



Legislative Bulletin.....July 25, 2006

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: dozens

Total Cost of Discretionary Authorizations: \$4.8 billion over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$2.16 billion over five years

Total New State & Local Government Mandates: several

Total New Private Sector Mandates: several

Number of Bills Without Committee Reports: 4

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

**S. 3525 — Child and Family Services Improvement Act of 2006— *as received*
(Sen. Grassley, R-IA)**

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill. Reportedly, the House will take up S. 3525, strike the Senate language, and insert the reported text of H.R. 5640, the House version of the bill, which is sponsored by Rep. Herger (R-CA).

Summary: S. 3525, as amended with the entire text of H.R. 5640 (see above), reauthorizes the Promoting Safe and Stable Families (PSSF) Program through FY2011 at \$345 million annually. This represents a \$40 million per year increase, which was included in the Deficit Reduction Act (DRA) of 2005, and \$200 million annually in discretionary authorizations. PSSF provides family support, family preservation, and post-adoption services. In addition, the bill does the following:

- Lists the following findings:
 - “For Federal fiscal year 2004, child protective services (CPS) staff nationwide reported investigating or assessing an estimated 3,000,000 allegations of child maltreatment, and determined that 872,000 children had been abused or neglected by their parents or other caregivers.
 - “Combined, the Child Welfare Services (CWS) and Promoting Safe and Stable Families (PSSF) programs provide States about \$700,000,000 per year for services intended to ensure the safety, permanency, and well-being of children. These programs are considered the largest source of targeted Federal funding in the child protection system for prevention--that is, for services to ensure that children are not abused or neglected and, whenever possible, help children remain safely with their families.
 - “States have broad flexibility in directing CWS dollars to protect children from abuse and neglect. Under the PSSF program, States must invest significant portions of program funds in family preservation services, family support services, time-limited reunification services, and post-adoption support services.
 - “However, a 2003 report by the Government Accountability Office (GAO) reported that little research is available on the effectiveness of activities supported by CWS funds--evaluations of services supported by PSSF funds have generally shown little or no effect.
 - “The Deficit Reduction Act of 2005 provided \$40,000,000 in fiscal year 2006 for the PSSF program which this Act ensures will be available and which the Congressional Budget Office estimates will increase mandatory budget authority by \$40,000,000 each year from 2006 through 2015, for a total of \$400,000,000.
 - “A 2003 GAO report found that the average tenure for a child welfare caseworker is less than 2 years and this level of turnover negatively affects safety and permanency for children.”
- Appropriates the \$40 million, provided for in DRA, to the Secretary of Health and Human Services for the Promoting Safe and Stable Families Resources programs.

- Restates a current 10 percent limit on annual spending for administrative expenses.
- Increases to three percent (up from 1 percent for mandatory funding and up from 2 percent for discretionary funding), funding set-aside for Indian tribes.
- Directs the Secretary of Health and Human Services (HHS) to reserve \$40 million annually to support monthly caseworker visits with children who are in foster care under the responsibility of the State, with a primary emphasis on activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology.
- Reauthorizes Child Welfare Services (CWS) through 2011.
- Modifies existing CWS state plan requirements by requiring a description of the steps the state will take to provide child welfare services statewide and to expand and strengthen the range of existing services and develop and implement services to improve child outcomes; and the child welfare services staff development and training plans of the state, in addition to other changes.
- Requires a new CWS state plan requirement for doctors to be “actively consulted and involved” in assessing the health and well-being of foster children.
- Limits CWS administrative expenses to 10%.
- Reauthorizes the Court Improvement Program through FY2011 at \$10 million, which is the current designation for funding this program, provided from PSSF funds.
- Reauthorizes the Mentoring Children of Prisoners Program through FY2011 at such sums as necessary.
- Directs that, out of any money in the Treasury of the United States not otherwise appropriated, \$40 million is appropriated to HHS for FY2006 to carry out subpart 2 of part B of title IV of the Social Security Act, in addition to any amount otherwise made available for fiscal year 2006 to carry out such subpart.
- Directs the HHS to submit to the appropriate congressional committees biennial reports on:
 - the level of expenditures, and the programs and activities funded by each State, territory, and Indian tribe to which funds are paid under this program;
 - the number of children and families served by each such State, territory, and Indian tribe under the programs; and
 - how spending under the programs has helped achieve the goals identified by each such State, territory, and Indian tribe as part of the annual planning process undertaken in developing plans.

Committee Action: S. 3525 was received in the House on July 17, 2006, and referred to the Committee on Ways and Means, which took no official action. However, H.R. 5640 (the House version, which is being voted on today), was introduced in the House on June 20, 2006, and referred to the Committee on Ways and Means, which considered and reported it, as amended, on July 12, 2006.

Cost to Taxpayers: CBO estimates that implementing H.R. 5640 would cost \$2.7 billion over five years in discretionary spending (subject to appropriations). Discretionary costs are incurred by grants under Title IV-B of the Social Security Act, including the PSSF program, CWS, and the program for mentoring children of prisoners. In addition, CBO estimates that H.R. 5640 would cost \$1.7 billion over five years in direct spending. Mandatory costs are incurred by many

of the programs under the PSSF program, which were originally established as mandatory programs associated with other mandatory welfare programs.

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 Committee cites constitutional authority in Article 1, Section 8, but fails to cite a specific clause, and from the 16th Amendment (power to collect income taxes). 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.”

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H.R. 5865—Returned Americans Protection Act—*as introduced* **(Thomas, R-CA)**

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

Summary: H.R. 5865 would temporarily increase, and then terminate, the existing program that helps American citizens repatriate from foreign countries because of illness, destitution, or war (42 U.S.C. 1313). Specifically, the \$1 million cap on the amount of annual assistance under this program would be lifted completely for FY2006, the \$1 million cap would return for FY2007, and the program would terminate altogether on September 30, 2007.

The assistance allowed to Americans under this program in current law (unchanged by this legislation) is: “money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within the United States upon their arrival in the United States and for such period after their arrival, not exceeding ninety days [subject to exception], as may be provided in regulations of the Secretary.”

