \$2 million for the report and the grants.

The bill authorizes not more than \$7 million *each* for **at least five new demonstration projects**, to demonstrate and evaluate the most effective methods of controlling salt cedar and Russian olive trees. The projects must be proposed by and implemented in collaboration with federal agencies, units of state and local government, national laboratories, Indian tribes, institutions of higher education, individuals, organizations, or soil and water conservative districts. The federal share of a project on non-federal lands may not exceed 75%, and an annual report is required for the duration of these projects.

Not later than one year after funds are first made available, \$3 million is authorized for the Secretaries of Agriculture and Interior to complete “an analysis of economic means to use or dispose of biomass created as a result of removal of salt cedar and Russian olive trees.”

**Additional Information:** According to the Committee, salt cedar, or tamarisk, is a small, deciduous, invasive tree introduced to the Southwest from Eurasia as a stream bank stabilizer and ornamental shrub. It has evolved into a dominant riparian tree in the low elevation stretches of the Colorado River basin, with a substantial depleting impact on already scarce water resources in the West. According to estimates, one tamarisk can absorb 300 gallons of water per day, thanks to the invasive’s deep and expansive root system. The committee cites one study, which concluded that replacing tamarisk with cottonwood and other native vegetation along the Colorado River would save as much as 462,100 acre-feet of water annually, or 150 billion gallons.

**Possible Conservative Concerns:** Some conservatives may be concerned that this bill, which creates a new program, is being considered on the suspension calendar, when



Republican Conference rules specifically were changed to prohibit new programs from coming up unamendable on the suspension calendar. If the bill were to be considered under regular order, amendments could be offered to offset the cost of the new program or consolidate or eliminate existing programs so as not to increase the overall size of the Departments of Interior and Agriculture.

**Committee Action:** On May 26, 2005, the bill was introduced and referred to the House Committees on House Resources & Agriculture. The Resources Committee marked it up and reported it by unanimous consent on November 16, 2005. The Agriculture Committee discharged the bill without consideration on December 13, 2005.

**Cost to Taxpayers:** According to CBO, H.R. 2720 would authorize the appropriation of \$80 million (\$20 million for 2006, and \$15 million for each of FY07-10) to create a new program, demonstration projects, and various reports.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes.

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

**Administration Position:** In a July 24, 2003 hearing, the Deputy Chief of Programs, Legislation and Communications at the US Forest Service at the USDA testified, “The authorized funding is not in the President’s budget and therefore must be considered within existing resources. **The actions outlined in the bill can be achieved within existing authorities.**” (Source: <http://resourcescommittee.house.gov/archives/108/testimony/elizabestill0724.htm>)

The Department of the Interior testified that there are numerous efforts currently underway to address the olive and cedar issue. “Current Departmental programs and activities focus control and management efforts for tamarisk on areas with resources at risk Departmental land management operations focus significant funding for tamarisk control on refuges, national parks and monuments, and along irrigation canals under the jurisdiction of the Bureau of Reclamation.” The Interior Department representative continued, “Among other things, in FY 2003 we have funded through this initiative projects that are aimed at the eradication and control of tamarisk, Russian olive, and other invasive plants, and reclamation of impacted lands.” Regarding demonstration projects Interior testified, “the Department is currently working with our partners to develop and implement an integrated approach to management of this species” and “the Department notes that the actions called for in HR 2707 [the 108th bill] can be achieved within existing authorities.” (Source: <http://resourcescommittee.house.gov/archives/108/testimony/jamestate0724.htm>)

**Constitutional Authority:** The Committee (in Report No. 109-341) finds authority under Article I, Section 8 (Powers of Congress) but fails to cite a specific authority.

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## **H.R. 3929 — Dana Point Desalination Project Authorization Act— *as reported* (Calvert, R-CA)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3929 adds a new section to the Water Desalination Act of 1996, which **authorizes \$2.5 million** for the Secretary of the Interior to assist in research and development, environmental and feasibility studies, and preliminary engineering for the **new** Municipal Water District of Orange County, California, Dana Point Desalination Project located at Dana Point, California. The bill clarifies that the federal share is not to exceed 25% of the total costs of new project. H.R. 3929 terminates this authority of the Secretary 10 years after the date of enactment.

**Additional Information:** According to Committee Report 109-335, the new \$2.5 million authorized in H.R. 3929 is for the Municipal Water District of Orange County to conduct engineering and environmental studies at the Dana Point Desalination Project. If the studies conclude the project can be conducted within Bureau of Reclamation guidelines, then the full project would be implemented, delivering roughly 20,000 acre-feet of water per year to individuals in Orange County, CA. In addition, the Committee Report states, “The Federal Government can play a limited but important role in developing desalination technologies.”

