



Legislative Bulletin.....September 26, 2006

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: at least 10

Total Cost of Discretionary Authorizations: at least \$95.1 billion 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: 1

Number of Bills Without Committee Reports: 9

H.R. 5313—Open Space and Farmland Preservation Act—as introduced (Gerlach, R-PA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5313 would amend the Farm Security Act of 1985 (16 U.S.C. 3838i) to direct the Secretary of Agriculture to reserve (beginning in FY2007) at least 15% of farmland protection program funds for grants to support cooperative efforts by an eligible state agency, county, or other eligible entity to purchase conservation easements and other interests in eligible land. The titles to such interests would be held by an eligible entity—rather than by the federal government. Cost-sharing for these purchases would be as follows: federal—25%; state—25%; county—25%; other entities—25%. The federal share could not be used for administrative purposes.

Committee Action: On May 9, 2006, the bill was referred to the Agriculture Committee, which, about one week later, referred to it its Subcommittee on Conservation, Credit, Rural Development, and Research. Neither entity took official action on the legislation.

Cost to Taxpayers: Although a CBO cost estimate is unavailable, the bill merely directs a portion of existing funds for specific uses.

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. 5103—To provide for the conveyance of the former Konnarock Lutheran Girls School in Smyth County, Virginia, which is currently owned by the United States and administered by the Forest Service, to facilitate the restoration and reuse of the property—as introduced (Boucher, D-VA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5103 would direct the Secretary of Agriculture to convey (as is, without consideration) about ten acres of federal property in the Jefferson National Forest, Smyth County, Virginia, containing the former Konnarock Lutheran Girls School, to the Evangelical Lutheran Coalition for Mission in Appalachia. The Coalition would have to pay for a survey of the land to be conveyed.

Additional Background: Konnarock Lutheran Girls School was known as a liberal school for women in the Lutheran Church in the early-to-mid 20th Century.

Committee Action: On April 5, 2006, the bill was referred to the Agriculture Committee, which, about three weeks later, referred to it its Subcommittee on Department Operations, Oversight, Nutrition and Forestry. Neither entity took official action on the legislation.

Cost to Taxpayers: The bill would yield no federal cost.

Does the Bill Expand the Size and Scope of the Federal Government?: No, the bill would divest the United States of about 10 acres of federal land.

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 IV, Section 3, Clause 2 grants Congress the power to “dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”

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H.R. 4559—To provide for the conveyance of certain National Forest System land to the towns of Laona and Wabeno, Wisconsin, to authorize the Secretary of Agriculture to convey certain isolated parcels of National Forest System land in Florence and Langlade Counties, Wisconsin—as introduced (Green, R-WI)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4559 would direct the Secretary of Agriculture to convey two specified parcels of National Forest System (NFS) land in Forest County, Wisconsin (one is about 176 acres, the other about 173 acres), to the towns of Laona and Wabeno, at their request, for use as industrial park sites. Laona and Wabeno would have to pay the federal government \$300,000 and \$320,000, respectively, as consideration for the lands. If surveys of the lands are necessary, the towns would have to pay for them.

The bill would also authorize the Secretary to sell specified parcels of NFS land (about 560 acres) located in Florence and Langlade counties, Wisconsin, for fair market value in a sale or auction that the Secretary deems appropriate. Fair market value would be determined by an appraisal satisfactory to the Secretary and conforming to the Uniform Appraisal Standards for Federal Land Acquisitions.

The proceeds from the sale would be available to the Secretary without further appropriation to acquire land for inclusion in the Chequamegon-Nicolet National Forest in Wisconsin.

Committee Action: On December 15, 2005, the bill was referred to the Agriculture Committee, which took no official action on the legislation.

Cost to Taxpayers: Although no CBO cost estimate is available for this bill, it would appear to net the federal government about \$600,000.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill would likely reduce the size of federal landownership.

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 IV, Section 3, Clause 2 grants Congress the power to “dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.”