H.R. 5865 would also direct the Inspector General of the U.S. Department of Health and Human Services, not later than March 1, 2007, to report to Congress details on how funds under this assistance program have been used to repatriate Americans returning from Lebanon on or after July 20, 2006.

Additional Background: Israel has absorbed rocket and other attacks from Iran-and-Syria-backed Hezbollah in southern Lebanon for years, with the frequency increasing recently. On July 12, 2006, Hezbollah attacked Israel with rockets, crossed the border, kidnapped two Israeli soldiers, and killed eight Israeli soldiers. Israel then launched an operation into Lebanon to rescue the soldiers and push Hezbollah from its border. Hezbollah continues to attack towns

across northern Israel with rocket fire. It is this ongoing situation that has forced American citizens, upon the recommendation of the State Department, to evacuate Lebanon. The State Department believes that “most American citizens who wished to depart Lebanon with U.S. government assistance have already departed.”

http://travel.state.gov/travel/cis_pa_tw/tw/lebanon_update.html

Committee Action: On July 24, 2006, the bill was referred to the Ways & Means Committee, which took no official action on it.

Administration Position: Although no official Statement of Administration Policy is available for this bill, the State Department presumably requested the implementation of this legislation.

Cost to Taxpayers: CBO estimates that this legislation would increase mandatory spending by \$3 million in FY2006, would increase mandatory spending by a net \$1 million over the FY2006-FY2010 period, and (because of the program’s termination) would *decrease* mandatory spending by a net \$4 million over the FY2006-FY2015 period.

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.

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H.R. 5852 — The 21st Century Emergency Communications Act of 2006 — *as amended* (Reichert, R-WA)

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5852 would amend the Homeland Security Act of 2002, revising and creating new guidelines regarding emergency communications preparedness on the state and national level. The specific provisions of the bill are summarized below:

- Creates a new Department of Emergency Communications within the Department of Homeland Security (DHS), and creates a new Assistant Secretary for Emergency Communications position;
- Defines the responsibilities of the Assistant Secretary position, which would include:
 - assisting the DHS Secretary in administering DHS’s responsibilities relating to the SAFECOM program and the Integrated Wireless Network program;
 - conducting extensive, nationwide outreach and foster the development of interoperable emergency communications capabilities by state, regional, local and tribal governments and public safety agencies;

- facilitate creation of the Regional Emergency Communications Coordination Working Groups; and
- coordinate the establishment of a national response capability with initial and ongoing planning and training for the deployment of backup communications services in the event of a catastrophic loss of local and regional emergency communications services.
- Transfers the authority to administer several existing DHS programs to the Assistant Secretary for Emergency Communications, including the SAFECOM program and Interoperable Communications Technical Assistance program;
- Requires DHS to submit a report to Congress within 60 days on the resources necessary to carry out the provisions of this Act; requires the Comptroller General to review the validity of the report, and submit a report to Congress on its findings;
- Requires DHS to develop a National Emergency Communications Report to provide recommendations regarding how the U.S. can accelerate the deployment of interoperable emergency communications nationwide;
- Requires DHS to conduct and research various other assessments and reports regarding state and national emergency communications capabilities;
- Requires DHS to update grant guidelines as appropriate to be consistent with the National Emergency Communications Report (discussed above), and provides that grants may be denied to any state or entity that has not submitted a Statewide Interoperable Communications Plan;
- Creates a new Emergency Communications Preparedness Center, and defines its and structure and responsibilities;
- Modifies requirements for the Office of Interoperability and Compatibility to include the following, among others:
 - support the creation of national voluntary consensus standards for interoperable emergency communications;
 - establish a comprehensive research, development, testing, and evaluation program for improving interoperable emergency communications.
- Provides that DHS will provide the Office of Interoperability and Compatibility the resources and staff necessary to carry out the responsibilities under this Act.

Additional Information: As noted above, while the bill consolidates several existing programs and requirements, it creates a new Assistant Secretary position and a new federal Emergency Communications Preparedness Center. According to the sponsor's office, DHS distributed over \$2 billion during FY03-FY05 in Homeland Security grants on emergency communication equipment and interoperability, while states were not required to complete Statewide Interoperability Communications Plans before receiving grants. This legislation would require states to have those plans in place prior to receiving DHS emergency communication grants. The sponsor contends that establishing the new Department of Emergency Communications and the new Assistant Secretary position would improve efficiency and effectiveness in overseeing related programs within DHS. Also, the sponsor noted that four hearings were held on this legislation during the 109th Congress as listed below (though note listed on the LIS website under H.R. 5852):

- October 26, 2005: Ensuring Operability During Catastrophic Events.

- February 15, 2006: The State of Interoperable Communications: Perspectives from the Field.
- March 1, 2006: The State of Interoperable Communications: Perspectives from State and Local Governments.
- April 25, 2006: State of Interoperable Communications: Perspectives on Federal Coordination of Grants, Standards, and Technology.

Committee Action: H.R. 5852 was introduced on July 20, 2006, and referred to the Committee on Energy and Commerce, as well the Committee on Homeland Security, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 5852 is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, as noted above.

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]*

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H.R. 4472 — Adam Walsh Child Protection and Safety Act of 2006 (Sensenbrenner, R-WI)

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: Today’s version of H.R. 4472 is the latest Senate-passed version of the Children’s Safety and Violent Crime Reduction Act of 2005. H.R. 4472 passed the House (minus the Senate amendment and title change) on March 8, 2006.

H.R. 4472, as amended, would make modifications to the new national sex offender registration program, expand the use of DNA to identify and prosecute sex offenders, increase penalties for sexual offenses against children, and make other modifications and expansions of federal law relating to child safety.

Note: This bill originally passed the House as H.R. 3132 with a Rep. Conyers amendment regarding hate-crimes, which is not included in H.R. 4472. For more information, please see [this RSC Legislative Bulletin](#).

Title I: Sex Offender Registration and Notification Act.

