



**Legislative Bulletin.....September 6, 2006**

**Contents:**

- H.R. 2808** — Abraham Lincoln Commemorative Coin Act
- H.Res. 912** — Supporting the goals and ideals of National Life Insurance Awareness Month
- H.Res. 605** — Recognizing the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States
- H.R. 2491** — International Solid Waste Importation and Management Act of 2005
- S. 3534** — YouthBuild Transfer Act
- H.Res. 875** — Congratulating Spelman College on the occasion of its 125th anniversary
- H.Res. \_\_\_** — Expressing condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191

**Summary of the Bills Under Consideration Today:**

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

**Total Cost of Discretionary Authorizations:** \$306 million over six years

**Effect on Revenue:** increased less than \$500,000

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

**Total New State & Local Government Mandates:** 2

**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:** 0

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**H.R. 2808 — Abraham Lincoln Commemorative Coin Act  
— as introduced (LaHood, R-IL)**

**Order of Business:** The bill is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2808 would direct the Secretary of the Treasury to mint up to 500,000 one-dollar silver coins designed to reflect the life of Abraham Lincoln. The bill designates the coins as legal tender and numismatic items. Only one mint may be used to strike the coins, which are to be minted only in 2009. The coins are to be sold at a price that includes the face value; a \$10 surcharge intended for the Abraham Lincoln Bicentennial Commission; and “the costs of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).”

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

- “The year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln;
- “The Abraham Lincoln Bicentennial Commission has been charged by Congress with planning the celebration of Lincoln’s bicentennial; and
- “The proceeds from a commemorative coin will help fund the celebration and the continued study of the life of Lincoln.”

**Additional Information:** The Abraham Lincoln Bicentennial Commission was created by the Abraham Lincoln Bicentennial Commission Act, P.L. 106-173. According to CBO, the purpose of the commission is, “to study and recommend activities to commemorate Lincoln’s bicentennial.” The Commission’s webpage can be found at [www.lincolnbicentennial.gov](http://www.lincolnbicentennial.gov).

**Committee Action:** H.R. 2808 was introduced on June 8, 2005, and referred to the Committee on Financial Services’ Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, which took no official action.

**Cost to Taxpayers:** A CBO score of H.R. 2808 is unavailable. However, a CBO estimate for the Senate’s Lincoln Commemorative Coin bill, S. 811 states that enacting S. 811 would have no significant impact on the federal budget. In light of previous commemorative coin sales, the CBO estimated that Lincoln coin sales receipts may be \$4 million. Any revenue from commemorative coin sales would be considered offsetting receipts.

Additionally, the U.S. Mint must recoup its minting costs before transferring any surcharges to the Abraham Lincoln Bicentennial Commission.

**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 5 of the Constitution grants Congress the authority to coin money.

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**H.Res. 912 — Supporting the goals and ideals of National Life Insurance Awareness Month — *as reported* (Biggert, R-IL)**

**Order of Business:** The resolution is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the resolution.

Note: The 104<sup>th</sup> Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>)

This resolution resolves that Congress supports the ideals and goals of a certain day, and urges the President to issue a proclamation calling for observation with respect to the month. Because the resolution merely states support for, and urges action on, but does not establish a commemorative day, the parliamentarian’s office has ruled that it is allowable under House rules.

**Summary:** H.Res. 605 resolves that the House:

- “supports the goals and ideals of National Life Insurance Awareness Month; and
- “requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the citizens of the United States to observe the month with appropriate programs and activities.”

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

- “life insurance is an essential part of a sound financial plan;
- “life insurance provides financial security for families by helping surviving members meet immediate and longterm financial obligations and objectives in the event of a premature death in their family;
- “approximately 68,000,000 United States citizens lack the adequate level of life insurance coverage needed to ensure a secure financial future for their loved ones;
- “individuals, families, and businesses can benefit from professional insurance and financial planning advice, including an assessment of their life insurance needs; and
- “numerous groups supporting life insurance have designated September of 2006 as National Life Insurance Awareness Month as a means to encourage consumers to (1) become more aware of their life insurance needs; (2) seek professional advice regarding life insurance; and (3) take the actions necessary to achieve financial security for their loved ones.”

**Committee Action:** H.Res. 912 was introduced on July 12, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was reported to the House by unanimous consent on July 20, 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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**H.Res. 605 — Recognizing the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States**  
**— as reported (Fosella, R-NY)**

**Order of Business:** The resolution is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 605 resolves that the House:

- “recognizes the outstanding contributions Preston Robert Tisch made throughout his life to New York City, the New York Giants Football Club, the National Football League, and the United States; and
- “expresses its deepest condolences to his wife of 57 years Joan and their 3 children.”