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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, September 26, 2006, under a motion to suspend the rules and pass the bill.

Note: On July 25, 2006, the House passed by voice vote, its version of S 3523. The House considered S. 3525 (summarized [here](#)), struck the Senate language, and inserted the reported text of H.R. 5640, the House version of the bill, which was sponsored by Rep. Herger (R-CA). Today, the House is considering the Senate-passed version of S. 3525, which substantially different than the version passed by the House in July.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. Although the Conference rule may be waived, S. 3525, which creates one new program, did not receive a waiver from the elected Leadership.

Summary: S. 3525 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.
 - “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.
 - “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 for FY06, provided for in DRA, to the Secretary of Health and Human Services for the Promoting Safe and Stable Families Resources programs.
 - Directs HHS to reserve the following amounts of any appropriation for PSSF programs during FY07-FY11 for the Secretary to **establish a new grant program** to give grants for regional partnerships to increase the well-being of, improve the permanency outcomes for, and enhance the safety of children affected by methamphetamine abuse and addiction:
 - \$40 million for FY07;
 - \$35 million for FY08;
 - \$30 million for FY09; and
 - \$20 million for FY10 and FY11.

Regional partnerships is defined as a collaborative agreement entered into by at least two of list of organizations specified in the legislation. Grants awarded through this program are to range from \$500,000 to \$1 million, per year, for not less than 2, and not more than 5, fiscal years.

These grants may be used for the following activities:

- Family-based comprehensive long-term substance abuse treatment services;
 - Early intervention and preventative services;
 - Child and family counseling;
 - Mental health services;
 - Parenting skill training; and
 - Replication of successful models for providing family-based comprehensive long-term substance abuse treatment services.
- Reauthorizes the Mentoring Children of Prisoners (MCOP) program through FY 2011 at such sums as necessary (currently, the program is typically appropriated \$40 million annually), and directs the Secretary to enter into a cooperative agreement with an eligible entity for the purpose of requiring the entity to conduct a demonstration project that carries out the following activities:
 - identify children of prisoners in need of mentoring services who have not been matched with a mentor

- provide the families of the children so identified with a voucher for mentoring services and a list of the providers of mentoring services in the area in which the family resides; and
 - monitor and oversee the delivery of mentoring services by providers that accept the vouchers.
- Restates a current 10 percent limit on annual spending for administrative expenses.
 - Directs the Secretary to conduct by grant, contract, or cooperative agreement, an independent evaluation of the programs authorized in this legislation.
 - 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 \$5 million in FY08, \$10 million in FY09, and \$20 million for each of FY10 and FY11, 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. Under current law, CWS is authorized permanently.
 - 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.
 - 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.
 - Directs the HHS to submit to the appropriate congressional committees annual 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 passed in the House on July 25, 2006 by voice vote. The Senate concurred to the House amendment, with a Senate amendment, by unanimous consent, on September 20, 2006.

Cost to Taxpayers: CBO estimates that implementing S. 3525 would authorize \$1 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, 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. CBO estimates that “Funding for the mandatory part of PSSF is \$345 million for fiscal year 2006. ...Reauthorization of PSSF would have no effect on direct spending relative to CBO’s baseline because those mandatory costs are already assumed in the baseline...” As such, CBO scores the mandatory reauthorization provisions as costing the federal government little; however, S. 3525 reauthorizes PSSF programs at \$345 million each year for five years (\$1.7 billion over five years).

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill would establish a new program.

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

Constitutional Authority: Senate committee reports are not required to cite constitutional authority. However, 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. 6131—To permit certain expenditures from the Leaking Underground Storage Tank Trust Fund—as introduced (Chocola, R-IN)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6131 conforms the Internal Revenue Code to the Solid Waste Disposal Act, as amended by the Energy Policy Act of 2005 (P.L. 109-58), with regard to permitted distributions from the Leaking Underground Storage Tank (LUST) Fund. P.L. 109-58 expanded the list of uses for which LUST Fund distributions are permitted—namely to address methyl tertiary butyl ether (MTBE) leaks. Such permitted distributions now include funding state inspections of underground storage tanks, operator training, ground-water protection measures, state enforcement efforts, developing strategies for addressing tanks on tribal lands, etc. However, P.L. 109-58 failed to amend the Internal Revenue Code accordingly, and H.R. 6131 affects that technical change.