- Requires each jurisdiction to maintain a jurisdiction-wide sex offender registry and specifies the requirements for the registry.
- Requires a sex offender to register, and keep the registration current, in each jurisdiction where the offender resides, where the offender is an employee, and where the offender is a student;
- Requires the sex offender to initially register 1) before completing a sentence of imprisonment which required registration and 2) not later than 5 days after being sentenced for that offense if the sex offender is not sentenced to a term of imprisonment;
- Requires a sex offender to inform each jurisdiction involved, not later than 5 days after each change of residence, employment, or student status;
- Requires each jurisdiction to provide a criminal penalty that includes a maximum term of imprisonment that is greater than one year, for the failure of a sex offender to comply with the requirements of this title.
- Specifies the information that the sex offender must provide when registering with authorities to include: the offender's social security number, the address and location of their residence, employer, license plate number, photograph, and DNA sample.
- Requires the jurisdiction in which the sex offender registers to keep the registration current for life if the offense is against a minor, a serious sex offense or a second misdemeanor sex offense against a minor; and for 20 years in every other case.
- Requires the sex offender to appear in person at least once every six months to verify their registry on file.
- Requires that sex offenders be notified of their responsibilities to register prior to release from custody and immediately after sentencing for the offense requiring the duty to register.
- Requires the residence of each registered sex offender to be verified at least monthly; requires address verification quarterly for sex offenders required to register because of a misdemeanor sex offense against a minor.
- Directs the Attorney General to maintain a national database at the FBI for each sex offender and other person required to register in a jurisdiction's sex offender registry, referred to as the National Sex Offender Registry.
- Directs the Attorney General to maintain a public website providing information where information on each sex offender may be obtained "by a single query."
- Requires officials within the local jurisdiction in which a sex offender has registered to provide the latest registry information to various local, state, and federal agencies and entities within 5 days after their registration.
- Directs the Attorney General, when a local jurisdiction "does not have a minimally sufficient sex offender registration program," to carry out the duties imposed on that jurisdiction.
- Requires that the provisions of this title be implemented within two years of enactment, but allows the Attorney General to grant a one-year extension.
- Stipulates that jurisdictions that fail to implement the provision in this title will not receive 10 percent of the funds that would normally be allocated for that fiscal year to the jurisdiction under the Byrne Program and the Local Government Law Enforcement Block Grants (LLEBG) program. Allows for funds that were not allocated due to not compliance of this title be redirected to jurisdictions that are in compliance.

- Allows the Attorney General to award a “bonus payment” to jurisdictions that have implemented the provisions in this title within two years of enactment, and specifies the amount of the bonus;
- Directs the Attorney General to carry out a new demonstration project to make grants to jurisdictions to test electronic monitoring devices in the SOMA program, and stipulates that no more than 10 jurisdictions may participate;
- Requires that laws and policies be implemented to electronically monitor a person convicted of a state sex offense in which the victim was under 18 years old;
- Requires electronic monitoring for the life of the person if the victim was under the age of 12, or the sex offender has a prior sex conviction; in other cases, requires electronic monitoring for the period of probation or parole;
- Allows the Attorney General to make a bonus payment within three years after enactment to a state that has enacted the specified electronic monitoring laws, and specifies the amount of the bonus;
- Requires that the National Center for Missing and Exploited Children (Center) has access to the Interstate Identification Index, stipulates under what conditions the Index is to be used and by whom, and stipulates that personnel of the Center will not be liable for any misuse of information within the Index if used in good faith;
- Provides that personnel of Center are not liable for any civil or criminal action for damages directly related to the performance of its CyberTipline responsibilities, with specified exceptions;
- Provides that a sex offender who has been duly notified of his requirement to register and who knowingly fails to register under the Sex Offender Registration and Notification Act will be fined and imprisoned not less than 5 years nor more than 20 years;
- Directs the Attorney General to assist states and other jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements;
- Allows the Attorney General to make grants to states, local governments, Indian tribal governments, and other public and private entities to assist in enforcing sex offender registration requirements;
- Allows for an additional prison sentence of 10 years or more for anyone that “knowingly uses a controlled substance to substantially impair the ability of a person to appraise or control conduct, in order to commit a sex offense;”
- Repeals the Predecessor Sex Offender Program (42 U.S.C. 14071 and 14072);
- Establishes a new Office on Sexual Violence and Crimes against Children within the Department of Justice;
- Permits the Attorney General to collect DNA samples “from individuals who are arrested, detained, or convicted under the authority of the United States.”
- Directs the Attorney General to publish within 60 days of enactment a “model code setting forth procedures to be followed by law enforcement officers when investigating a missing person or a death. The procedures shall include the use of DNA analysis to help locate missing persons and to help identify human remains.”
- Stipulates mandatory minimum prison sentences for persons convicted of a felony crime of violence against a person under the age of 18 as follows:
 - a sentence of death or life imprisonment if the crime of violence results in the death of a person under 18 years old,

- a sentence of at least 30 years or life imprisonment if the crime of violence is kidnapping, aggravated sexual abuse, sexual abuse, or maiming, or results in serious bodily injury,
- a sentence of at least 20 years or life imprisonment if the crime of violence results in bodily injury or is an abusive sexual contact offense (both defined in statute),
- a sentence of at least 15 years or life imprisonment if a dangerous weapon was used during and in relation to the crime of violence, and
- a sentence of at least 10 years or life imprisonment for any other case.
- Imposes time limits and other specific limits on federal courts' review of habeas corpus petitions that challenge a state-court conviction for killing a child. In the district court, parties will be required to move for an evidentiary hearing within 90 days of the completion of briefing, the court must act on the motion within 30 days, and the hearing must begin 60 days later and last no longer than 3 months. All district-court review must be completed within 15 months of the completion of briefing. In the court of appeals, the court must complete review within 120 days of the completion of briefing;
- Requires that background checks be performed on any prospective foster or adoptive parent and on any other adult living in the home of the prospective parent before approval of any foster or adoptive placement. Also requires that the National Crime Information Database and state child abuse registries are checked prior to approval;
- Repeals the "opt-out" provision that allowed the governor of a state to opt out of the required criminal record check of prospective foster and adoptive parents.
- Allows the Attorney General, upon the request of the governor of a state, to allow access to the federal crime information database to child welfare agencies to carry out criminal history record checks. Stipulates certain conditions and safeguards for access and imposes penalties for improper use or dissemination of the information.
- Increases the mandatory minimum prison sentence to at least 10 years and not more than 30 years for sex offenders who induces or coerces any individual to travel in interstate or foreign commerce to engage in prostitution or other criminal sexual activity.
- Increases mandatory minimum prison sentences for conduct relating to child prostitution.
- Increases mandatory minimum prison sentences for conduct relating to aggravated sexual abuse.
- Allows a court to order, as a condition of supervised release for a convicted sex offender who is required to register as such, that the person submit to a full bodily and property search at any time without a warrant by any law enforcement or probation officer with reasonable suspicion of a violation of probation;
- Deems the confidential marital communication privilege and the adverse spousal privilege inapplicable in any federal proceeding in which a spouse is charged with a crime against a child of either spouse or a child in the custody of either spouse.