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

- “from 1946 through 1959 Bob and Larry Tisch built a thriving hotel chain spanning New York, New Jersey, and Florida;
- “in 1959 Bob and Larry Tisch acquired a controlling interest in Loew’s Theatres, consisting of 102 movie theatres and a New York radio station, WMGM;
- “Bob and Larry Tisch built Loews Corporation into one of the largest diversified financial corporations in the United States;
- “in 1986 Bob Tisch was appointed by the Board of Governors of the United States Postal Service as Postmaster General under the administration of President Ronald Reagan;
- “in 1991 Bob Tisch purchased a 50 percent share in the New York Giants Football Club;
- “Bob Tisch helped create the Meals-on-Wheels program and served as its president for over 10 years, frequently delivering meals himself;
- “Bob Tisch founded the Take the Field program, a program which during the 1990s raised over \$100,000,000 in public and private funds to rebuild 43 athletic fields in New York City for the use of hundreds of thousands of public school students;
- “Bob Tisch gave countless millions of dollars to hospitals, charities, and universities in the spirit of improving the lives of Americans;
- “on November 15, 2005, Bob Tisch died of a brain tumor at the age of 79; and
- “the life of Bob Tisch serves as a model for self-made success and positive American philanthropy.”

**Committee Action:** H.Res. 605 was introduced on December 14, 2005, and referred to the Committee on Government Reform. The bill was marked-up and was reported to the House by unanimous consent on July 20, 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.

## **H.R. 2491 — International Solid Waste Importation and Management Act of 2005** **— as reported (Gillmor, R-OH)**

**Order of Business:** The bill is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2491 amends the Solid Waste Disposal Act to permit the states to enact laws, regulations, or orders restricting the receipt and disposal of foreign trash until the implementation of final regulations issued by the Environmental Protection Agency's (EPA) Administrator under the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada ("Agreement"). The Agreement governs the movement of hazardous and solid municipal waste between the U.S. and Canada. In addition, if a state chooses to enact any laws, regulations, or orders restricting the receipt and disposal of foreign trash, those laws, regulations, and orders will remain in effect until they expire.

H.R. 2491 provides that no state laws, regulations, or orders enacted in accordance with the above provision is to be considered as imposing an undue burden on foreign and interstate commerce.

The bill explicitly names the EPA Administrator as the "Designated Authority of the United States" under the Agreement and directs the Administrator to implement and enforce the provisions of the Agreement. Additionally, the Administrator must issue final regulations under the Agreement within two years after enactment of H.R. 2491.

H.R. 2491 directs the Administrator to consider a number of factors in consenting to import foreign waste, such as the views of the local government in which the waste is to be imported, the impact of importation on local recycling programs, landfill capacity, increased emissions and road deterioration from increased traffic, homeland security, and public health.

The legislation prohibits any individual from importing, transporting, or exporting municipal solid waste for final disposal or incineration in violation of the agreement. The Administrator may issue an order assessing a civil penalty for past or current violations. The bill authorizes civil fines of up to \$25,000 per day for current and past violations, or both, for violation of the Agreement. Additionally, H.R. 2491 allows the Administrator to issue civil fines if compliance orders are violated.

**Additional Information:** According to the committee report, the EPA has not started the rule-making process under the Agreement because it claims it does not have the legal authority to do so. H.R. 2491 is intended to explicitly give the EPA that rule-making authority. The committee report asserts that the absence of rules and the states' inability to regulate foreign commerce has led to environmental damage, a reduction in public safety, erosion of support for recycling programs, and a reduction in landfill capacity.

**Committee Action:** H.R. 2491 was introduced on May 19, 2005, and referred to the Committee on Energy and Commerce's Subcommittee on Environment and Hazardous Materials. The bill was marked-up and was reported to the House by voice vote on June 29, 2005.

**Cost to Taxpayers:** CBO estimates that H.R. 2491 would cost \$2 million in 2006, and \$6 million over the 2006-2010 period, subject to appropriations. CBO also estimates revenues from civil enforcement fines would total less than \$500,000.

**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, according to CBO, the bill “would preempt a state’s regulatory authority if that state does not develop regulations restricting” the acceptance of waste imported from another country.

The bill also contains intergovernmental mandates would impose new rules on local waste facilities owned by municipalities that accept waste from foreign countries.