Additional Background: The LUST Fund was established in 1986 to provide funds to address the pollution caused by underground storage tanks; it is funded via a 0.1 cent per-gallon motor fuel tax.

Committee Action: On September 21, 2006, H.R. 6131 was introduced and referred to the House Ways and Means and Commerce Committees for consideration. The Committees have not taken any formal action on the bill.

Cost to Taxpayers: A CBO cost estimate is not available, but the bill is not expected to increase or decrease federal 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: A committee report citing constitutional authority is not available.

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H.R. 4942 — Promoting Antiterrorism Capabilities Through International Cooperation Act — *as amended* (King, R-NY)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. This rule may be waived by a vote of the elected House Leadership. H.R. 4942 received such a waiver.

Summary: H.R. 4942 would authorize the Under Secretary of the Department of Homeland Security (DHS) to implement international cooperative activities and to provide federal grants to facilitate these activities. The specific provisions of the bill are as follows:

- **Creates a new federal grant program** to carry out international cooperative activities and authorizes DHS to award grants to, and enter into cooperative agreements with, U.S. governmental organizations, businesses, federally funded research and development centers, higher education institutions, and foreign public or private entities.
- Requires DHS to ensure that funding and resources expended for the cooperative activities will be equitably matched by the foreign partner organization.
- Allows DHS to form partnerships with U.S. allies, including Israel, the United Kingdom, Canada, Australia, Singapore, and other countries as appropriate.
- Allows DHS to develop information sharing mechanisms with foreign countries to strengthen U.S. preparedness against threats to the U.S. agricultural and public health sectors from exotic diseases.
- **Creates a new Science and Technology Homeland Security International Cooperative Program** to facilitate international cooperative activities throughout the Science and Technology Directorate
- **Creates a new position of Director to head the new Cooperative Program**, provides that the Director will develop mechanisms in support of homeland security research (among other things), and requires the Director to plan and support periodic conferences and workshops to help establish direction for future technology goals.
- Authorizes to be appropriated \$25 million for each of the fiscal years 2007 through 2010 for these provisions, totally \$100 million over the four year period.

- Requires DHS to submit a report, within six months, to Congress containing a description of the partnerships formed (and related goals and details), and a list of international cooperative activities currently underway; also requires an updated report to Congress five years later.

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

- “The development and implementation of technology is critical to combating terrorism and other high consequence events and implementing a comprehensive homeland security strategy.
- “The United States and certain of its allies in the global war on terrorism have a history of successful collaboration in developing mutually beneficial technologies in the areas of defense, agriculture, and telecommunications.
- “The establishment of a program to facilitate and support cooperative endeavors between and among government agencies, for-profit business entities, academic institutions, and nonprofit entities of the United States and its allies will safeguard lives and property worldwide against acts of terrorism and other high consequence events.”

Committee Action: H.R. 4942 was introduced on March 14, 2006, and referred to the Committee on Homeland Security’s Subcommittee on Emergency Preparedness, Science, and Technology. The bill was marked-up on March 15, 2006, and it was reported to the House by voice vote on June 14, 2006.

Cost to Taxpayers: CBO estimates that “implementing **H.R. 4942 would cost \$85 million over the 2007-2011 period, assuming the appropriation of the specified amounts.**” (emphasis added)

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, as noted above, this bill creates two new federal programs.