Title II: Federal Criminal Law Enhancement and Sentencing.

- Makes it illegal to distribute "date-rape" drugs to any person knowing that the drug would be used in the commission of criminal sexual conduct or the person is not an authorized purchaser, punishable by a fine or up to 20 years imprisonment;

- Creates mandatory minimum prison terms for individuals who are convicted of a federal crime of violence against a minor, with different terms based on the offense;
- Increases the mandatory minimum sentence for a conviction of aggravated sexual abuse of a child by requiring imprisonment for at least 30 years or for life, instead of “any term of years or life, or both” as current law stipulates.
- Expands the minimum term of imprisonment to at least 10 years and not more than 25 years if the sexual contact was a sexual act (as defined in statute).
- Expands the minimum term of imprisonment and penalty, for a person who engages in a sexual offense that results in the death of a person under the age of 12, to be imprisoned for at least 30 years or for life or punished by death.
- Expands the “aggravating factors for homicide” that may warrant the death penalty to include “sexual abuse resulting in death.”
- Expands the terms of imprisonment for sexual exploitation of children to “25 years or for life” instead of “15 years nor more than 30 years.”
- For one or two prior convictions, expands the terms of imprisonment from 25-50 years to life imprisonment.
- Expands the punishable offenses relating to the exploitation of children by replacing the term “sexual exploitation of children” with “aggravated sexual abuse, sexual abuse, abusive sexual contact involving a minor or ward, or sex trafficking of children, or the production, possession, receipt, mailing, sale distribution, shipment, or transportation of child pornography.”
- Expands the punishable offenses relating to material involving the sexual exploitation of children, and lengthens the minimum terms of imprisonment for various offenses related to child pornography and sex trafficking of children.
- Expands the minimum term of imprisonment for using misleading domain names to direct children to harmful material on the internet from four years to at least 10 and not more than 30 years.
- Expands the list of offenses which are punishable by mandatory life imprisonment to include travel with intent to engage in illicit sexual conduct, illicit sexual conduct in foreign places, and the use of interstate facilities to transmit information about a minor.”

Title III: Civil Commitment of Dangerous Sex Offenders.

- Directs the Attorney General to provide grants to jurisdictions for the purpose of establishing, enhancing, or operating effective civil commitment programs for sexually dangerous persons.

Title IV: Immigration Law Reforms Regarding Sex Offenders.

- Makes failure to register as a sex offender as a deportable offense for a non-citizen;
- Prohibits non-citizen sex offenders from having family-based immigration petitions approved;

Title V: Child Pornography Protection.

- Requires producers of pornography and sexually explicit photography to keep records of the names, ages, and proof of identification of the individuals depicted in their materials (Rep. Pence amendment to H.R. 3132, similar to H.R. 3726); this provision is aimed at

frustrating pornographers that use children in soft-core pornography and nude pictures from claiming that they believed the children were over age eighteen;

- Subjects producers of obscenity to the same forfeiture provisions as are in place for other crimes and allows the equipment used by pornographers to be forfeited. Makes the production, transportation, distribution and sale of obscenity a crime when the producer has the intent to do so across state lines.

Title VI: Mentoring Matches for Youth Act.

- Provides for federal grants for the Big Brothers Big Sisters of America, for expanding the capacity of and carrying out their mentoring programs for at-risk youth
- Authorizes \$58.5 million over FY07-FY12 to carry out the provisions of this title.

Title VII: Internet Safety Act.

- Increases the prison terms for those convicted of child exploitation to not less than 20 years or life;
- Increases the prison terms for those convicted of a felony who is already registered as a sex offender, to not less than 10 years in addition to the imprisonment imposed for the initial offense.

Committee Action: H.R. 4472 was introduced on December 8, 2005, and referred to the Judiciary and Ways and Means Committees, neither of which took any official action.

Cost to Taxpayers: A CBO score of H.R. 4472, as amended, is unavailable. However, for the House-passed version of H.R. 4472 (on March 6, 2006), CBO estimated “that implementing H.R. 4472 would cost about \$1.5 billion over the 2006-2011 period. Enacting the bill could affect direct spending and receipts, but CBO estimates that any such effects would not be significant.”

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill implements and expands various child safety programs and increases the federal role in law enforcement. The bill would create several new federal crimes, establish several new federal grant programs, and expand the duties of the U.S. Marshals Service, among other things.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes. According to CBO estimate for the House-passed version, the bill contains several intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). It would impose private-sector mandates, as defined in UMRA, on individuals who have been arrested or detained for federal offenses and on individuals who have been convicted of or adjudicated for certain sex offenses.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, all three of the committee reports for the underlying bills cited constitutional authority in Article 1, Section 8 of the Constitution, but all three failed 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]*

H.R. 4804—FHA Manufactured Housing Loan Modernization Act—as reported (Tiberi, R-OH)

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

Summary: H.R. 4804 amends the National Housing Act to modify the Federal Housing Authority's (FHA's) loan guarantee program for manufactured housing (i.e. mobile homes). The bill would eliminate the current cap on FHA's exposure on manufactured housing loan guarantees of 10 percent of the value of a lender's portfolio and allow FHA to guarantee 90 percent of an individual loan. According to CBO, "this change would greatly expand government liability under the program." This is an attempt to establish a secondary lending market in the manufactured housing arena by encouraging Ginne Mae to securitize loans.