**Constitutional Authority:** Committee Report 109-235, cites constitutional authority for this legislation in Article 1, Section 8, and Clause 3 of the Constitution, which grants Congress the power to regulate commerce with foreign nations.

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## **S. 3534 — YouthBuild Transfer Act — *as received from the Senate* (Sen. Enzi, R-WY)**

**Order of Business:** The bill is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** S. 3534 would amend the YouthBuild program, and would transfer the program from the Department of Housing and Urban Development (HUD) to the Department of Labor. Specifically, YouthBuild would be transferred to Title I of the Workforce Investment Act, and be removed from Title IV of the Cranston-Gonzalez National Affordable Housing Act. The YouthBuild program provides grants and services to local programs across the nation assisting low-income (usually uneducated and previously unemployed) youth in building low-income housing in their community and also assists these students in preparing to go back to school or get a General Equivalence Degree. ([www.youthbuild.org](http://www.youthbuild.org))

Under current law, the YouthBuild program consists of two grants: planning grants and implementation grants. S. 3534 would consolidate these two grants, providing for one YouthBuild grant to be made available to certain entities carrying specific activities, such as:

- work experience and skills training;
- occupational skill training;
- language instruction education programs for individuals with limited English proficiency;
- secondary education services, such as tutoring and dropout prevention programs;
- counseling for obtaining postsecondary education and financial aid, and provision of a need-based stipend necessary for certain individuals to participate in the program; and
- job search assistance.

The legislation retains current-law provisions, which require that any housing built through the program is to be for homeless or low-income individuals.

S. 3534 authorizes YouthBuild at such sums as necessary for FY 2007 through FY 2012, and repeals the sections of the Cranston-Gonzalez National Affordable Housing Act which currently contain the program. The bill also outlines the terms, procedures, and logistics of transferring the program between agencies.

**Additional Information:** According to the House Education Committee, the White House Task Force for Disadvantaged Youth recommended that the program be transferred, and the President's FY 2007 Budget reflected this recommendation.

**Committee Action:** S. 3534 was passed in the Senate by unanimous consent on August 3, 2006, and received by the House on the following day.

**Cost to Taxpayers:** According to an unofficial CBO estimate, the bill would not affect direct spending or revenues. Although no estimate is available for the discretionary portion of the legislation, in FY 2006, Congress appropriated \$50 million for the program. In addition, both the House and Senate Labor/Health and Human Services appropriations bills provide \$50 million for YouthBuild in FY 2007, contingent upon the transfer. The program is authorized for six years, which would total \$300 million in authorizations over the six-year 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:** No committee report citing constitutional authority is 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]*

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## **H.Res. 875 — Congratulating Spelman College on the occasion of its 125th anniversary — *as reported (Lewis, D-GA)***

**Order of Business:** The resolution is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 875 resolves that the House:

- "congratulates Spelman College on the occasion of its 125th anniversary; and
- "commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements, and contribution to African American education, history, and culture."

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

- “in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African American women;
- “Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;
- “the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for Black students accepted to medical school, and Spelman is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;
- “Spelman’s ninth President, Beverly Daniel Tatum, has initiated a strategic plan for Spelman (‘Spelman ALIVE’) that includes five goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of ‘Nothing Less than the Best’; and
- “Spelman College has prepared more than six generations of African American women to reach the highest levels of academic, community, and professional achievement.”

**Committee Action:** H.Res. 912 was introduced on June 16, 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.Res. \_\_\_\_ — Expressing condolences to the families, friends, and loved ones  
of the victims of the crash of Comair Flight 519  
— as amended (Chandler, D-KY)**

**Order of Business:** The resolution is scheduled for consideration on Wednesday, September 6, 2006, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. \_\_\_\_ resolves that the House:

- “expresses condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191;
- “honors the victims of the crash;
- “expresses sympathies to the people of Lexington, the entire Commonwealth of Kentucky, and the Nation who grieve for the victims; and
- “commends the Federal, State, and local officials who worked together to respond to the tragedy with courage, determination, and skill.”

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



- “the people of Kentucky, including the citizens of the 6th Congressional District, have experienced a terrible tragedy with the loss of 49 lives in the crash of Comair Flight 5191 at Blue Grass Airport in Lexington, Kentucky, on August 27, 2006;
- “many of the victims of the crash were residents of Kentucky, particularly of the small, close-knit town of Lexington and other surrounding communities; and
- “Federal, State, and local officials have cooperated not only at the crash site but throughout Kentucky and the Nation to respond to the emergency, investigate the accident, and provide assistance to families devastated by the loss of loved ones.”

**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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