**Committee Action:** H.R. 3929 was introduced on September 28, 2005, and referred to the House Committee on Resources, which held two mark-ups and reported the bill to the House by unanimous consent on December 12, 2005. The bill was also referred to the House Committee on Science, which took no official action.

**Cost to Taxpayers:** According to CBO, implementation of H.R. 3929 will cost \$2.5 million over the 2006-2007 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill authorizes \$2.5 million in new money for a specific project, which has not previously received federal funds. In addition, the bill sets precedence for future federal funding and involvement in developing desalination technologies for specific regions of the country.

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

**Constitutional Authority:** The Committee finds authority in Article I, Section 8 of the Constitution, but fails to cite a specific clause.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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**H.R. 3418 — Central Texas Water Recycling Act — *as reported***  
**(Edwards, D-TX)**

**Order of Business:** The bill, as amended, is scheduled for consideration on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** Amends the Reclamation Wastewater and Groundwater Study and Facilities Act by adding a new section that authorizes the Secretary of Interior, in cooperation with the City of Waco and other participating communities in the Central Texas Water Recycling and Reuse Project, to participate in the design, planning, and construction of permanent facilities to reclaim and reuse water in McLennan County, Texas. The bill clarifies that the federal share is not to exceed 25% of the total costs of new project. H.R. 3418 terminates this authority of the Secretary 10 years after the date of enactment.

**Additional Information:** According to Committee Report 109-442, cities in Central Texas are growing rapidly in population, placing a heightened demand on the water supply. The McLennan County/Waco Regional Satellite and Reuse Project, located in near Lake Waco, Texas, will be “used to treat and recycle wastewater generated by the City of Waco and six neighboring communities.” The Report outlines that the project will cost an estimated \$25 million.

**Committee Action:** H.R. 3418 was introduced on June 25, 2005 and referred to the House Committee on Resources, which held a mark-up and reported the bill by unanimous consent on April 27, 2006.

**Cost to Taxpayers:** CBO estimates implementation of H.R. 3418 will cost \$6 million over the 2007-2012 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. The bill would authorize federal involvement and funding for a new project in Texas.

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

**Constitutional Authority:** The Committee finds authority in Article I, Section 8 of the Constitution, but fails to cite a specific clause.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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## **H.R. 4943 — Prevention of Fraudulent Access to Phone Records Act — as reported (Barton, R-TX)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the bill.

Note: The House passed a separate bill, H.R. 4709, last week under suspension concerning surreptitiously obtaining telephone records by a vote of 409-0. Click here to read the RSC Legislative Bulletin on H.R. 4709:

[http://www.house.gov/pence/rsc/doc/LB\\_042506\\_Suspensions.doc](http://www.house.gov/pence/rsc/doc/LB_042506_Suspensions.doc)

**Summary:** H.R. 4943 would make “pretexting” (the collection information about a person under false pretenses) for telephone records illegal and would strengthen the security measures taken by telecommunications carriers to protect such records. The specific provisions of H.R. 4943 are listed below:

- Prohibits obtaining or disclosing (or attempting to) customer proprietary network information of another person by false pretenses (defined in the bill, such as making false statements, submitting forged documents, etc.);
- Prohibits soliciting a person to obtain customer information under false pretenses;
- Prohibits the sale or disclosure of customer information obtained under false pretenses;
- Exempts law enforcement from the above provisions, so long as obtaining the records is regarding official duties and in accordance with applicable laws;
- Expands protection for detailed customer records by telecommunications carriers, and provides for specific requirements for telecommunications carriers, partners, and contractors;
- Includes a number of congressional findings regarding the nation’s communications networks and private telephone and communications records, such as “Ensuring the privacy of sensitive individual telephone calling records, both wireline and wireless, is of utmost importance. The information gathered and retained by communication providers can convey details about aspects of an individual’s life, including who they call, when they call, the duration of such calls, the frequency of their communications, information about their purchases, informational inquiries, political or religious interests, or other affiliations;”
- Prohibits the sale (rent, or lease) of general or detailed customer proprietary network information to include customer telephone records;
- Directs the FCC, within 180 days of enactment, to proscribe regulations adopting more stringent security standards for customer information to “detect and prevent violations” of the Act;
- Requires the FCC to submit a report to Congress on the effectiveness of the regulations within this Act;
- Requires the FCC to submit an annual report to Congress containing the number and disposition of all enforcement actions pursuant to this Act;
- Provides for increased fines by the FCC for violation of this Act; and

- Stipulates that the FTC and the FCC must enforce the provisions of this Act.

**Committee Action:** H.R. 4943 was introduced on March 14, 2006, and referred to the Committee on Energy and Commerce. The Committee reported the bill to the House on March 16, 2006 (H. Rept. [109-398](#)).