The bill also increases the loan limits on manufactured housing from \$48,000 to \$68,040 and directs the Secretary to adjust the limits for inflation each year. In addition, H.R. 4804 allows FHA to charge up-front premiums of 2.25 percent (up from 1 percent) and 1 percent annually to offset the cost of expected defaults.

Additional Information: According to the committee report, since the early 1990s, the number of loans for manufactured housing (which costs an average of \$60,000) has dropped from 30,000 to 2,000. Financing options are somewhat limited, with only two private lenders currently participating in the FHA program and no secondary market in existence. CBO estimates that the 11 million manufactured homes currently in the U.S. are financed through personal loans.

Committee Action: On February 6, 2006, H.R. 4804 was referred to the House Financial Services Committee, which reported the bill on June 14th for consideration by the full House of Representatives.

Cost to Taxpayers: According to CBO, the cost of the bill is uncertain, resulting "in costs or savings of less than \$500,000 a year" (subject to appropriations). Furthermore, in a study requested by Congressman Jeb Hensarling (R-TX), CBO stated that current budget rules understate the cost of federal credit programs, such as FHA loan programs, in part by failing to account for market risk and separately listing administrative expenses.

[Current budget rules] understate the cost of FHA guarantees relative to that of other federal spending programs....For example, a proposal to spend \$2 billion per year for vouchers to permit high-risk first-time home buyers to purchase private mortgage insurance would have a budget cost of \$10 billion over a five-year period, whereas the fiscally equivalent alternative of operating the [FHA] program under current policy would be shown in the budget as having net savings of \$1.8 billion for that same period.

Source: <http://www.cbo.gov/ftpdocs/74xx/doc7412/07-17-FHA.pdf>

As a result, while the CBO cost estimate may suggest “savings” from expanding the FHA manufactured housing loan program, H.R. 4804’s actual burden to the taxpayer is far greater.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill expands a federal loan program.

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

Constitutional Authority: The Financial Services Committee cites constitutional authority in Article I, Section 8, Clause 1 (relating to the general welfare of the United States) and Clause 3 (relating to the power to regulate interstate commerce).

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H.R. 5024 — Promoting Transparency in Financial Reporting Act of 2006 — *as reported (Davis, R-KY)*

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5024 lists the following findings:

- “Transparent and clear financial reporting is integral to the continued growth and strength of our capital markets and the confidence of investors;
- “The increasing detail and volume of accounting, auditing, and reporting guidance pose a major challenge; and
- “The complexity of accounting and auditing standards in the United States has added to the costs and effort involved in financial reporting.”

Directs the Securities and Exchange Commission, the Financial Accounting Standards Board, and the Public Company Accounting Oversight Board to annually provide oral testimony by their respective chairpersons, beginning in 2007, and for 5 years thereafter, to the House Committee on Financial Services on their efforts to reduce the complexity in financial reporting to provide more accurate and clear financial information to investors, including:

- “reassessing complex and outdated accounting standards;
- “improving the understandability, consistency, and overall usability of the existing accounting and auditing literature;
- “developing principles-based accounting standards;
- “encouraging the use and acceptance of interactive data; and
- “promoting disclosures in ‘plain English’.”

Committee Action: H.R. 5024 was introduced on February 16, 2006, and referred to the Committee on Veterans' Affairs. The bill was marked-up and was ordered reported to the House by voice vote on July 20, 2006.

Cost to Taxpayers: CBO estimates that implementing H.R. 5024 would have no significant impact on the federal budget and would not affect direct spending or revenues.

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.R. 5068 — Export-Import Bank Reauthorization Act of 2006 — *as reported* (Pryce, R-OH)

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5068 reauthorizes the Export-Import Bank through 2011. In addition, the bill does the following:

- Directs the President of the Export-Import Bank (the Bank) to establish and maintain a division of the Bank whose sole functions would be to:
 - carry out outreach, feedback, product improvement, and transaction advocacy for small business concerns;
 - advise and seek feedback from small business concerns of the opportunities and benefits for small business concerns in the financing products offered by the Bank, with particular emphasis on conducting outreach, better tailoring products to small business needs and increasing loans to small business concerns employing fewer than 100 employees; and
 - maintain liaison with the Small Business Administration and other departments and agencies in matters affecting small business concerns.
- Directs the Bank Board of Directors to appoint a Bank officer to manage the new division outlined above.
- Directs the Bank to establish and maintain transaction standards tailored to the special circumstances of small business concerns and shall use the standards in evaluating applications by the concerns for Bank financing.
- Directs the Bank to establish and maintain a committee to be known as the “Small Business Committee,” of which the principal purpose would be to focus on small business concerns and coordinate the efforts of the Bank with respect to small business concerns, including the timely processing of small business product applications and the evolution of new or improved Bank products to better serve small business needs. The

Committee is directed to submit to Congress a number of reports detailing their actions and recommendations.

- Directs the Bank to establish an office whose sole functions would be to continue and enhance the outreach activities of the Bank with respect to, and increase the total amount of loans, guarantees, and insurance provided by the Bank to support exports by, “socially and economically disadvantaged small business concerns” and small business concerns owned by women.
- Reauthorizes through 2011 (currently expires in 2006), an Advisory Committee established to assist in the development and implementation of policies and programs designed to support the expansion of the Bank’s financial commitments in sub-Saharan Africa under its loan, guarantee, and insurance programs.
- Directs the Bank to submit to the appropriate committees of the Congress a report on the revenues, expenditures, and resulting annual net income or expense to the United States for each of the 10 years most recently completed before the date of the
- Amends current requirements for Bank transparency initiatives, including reporting requirements for the annual competitiveness report.
- Requires that at least 2 members appointed to the Advisory Committee are to be representatives of the environmental nongovernmental organization community.
- Directs the Bank to conduct a study designed to assess the needs of new or impoverished democracies, such as Liberia and Haiti, for imports from the United States, and to determine what role the Bank can play a role in helping United States exporters seize the opportunities presented by the need for such imports.
- Directs the Inspector General of the Export-Import Bank to submit to the Committee on Resources and the Committee on Financial Services of the House of Representatives, and to the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the implications of limiting the requirement to conduct environmental screenings of projects proposed to be financed by the Bank to only those involving at least \$10,000,000.