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. 6160 — More Border Patrol Agents Now Act of 2006— *as amended* (Rogers, R-AL)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6160 would direct the Department of Homeland Security (DHS) develop and submit a plan to Congress, within six months of enactment, to determine how the Border Patrol can better recruit and retain border patrol agents (hereafter “agents”) with appropriate skills and training to carry out its mission and responsibilities. The specific provisions of the bill are as follows:

- Requires the border patrol recruitment and retention plan to include various components, including an assessment that pay levels for agents has on border agent recruitment and retention, and whether increased opportunities for agents to transfer between duty stations has on moral and recruitment;

- Allows DHS to pay a recruitment bonus or a retention bonus (neither to exceed 25% of their annual pay, and with other limitations) to individuals in order to recruit or retain a “sufficient number” of agents, and requires that the bonus be contingent upon a written agreement stating the period of service the agent must complete in exchange for the bonus;
- Terminates the DHS’ authority to pay a bonus to agents five years after enactment; and
- Allows DHS to appoint annuitants to positions in the Border Patrol, and terminates this authority five years after enactment.

Committee Action: H.R. 6160 was introduced on September 25, 2006, and referred to the Committees on Homeland Security and Government Reform, neither of which took any official action.

Cost to Taxpayers: A CBO score of H.R. 6160 is unavailable, though the above provisions will likely have a significant federal cost.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. As noted above, this bill creates a five-year recruitment and retention bonus program in the Border Patrol.

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.Res. 1030 — Expressing the sense of the House of Representatives that the United States Border Patrol is performing an invaluable service to the United States, and that the House of Representatives fully supports the more than 12,000 Border Patrol agents — *as introduced* (Jones, R-NC)

Order of Business: The resolution is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1030 resolves that it is the sense of the House of Representatives that the men and women of the United States Border Patrol should be supported for their dedication to the United States and to their mission to secure our borders. The resolution also states a number of findings, including the following:

- “Border Patrol agents are a highly trained and qualified group of men and women;
- “Border Patrol agents protect the United States from an influx of illegal immigration, illicit drugs, counterfeit goods, and terrorists;
- “Border Patrol agents protect our borders in some of the most remote and dangerous areas of the country; and
- “Border Patrol agents continue to perform their duties under tough circumstances.”

Committee Action: H.Res. 1030 was introduced on September 21, 2006, and referred to the Committee on Homeland Security, 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.R. 6164 — National Institutes of Health Reform Act of 2006 — *as introduced* (Barton, R-TX)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the bill.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. Although the Conference rule may be waived, H.R. 6164, which creates two new demonstration programs, did not received a waiver from the elected Leadership.

Summary: H.R. 6164 would reauthorize funding the National Institutes of Health (NIH) and significantly reorganize the agency. NIH is a part of the Department of Health and Human Services (HHS), and is primarily responsible for conducting and supporting medical research. The specific provisions of the bill are summarized by section below.

Section II

- Establishes in law that the following 24 agencies of NIH are the national research institutes or national centers:
 - The National Cancer Institute
 - The National Heart, Lung, and Blood Institute
 - The National Institute of Diabetes and Digestive and Kidney Diseases
 - The National Institute of Arthritis and Musculoskeletal and Skin Diseases
 - The National Institute on Aging
 - The National Institute of Allergy and Infectious Diseases
 - The National Institute of Child Health and Human Development
 - The National Institute of Dental and Craniofacial Research
 - The National Eye Institute
 - The National Institute of Neurological Disorders and Stroke
 - The National Institute on Deafness and Other Communication Disorders
 - The National Institute on Alcohol Abuse and Alcoholism
 - The National Institute on Drug Abuse
 - The National Institute of Mental Health
 - The National Institute of General Medical Sciences