**Cost to Taxpayers:** Assuming appropriation of the necessary amounts, CBO estimates that “implementing the bill would cost the FCC less than \$500,000 in 2006 and about \$5 million over the 2007-2011 period to enforce the bill’s provisions regarding the personal information of telecommunications customers, write regulations, audit security systems, and prepare reports. We estimate that implementing the bill would not have a significant effect on FTC spending.”

CBO also states that “the bill could increase federal revenues as a result of the collection of additional civil penalties assessed for violations of the new laws and regulations. Collections of civil penalties are recorded in the budget as revenues. CBO estimates, however, that any additional revenues that would result from enacting the bill would not be significant because of the relatively small number of cases likely to be involved.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** Yes, H.R. 4943 includes private-sector mandates, as described above. CBO also states that H.R. 4943 “would impose new private-sector mandates, as defined in UMRA, by expanding the customer privacy requirements for telecommunications carriers. The bill would require such carriers to receive express prior authorization from the customer before using, accessing or disclosing their phone records to joint venture partners, independent contractors or others. Based on information from government sources, the direct cost for carriers to comply with this new requirement could be nominal.”

**Constitutional Authority:** The Committee Report, H. Rept. [109-398](#), cites constitutional authority for this legislation in Article 1, Section 8, and Clause 3 (regulate Commerce) of the Constitution.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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**H.Res. 697— Congratulating the people and Government of Italy, the Torino Olympic Organizing Committee, the International Olympic Committee, the United States Olympic Committee, the 2006 United**

**States Olympic Team, and all international athletes upon the successful completion of the 2006 Olympic Winter Games in Turin, Italy**  
— *as reported* (Hyde, R-IL)

**Order of Business:** The resolution, as amended, is scheduled for consideration on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 697 resolves that the House of Representatives:

- “commends the people and Government of Italy, and specifically the people of Turin and the surrounding Alpine areas, the Torino Olympic Organizing Committee, and the International Olympic Committee upon the successful completion of the 2006 Olympic Winter Games;
- “congratulates the United States Olympic Committee, the 2006 United States Olympic Team, and all international athletes for their outstanding performances at the 2006 Olympic Winter Games;
- “expresses gratitude to the thousands of volunteers and others who made the 2006 Olympic Winter Games exciting, safe, and successful; and
- “expresses support to the 2006 United States Paralympic Team in the upcoming Paralympic Winter Games.”

**Additional Information:** The 2006 Winter Olympic Games were held during February in Turin, Italy, and nearly 2,600 athletes from over 80 countries competed in the games. Over 200 athletes from the United States competed in Italy, bringing home 25 metals, including nine gold metals. Turin was also home to the 2006 Paralympic Winter Games, which were held in March. The U.S. athletes competing in the Paralympic Games brought home 12 metals, including seven gold metals.

**Committee Action:** H.Res. 697 was introduced on February 28, 2005 and referred to the House Committee on International Relations, which held a mark-up and reported the bill by unanimous consent on April 6, 2006.

**Cost to Taxpayers:** The resolution authorizes no expenditures.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

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

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**H.Con.Res. 392—Recognizing the 58<sup>th</sup> anniversary of the independence of the State of Israel (Rep. Wilson, R-SC)**

**Order of Business:** The resolution is scheduled for consideration on May 2, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 392 would resolve that Congress:

- “recognizes the independence of the State of Israel as a significant event in providing refuge and a national homeland for the Jewish people;
- “commends the bipartisan commitment of all United States administrations and United States Congresses since 1948 to stand by Israel and work for its security and well-being;
- “congratulates the United States and Israel for the strengthening of bilateral relations in the past year in the fields of defense, trade, and homeland security and encourages both nations to continue their cooperation in resolving future mutual challenges; and
- “extends warm congratulations and best wishes to the people of Israel as they celebrate the 58th anniversary of Israel’s independence.”

**Additional Information:** On May 14, 1948, the State of Israel was established as a sovereign and independent nation, and the United States was “one of the first nations to recognize Israel, only 11 minutes after its creation.” Additionally, the resolution states, “Israel provided a refuge to Jews who survived the horrors of the Holocaust and the evils committed by the Nazis which were unprecedented in human history, and Israel continues to serve as a shining model of democratic values by regularly holding free and fair elections, promoting the free exchange of ideas, and vigorously exercising in its Parliament, the Knesset, a democratic government that is fully representative of its citizens.”

Israel’s Independence Day on the Jewish calendar coincides this year with May 3, 2006.

**Committee Action:** H.Con.Res. 392 was introduced on April 26, 2006, and referred to the House Committee on International Relations, which took no official action on the resolution.