Committee Action: H.R. 5068 was introduced on March 30, 2006, and referred to the Committees on Financial Services, which considered it, held a mark-up, and reported the bill, as amended, by voice vote on June 14, 2006.

Cost to Taxpayers: According to CBO, the bill would authorize \$105 million in FY06, and \$597 million over five years, subject to appropriations. Specifically, CBO states, “Although no specific authorization is provided in the bill, we expect that appropriations would continue for both administrative costs and the cost of new loans and guarantees, as defined in the Federal Credit Reform Act. ...In 2006, the Congress appropriated \$73 million for administrative expenses and \$73 million for the subsidy cost of new loans and guarantees.”

In addition, CBO estimates that H.R. 5068 would increase mandatory spending by \$5 in FY07, and by \$45 million over five years. Specifically, CBO states, “H.R. 5068 would increase spending of previously appropriated funds by setting more permissive standards for using the Tied Aid Credit Fund and limiting the Secretary of Treasury’s ability to veto decisions about using the fund. The Tied Aid Credit Fund is used to provide assistance to U.S. exporters when their market share in developing markets is threatened by other countries’ use of aid or concessional financing to promote exports to those developing markets. ...According to

Eximbank, the fund has unobligated balances in excess of \$200 million and no funds have been expended for the last four years.”

Does the Bill Expand the Size and Scope of the Federal Government?: The bill would create a new division and several offices at the Export-Import Bank.

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

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H.R. 5121—Expanding American Homeownership Act (Ney)

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

Summary: H.R. 5121 amends the National Housing Act to modify the Federal Housing Administration’s (FHA’s) authority to guarantee certain loans. Specifically, the bill raises the FHA maximum loan limits for single-family homes (which are set at the lesser of two benchmarks) from: (1) 95 percent of the median home price for the area to 100 percent and (2) from 87 percent to 100 percent of the Freddie Mac conforming loan limit (the size of a loan Freddie Mac may purchase), with an increase in the minimum loan limit (the “floor”) from 48 percent to 65 percent of the Freddie Mac limit. The bill also extends the maximum length for an FHA loan term from 35 to 45 years.

H.R. 5121 allows FHA to use a risk-based premium structure for single-family mortgages, insured on or after October 1, 2006, allowing for different interest rates to be charged depending on a borrower’s credit history. The bill also removes the current cash downpayment requirement of three percent and allows the Secretary to determine the requirement, meaning that FHA could guarantee low- or zero-downpayment loans.

The bill establishes a Mutual Mortgage Insurance Fund (MMIF) at the Department of Treasury to consolidate single-family FHA mortgage loan programs under one fund. The Secretary is directed to ensure that the Fund remains financially sound. If the Fund proves to be actuarially unsound, the Secretary is permitted to adjust premiums or adjust underwriting standards. In addition, single-family mortgages insured on Hawaiian Home Lands and Indian reservations become obligations of the MMIF.

H.R. 5121 permits mortgage brokers and correspondent lenders to originate FHA loans if they post bond in the amount of \$75,000, in lieu of having to meet various financial audit and net worth requirements (which, it is argued, consumes time and proves costly). Finally, the bill eliminates the current volume cap (set at 250,000) on FHA Home Equity Conversion Mortgages (HECM) or “reverse mortgages”—whereby homeowners over the age of 62 take out a line of credit on their home—and sets a single nation-wide loan limit tied to the GSE conforming loan limit.

Conservative Concerns: Some conservatives may be concerned that H.R. 5121 expands FHA's ability to guarantee mortgages and therefore increases a federal subsidy for homebuyers. In addition, some may be concerned that this expansion may crowd out the private market. For instance, according to CBO, "FHA's basic insurance is directed at a segment of the market that is shrinking and becoming less dependent on the government for access to mortgage financing. In part, that situation has arisen because private lenders have increased their offerings for low-downpayment and higher-risk mortgages."

Given that the private marketplace is offering many different, affordable homeownership opportunities, one might question whether now is the proper time to expand and perpetuate a government program that was created in 1934 to broaden homeownership and increase employment in the building industry.

Committee Action: On April 6, 2006, H.R. 5121 was referred to the House Financial Services Committees, which reported the bill on May 24th for consideration by the full House of Representatives.

Cost to Taxpayers: According to CBO, H.R. 5121 saves—by increasing offsetting collections from mortgage fees—\$247 million in FY2007 and \$2.1 billion over five years (subject to appropriations). However, in a study requested by Congressman Jeb Hensarling, CBO stated that current budget rules understate the cost of federal credit programs, such as FHA loan programs, in part by failing to account for market risk and separately listing administrative expenses.

[Current budget rules] understate the cost of FHA guarantees relative to that of other federal spending programs....For example, a proposal to spend \$2 billion per year for vouchers to permit high-risk first-time home buyers to purchase private mortgage insurance would have a budget cost of \$10 billion over a five-year period, whereas the fiscally equivalent alternative of operating the [FHA] program under current policy would be shown in the budget as having net savings of \$1.8 billion for that same period.

Source: <http://www.cbo.gov/ftpdocs/74xx/doc7412/07-17-FHA.pdf>

As a result, while the CBO cost estimate may suggest "savings" from expanding the FHA loan programs, H.R. 5121's actual burden to the taxpayer is far greater.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill expands federal loan programs.

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

Constitutional Authority: The Financial Services Committee cites constitutional authority in Article I, Section 8, Clause 1 (relating to the general welfare of the United States) and Clause 3 (relating to the power to regulate interstate commerce).

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H.R. 5074 — Railroad Retirement Technical Improvement Act of 2006 — as reported (Young, R-AK)

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5074 would require the U.S. Treasury to serve as the disbursing agent for benefits payable under the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(4)). The bill makes this change to the Act by striking a current provision that requires the Railroad Retirement Board (RRB) to enter into an arrangement with a nongovernmental financial institution to serve as the disbursing agent for annuity and death benefits, and replaces it with the requirement that the U.S. Treasury fulfill this role. Prior to an amendment to the RRA in 2001 (P.L. 107-90), the Treasury served as the disbursing agent for these payments.

