



Legislative Bulletin.....June 13, 2006

Contents:

H.R. 4894 — To provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children

H.R. 5117 — To exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students — *as amended*

H.Con.Res 372 — Recognizing the 50th Anniversary of the Interstate Highway System

H.Res. 318—Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father’s Day

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$20 million over five years

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: 2

Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority: 1

H.R. 4894 — To provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children — *as amended* (Porter, R-NV)

Order of Business: The bill is scheduled for consideration on Tuesday, June 13, 2006, under a motion to suspend the rules and pass the bill, as amended.

Summary: H.R. 4894 directs the Attorney General of the United States, upon request of the chief executive officer of a state, to conduct fingerprint-based checks of individuals employed by, under consideration for employment by, or volunteering for, a private or public elementary

school, private or public secondary school, local educational agency, or State educational agency in that State in a position in which the individual would work with or around children. The bill provides that an individual who has obtained information as a result of these background checks, may release that information only to an appropriate officer of a private elementary school, private secondary school, local educational agency, or State educational agency, or to any person authorized by law to receive that information. Finally, H.R. 4834 imposes a criminal penalty of not more than 10 years in prison or a fine, on any individual who knowingly violates the privacy terms described above.

Additional Information: Committee Report 109-497 was not available as of press time.

Committee Action: H.R. 4834 was introduced on March 7, 2006 and was referred to the Committee on Judiciary, which considered it, held a mark-up, and reported the bill by voice vote on May 25, 2006.

Cost to Taxpayers: A CBO score is not available. However, the bill 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.

Constitutional Authority: A committee report citing constitutional authority is not available. 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]*

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-0718.

H.R. 5117 — To exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students — *as amended*
(Pryce, R-OH)

Order of Business: The bill is scheduled for consideration on Tuesday, June 13, 2006, under a motion to suspend the rules and pass the bill, as amended. The sponsor will modify the reported text in a motion on the floor.

Summary: H.R. 5117, as amended, allows disabled higher education students who were receiving Section 8 HUD vouchers as of November 30, 2005, from losing HUD Section 8 housing assistance. The bill specifically adds persons with disabilities to the list of students exempt from the new eligibility requirements under Public Law 109-115, which include veterans, married individuals, and those with dependent children.

Additional Information: According to the sponsor's office, the issue arose after a much publicized ESPN investigation revealed that student athletes were receiving section 8 housing vouchers because they had a low income, and did not have to count their parent's income or their financial aid as income. According to news reports, one such report involved Brian Ferentz, University of Iowa football player and son of the highest-paid public employee in Iowa, University of Iowa football coach Kirk Ferentz, who earned nearly \$2 million in 2003 and lived in a house valued at \$946,000. Brian was receiving a full athletic scholarship and monthly stipends of \$406 for housing and \$298 for food and board but lived rent-free as a resident in the Pheasant Ridge apartments, a modest complex with 248 units that is part of the Section 8 program. (Sources: http://www.streetnewsservice.org/index.php?page=archive_detail&articleID=584; <http://www.collegiatetimes.com/news/1/ARTICLE/6213/2005-12-02.html>).

Senator Harkin (D-IA) added a provision to the TTHUD Appropriations bill to limit most students from getting section 8 housing. According to the sponsor's office, this appropriations rider (which legislated on an appropriations bill in violation of House rules) inadvertently disqualified many disabled students living in HUD-subsidized campus housing, such as students at Ohio State University who are quadriplegic.

Committee Action: H.R. 4013 was introduced on April 6, 2006 and was referred to the Committee on Financial Services, which considered it, held a mark-up, and reported the bill by voice vote to the full House on May 24, 2006.

Cost to Taxpayers: While CBO estimated the committee reported bill would cost \$1 billion, the amended version is estimated to cost approximately \$20 million over FY07-11. The reported text allowed any disabled student to qualify for Section 8 HUD vouchers, and CBO estimated there are approximately 30,000 disabled college students. The amended text by essentially grandfathering in any students who were receiving housing vouchers as of November 30, 2005, dramatically cuts down on the estimated federal expenditure. The bill does not authorize additional funding and students receiving vouchers as of November 2005 presumably were scheduled to receive the HUD vouchers for the school year, so HUD likely had already anticipated these costs.

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: A Committee Report citing constitutional authority is unavailable. 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]*

RSC Staff Contact: Sheila Cole, sheila.cole@mail.house.gov, (202) 226-9719.

H.Con.Res. 372 — Recognizing the 50th anniversary of the Interstate Highway System — *as introduced* (Young, R-AK)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 13, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 372 would resolve that Congress:

- 1) “recognizes the Golden Anniversary Year of the Dwight D. Eisenhower National System of Interstate and Defense Highways;
- 2) “recognizes the achievements of State departments of transportation and the highway construction industry, including contractors, designers, engineers, laborers, materials producers, and equipment companies, for their contributions to the construction of the Interstate Highway System and the quality of life of the citizens of the United States; and
- 3) “encourages citizens, communities, government agencies, and other organizations to promote and participate in celebratory and educational activities marking this uniquely important and historic milestone.”

The resolution also states a number of findings, including the following:

- “on June 29, 1956, President Dwight D. Eisenhower signed the Federal-Aid Highway Act of 1956 to establish a 41,000-mile National System of Interstate and Defense Highways, known as the Interstate Highway System, and the Highway Revenue Act of 1956 to create a Highway Trust Fund;
- “in 2006, this web of superhighways, now spanning a total of 46,876 miles throughout the United States, has had a powerful and positive impact on our national life; and
- “this anniversary provides an occasion to both honor one of the largest public works achievements of all time and reflect on how it can remain effective in the years ahead.”

Committee Action: H.Con.Res. 372 was introduced on March 30, 2006, and referred to the Committee Transportation and Infrastructure’s Subcommittee on Highways, Transit and Pipelines. The bill was marked-up by the subcommittee and full committee, and it was reported to the House by voice vote on April 5, 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.

RSC Staff Contact: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

H.Res. 318—Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father’s Day (Sullivan, R-OK)

Order of Business: The resolution is scheduled to be considered on Tuesday, June 13th, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 318 would resolve that the House:

- “commends the millions of fathers who serve as wonderful, caring parents for their children;
- “calls on fathers across the Nation to use Father’s Day to reconnect and rededicate themselves to their children’s lives, to spend Father’s Day with their children, and to express their love and support for their children;
- “urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children; and
- “encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.”

Additional Background: A nearly identical resolution in the 108th Congress (H.Res. 66) passed by voice vote.

Father’s Day is the third Sunday in June each year (which is June 18th this year).

Committee Action: On June 14, 2005, the resolution was referred to the Education and the Workforce Committee, which took no official action on it.

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.

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

###