**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. 90 — Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and**

**encouraging increased United States involvement in bringing an end to these crimes — as reported (Solis, D-CA)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, May 2, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 90 explains and condemns the ongoing abduction and murder of hundreds of young women in the state of Chihuahua, Mexico; expresses condolences to the victims' families; and encourages increased U.S. involvement in bringing an end to these crimes.

Among other items, H.Con.Res. resolves that Congress:

- “encourages the Secretary of State to continue to include in the annual Country Report on Human Rights of the Department of State all instances of improper investigatory methods, threats against human rights activists, and the use of torture with respect to cases involving the murder and abduction of young women in the State of Chihuahua;
- “encourages the Secretary of State to urge the Government of Mexico and the State of Chihuahua to review the cases of murdered women in which those accused or convicted of murder have credibly alleged they were tortured or forced by a state agent to confess to the crime;
- “strongly recommends that the United States Ambassador to Mexico visit Ciudad Juarez and the city of Chihuahua for the purpose of meeting with the families of the victims, women's rights organizations, and Mexican Federal and State officials responsible for investigating these crimes and preventing future such crimes; and
- “strongly supports the work of the special commissioner to prevent violence against women in Ciudad Juarez and Chihuahua City.”

The resolution also states numerous findings, including:

- “the Mexican cities of Ciudad Juarez and Chihuahua have been plagued with the abduction, sexual assault, and brutal murders of more than 370 young women since 1993;
- “there have been at least 30 murders of women in Ciudad Juarez and the city of Chihuahua since 2004;
- “at least 137 of the victims were sexually assaulted prior to their murders;
- “more than half of the victims are women and girls between the ages of 13 and 22, and many were abducted in broad daylight in well-populated areas;
- “the Federal special prosecutor, in her ongoing review of the Ciudad Juarez murder investigations, found evidence that over 100 police, prosecutors, forensics experts, and other State of Chihuahua justice officials failed to properly investigate the crimes, and recommended that they be held accountable for their acts of negligence, abuse of authority, and omission; and
- “Mexico is a party to the following international treaties and declarations that relate to abductions and murders: the Charter of the Organization of American States, the American Convention on Human Rights, the Universal Declaration of



Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of all Forms of Discrimination Against Women, the United Nations Declaration on Violence Against Women, the Convention on the Rights of the Child, the Convention of Belem do Para, the Inter-American Convention to Prevent and Punish Torture, the Inter-American Convention on Forced Disappearance, and the United Nations Declaration on the Protection of All Persons From Enforced Disappearance.”

**Committee Action:** H.Con.Res. 90 was introduced on March 9, 2005, and referred to the Committee on International Relations’ Subcommittee on the Western Hemisphere. The bill was marked-up on March 15, 2006, and it was reported to the House by unanimous consent on the same day.

**Cost to Taxpayers:** The resolution authorizes 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. Res. 658 – Supporting the goals and ideals of World Water Day — *as introduced (Rogers, D-TX)***

**Order of Business:** The resolution is scheduled to be considered on Tuesday, May 2nd, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 658 resolves that the House of Representatives:

- “supports the goals and ideals of World Water Day;
- “encourages the people of the United States to observe World Water Day with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of water and water conservation to humanity; and
- “recognizes the importance of conserving and managing water resources for sustainable development, including environmental integrity and the eradication of poverty and hunger, and human health and overall quality of life in the United States and across the globe.”

**Additional Information:** According to the resolution, “initiatives that promote access to safe drinking water and sanitation that prevents contaminants from infiltrating fresh drinking water supplies are vital tools in raising the awareness of the importance of freshwater to the quality of life,” and “freshwater is vital to the development, sustainability, and progression of all humanity.”

According to the UN Department of Economic and Social Affairs, “Agenda 21 is a comprehensive plan of action to be taken globally, nationally and locally by organizations of the United Nations System, Governments, and Major Groups in every area in which human impacts on the environment.” World Water Day stems from Agenda 21’s Chapter 18, which pertains to fresh water resources. The day is a UN designated observance that encourages governments to turn UN suggestions into law. One of the assertions of Chapter 18 is that, “[i]n developing and using water resources, priority has to be given to the satisfaction of basic needs and the safeguarding of ecosystems. Beyond these requirements, however, water users should be charged appropriately.” Chapter 18 encourages centralized planning of water distribution on a national level and a “from each according to his ability, to each according to his need” sharing of water resources on a global level.

**Committee Action:** On January 31, 2006, the bill was referred to the House Committee on International Relations. The committee considered it and reported it to the full House by unanimous consent on March 15, 2006.

**Cost to Taxpayers:** The resolution authorizes 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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