Committee Action: H.R. 5074 was introduced on April 4, 2006, and referred to the Committee on Transportation and Infrastructures' Subcommittee on Railroads. The bill was marked-up on April 5, 2006, and it was reported to the House by voice vote the same day (H. Rept. [109-569](#)).

Cost to Taxpayers: CBO estimates that “using the Treasury rather than a nongovernmental institution would save about \$2 million a year. Assuming that appropriations for the RRB’s administrative expenses reflect that change, CBO estimates **the bill would reduce outlays by \$2 million in 2007 and by \$9 million over the 2007-2011 period.**”

Does the Bill Expand the Size and Scope of the Federal Government?: As noted above, the bill requires the U.S. Treasury to (again) become the disbursing agent for annuity and death benefits provided under the Railroad Retirement Act.

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

Constitutional Authority: Committee Report [109-569](#) cites constitutional authority for this legislation in Article 1, Section 8 (enumerated powers of Congress) 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. 5013 — Disaster Recovery Personal Protection Act of 2006
— as amended (Jindal, R-LA)**

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill, as amended.

Summary: H.R. 5013 amends current law to prohibit anyone acting under color of federal law, or receiving federal funds, while acting in support of relief from a major disaster or emergency, from:

- confiscating legally possessed firearms other than in compliance with federal law, or in a criminal investigation;
- requiring registration of any firearm for which registration is not required by federal or state law;
- prohibiting possession of any firearm, or promulgate any rule, regulation, or order prohibiting possession of any firearm, in any place or by any person where such possession is not otherwise prohibited by federal or state law; or
- prohibiting the carrying of firearms by any person otherwise authorized to carry firearms under federal or state law, solely because such person is operating under the direction, control, or supervision of a federal agency in support of relief from a major disaster or emergency.

H.R. 5013 creates a private right of action by anyone deprived of their Second Amendment rights under the bill, and permits individuals aggrieved by the seizure or confiscation of a firearm of the provisions in this bill, may bring an action in court, pursuing the return of the confiscated firearm. H.R.5013 would award “reasonable attorney’s fees” to the prevailing party, unless that is the United States, in any case arising under the bill.

The bill lists a number of findings, including the following:

- “The Second Amendment to the Constitution states, ‘... the right of the people to keep and bear arms, shall not be infringed,’ and Congress has repeatedly recognized this language as protecting an individual right;
- “In the wake of Hurricane Katrina, certain agencies confiscated the firearms of ... citizens, in contravention of the Second Amendment, depriving these citizens of the right to keep and bear arms and rendering them helpless against criminal activity;
- “These confiscations were carried out at gunpoint, by nonconsensual entries into private homes, by traffic checkpoints, by stoppage of boats, and otherwise by force;
- “The citizens from whom firearms were confiscated were either in their own homes or attempting to flee the flooding and devastation by means of motor vehicle or boat, and were accosted, stopped, and arbitrarily deprived of their private property and means of protection;
- “The means by which the confiscations were carried out, which included intrusion into the home, temporary detention of persons, and seizures of property, constituted unreasonable searches and seizures and deprived these citizens of liberty and property without due process of law in violation of fundamental rights under the Constitution; and
- “These confiscations and prohibitions, and the means by which they were carried out, deprived the citizens of Louisiana not only of their right to keep and bear arms, but also of their rights to personal security, personal liberty, and private property, all in violation of the Constitution and laws of the United States.”

Additional Information: According to the sponsor's office,

H.R. 5013 would prohibit any agency using federal disaster relief funds from seizing firearms or restricting firearms possession, except in the circumstances allowed by current federal or state law. It also would prevent agencies from imposing "no guns" policies not authorized by law. The bill would not prevent confiscating guns from convicted felons and other "prohibited persons," and would have no effect on law enforcement operations outside of disaster relief situations

The bill is aimed at allowing persons lawfully in possession of handguns to keep them when they need it most and are the most vulnerable to protect personal property from looting in a disaster situation.

Committee Action: H.R. 5013 was introduced on March 28, 2006, and referred to the Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings and Emergency Management. The bill was marked-up and was ordered reported to the House by voice vote on May 17, 2006.

Cost to Taxpayers: CBO estimates that implementing H.R. 5013 would have no significant impact on the federal budget, and would not affect direct spending or revenues.

Outside Organizations: The National Rifle Association is strongly in support of this legislation.

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?: CBO states that H.R. 5013 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt, during a major disaster or an emergency, some local gun-control ordinances that are more strict than state or federal law. However, the bill would not exceed the threshold set in UMRA as local governments would incur no direct costs from the preemption.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

Although no committee report citing constitutional authority is available, the bill's findings cite the Second Amendment multiple times.

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H.Con.Res. 145 — Expressing the sense of Congress in support of a national bike month and in appreciation of cyclists and others for promoting bicycle safety and the benefits of cycling — as reported (Blumenauer, D-OR)

Order of Business: The resolution is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the resolution.

Note: The 104th 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>)

This resolution resolves that the U.S. should observe a national bike month. Because the resolution merely states such a month should be observed, but does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Con.Res. 145 resolves that Congress:

- “United States citizens should observe a national bike month to educate citizens of the United States about the importance of bicycle safety and the health, transportation, recreational, and environmental benefits derived from cycling;
- “health and transportation professionals and organizations should promote bicycle safety and the benefits of cycling; and
- “United States citizens should salute the more than 57 million cyclists in the United States and the national and community organizations, individuals, volunteers, and professionals associated with cycling for promoting bicycle safety and the benefits of cycling.”

The resolution lists a number of findings, including the following:

- “the bicycle industry generates more than \$5 billion dollars a year and is an important part of the economy of the United States; and
- “the month of May has officially been celebrated as National Bike Month by the League of American Bicyclists and the majority of the international cycling community since 1956.”

Committee Action: H.Con.Res. 145 was introduced on May 5, 2005, and referred to the Committees on Transportation and Infrastructure, and Energy and Commerce. Transportation and Infrastructure’s Subcommittee on Highways, Transit and Pipelines marked-up the resolution and the full committee reported it to the House by voice vote, on May 18, 2005.

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.

Constitutional Authority: Committee Report 109-570, cites constitutional authority for this legislation in Article 1, 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. 5187 — To amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007 — as reported (Oberstar, D-MN)

Order of Business: The bill is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5187 would add \$1.1 million to the John F. Kennedy Center’s Maintenance, Repair, and Security account in FY07 (from \$18 million to \$19.1 million); and \$2 million to the Capital Projects account in FY07 (from \$18 million to \$20 million).

Committee Action: H.R. 5187 was introduced on April 25, 2006, and referred to the Committee on Transportation and Infrastructure. The Subcommittee on Economic Development, Public Buildings and Emergency Management held a mark-up, and the bill was ordered to be reported to the House by voice vote on May 17, 2006 (H. Rept. 109-514).

Cost to Taxpayers: CBO estimates that if the newly authorized funds are appropriated, outlays would increase by \$3 million from FY2007 to FY2011. Enacting H.R. 5187 would not affect direct spending or revenues.

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: Committee Report 109-514 cites constitutional authority for this legislation in Article 1, 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.Con.Res. 235 — Expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise

greatly increased caution when driving in the proximity of a potentially visually impaired individual — as reported (Evans, D-IL)

Order of Business: The resolution is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 235 resolves, “that it is the sense of the Congress that each State should require any candidate for a driver’s license in such State to demonstrate, as a condition of obtaining a driver’s license, an ability to associate the use of the white cane and guide dog with visually impaired individuals and to exercise greatly increased caution when driving in proximity to a potentially visually impaired individual.”

The resolution lists a number of findings, including the following:

- “many people in the United States who are blind or otherwise visually impaired have the ability to travel throughout their communities without assistance;
- “visually impaired individuals encounter hazards that a pedestrian with average vision could easily avoid, many of which involve crossing streets and roadways;
- “the white cane and guide dog should be generally recognized as aids to mobility for visually impaired individuals;
- “many States do not require candidates for driver’s licenses to associate the use of the white cane or guide dog with potentially visually impaired individuals; and
- “visually impaired individuals have had their white canes and guide dogs run over by motor vehicles, have been struck by the side-view mirrors of motor vehicles, and have suffered serious personal injury and death as the result of being hit by motor vehicles.”

Committee Action: H.Con.Res. 235 was introduced on September 7, 2005, and referred to the Committee on Transportation and Infrastructure. The Subcommittee on Highways, Transit and Pipelines held a mark-up and the resolution was ordered reported to the House by voice vote on April 5, 2006 (H. Rept. 109-513).

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.Con.Res. 449 — Commemorating the 60th anniversary of the historic 1946 season of Major League Baseball Hall of Fame member Bob Feller and his return from military service to the United States — as introduced (LaTourette, R-OH)

Order of Business: The resolution is scheduled for consideration on Tuesday, July 4, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 449 resolves that Congress, “commemorates the 60th anniversary of the 1946 season of Bob Feller and his return from military service to the United States.”

The resolution lists a number of findings, including the following:

- “Robert William Andrew Feller was born on November 3, 1918, near Van Meter, Iowa, and resides in Gates Mills, Ohio;
- “Bob Feller enlisted in the Navy 2 days after the attack on Pearl Harbor in 1941;
- “At the time of his enlistment, Bob Feller was at the peak of his baseball career, as he had been signed to the Cleveland Indians at the age of 16, had struck out 15 batters in his first Major League Baseball start in August 1936, and established a Major League record by striking out 18 Detroit Tigers in a single, 9-inning game;
- “Bob Feller served with valor in the Navy for nearly 4 years, missing almost 4 full baseball seasons;
- “Bob Feller was stationed mostly aboard the U.S.S. Alabama as a gunnery specialist, where he kept his pitching arm in shape by tossing a ball on the deck of that ship;
- “Bob Feller earned 8 battle stars and was discharged in late 1945, and was able to pitch 9 games at the end of that season, compiling a record of 5 wins and 3 losses;
- “60 years ago, amid great speculation that, after nearly 4 seasons away from baseball, his best pitching days were behind him, Bob Feller had 1 of the most amazing seasons in baseball history;
- “Bob Feller was inducted into the Baseball Hall of Fame in 1962; and
- “Bob Feller, a beloved baseball figure known as ‘Bullet Bob’ and ‘Rapid Robert,’ placed service to his country ahead of playing the game he loved and is a decorated war veteran;

Committee Action: H.Con.Res. 449 was introduced on September 19, 2006, and referred to the Committee on Government Reform, which took no official action.

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.Con.Res. 384 — Recognizing and honoring the 100th anniversary of the founding of the Alpha Phi Alpha Fraternity, Incorporated, the first intercollegiate Greek-letter fraternity established for African Americans — *as introduced (Hinchey, D-NY)*

Order of Business: The resolution is scheduled for consideration on Tuesday, July 25, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 384 resolves that Congress:

- 1) “recognizes and honors the 100th anniversary of the founding of the Alpha Phi Alpha Fraternity;
- 2) “commends all Alpha Phi Alpha brothers, past and present, for their bond of friendship, common ideals and beliefs, and service to community; and
- 3) “expresses its best wishes for the Alpha Phi Alpha Fraternity's continued success and growth.”

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

- “the Alpha Phi Alpha Fraternity was founded on December 4, 1906, by seven young men, respectfully known as the Seven Jewels, at Cornell University in Ithaca, New York;
- “the aims of the Alpha Phi Alpha Fraternity are manly deeds, scholarship, and love for all mankind;
- “for 100 years, the Alpha Phi Alpha Fraternity has played a fundamental role in the positive development of the character and education of more than 175,000 men; and
- “the Alpha Phi Alpha Fraternity has 350 college campus chapters and 350 alumni chapters in 44 States, the District of Columbia, Africa, Asia, the Caribbean, and Europe.”

Additional Information: For additional information on the Alpha Phi Alpha fraternity, please visit: <http://www.bama.ua.edu/~ka-aphia/frame.html>.

Committee Action: H.R. 5852 was introduced on April 6, 2006, and referred to the Committee on Education and Workforce’s Subcommittee on 21st Century Competitiveness, which took no official action.

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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