- The National Institute of Environmental Health Sciences
 - The National Institute of Nursing Research
 - The National Institute of Biomedical Imaging and Bioengineering
 - The National Human Genome Research Institute
 - The National Library of Medicine
 - The National Center for Research Resources
 - The John E. Fogarty International Center for Advanced Study in the Health Sciences
 - The National Center for Complementary and Alternative Medicine
 - The National Center on Minority Health and Health Disparities
 - Any other national center that, as an agency separate from any national research institute, was established within NIH as of the day before the date of the enactment
- Establishes at HHS, a Division of Program Coordination, Planning, and Strategic Initiatives, and establishes at the Division, the following offices:
 - The Office of AIDS Research
 - The Office of Research on Women’s Health
 - The Office of Behavioral and Social Science Research
 - The Office of Disease Prevention
 - The Office of Dietary Supplements
 - The Office of Rare Diseases
 - Any other office located within the Office of the Director of NIH as of the date of enactment
 - Provides that the total number of national research institutes and national centers may not exceed a total of 27, including any new centers established by the NIH Director.
 - Gives the NIH Director the authority to, with the approval of the HHS Secretary and congressional notice, to reorganize the institutes and national centers, including the addition, removal or transfer of functions of each.
 - Establishes at NIH, the Scientific Management Review Board, which is to review the NIH structural organization at least once every seven years, and determine whether and to what extent the organizational authorities should be used and to issue a report providing recommendations regarding the use of these authorities. NIH is responsible for initiating implementing any Board recommendations within 100 days from the day the recommendation was made. If the NIH Director declines to implement a recommended change, NIH must submit to Congress, within 90 days, outlining the reasons for declination.

Section III

- Amends the Public Health Service Act, updating and revising the duties of the NIH Director to include additional responsibilities relating to general operating procedures, coordination of research activities, and cross-institute program coordination.
- Directs the NIH Director to identify research that represents important areas of emerging scientific opportunities, rising public health challenges, or knowledgeable gaps that deserve special emphasis and would benefit from conducting or supporting additional research involving collaboration between two or more national research institutes or centers. The

Director is also required to ensure that NIH research (or research supported by the agency) is subject to peer review before research proposals are approved for funding.

- Establishes a “common fund,” which would provide a dedicated funding mechanism (eventually equal to 5% of the total NIH budget) for research involving more than one of the NIH institutes. According to the Energy and Commerce Committee, “The common fund is a reserve account that may be competitively drawn down by institutes, centers, and independent investigators to advance trans-NIH research.”
- Establishes the “Council of Councils,” for the purpose of advising the Director on matters related to program coordination and planning.

Section IV

- Authorizes appropriations for NIH for the following amounts:
 - \$29.7 billion for FY07
 - \$31.2 billion for FY08
 - \$32.8 billion for FY09
- Of these amounts, authorizes for programs and activities of the Office of the Director of NIH:
 - \$1 billion for FY07
 - \$1.05 billion for FY08
 - \$1.1 billion for FY09
- Authorizes funds for trans-NIH research (cross-institute research) through the new common fund as follows:
 - Directs NIH to reserve half of all new money appropriated to NIH, until the common fund reaches 5% of the total NIH budget.
- Repeals many specific authorization line items that have either expired or have never received a direct appropriation from Congress.

Section V

- Directs NIH to establish an electronic system to uniformly code research grants and activities of the Office of the Director and of all the national research institutes and national centers. The system is to be searchable by a variety of codes, such as the type of research grant, the entity managing the grant, and the public health area of interest.
- Directs NIH to submit to Congress, on a biennial basis, a report on the following:
 - An assessment of the state of biomedical research;
 - A description of NIH activities;
 - Classification and justification for NIH priorities;
 - A catalogue of all research activities; and
 - A summary of the research activities throughout the agency relating cancer, neuroscience, and other specific medical research disciplines.

Section VI

- Authorizes the NIH Director to allocate funds to the research institutes and national centers **to make grants** for the purpose of improving the public health through demonstration projects for

biomedical research. This program would be called the “Bridging the Science Demonstration Program.”

- Authorizes the NIH Director to allocate funds to the research institutes and national centers **to make grants** or contracts for demonstration projects for high-impact, cutting-edge research that fosters scientific creativity and increase fundamental biological understanding leading to the prevention, diagnosis, and treatment of diseases and disorders. This program would be called the “High Risk, High Reward Research” program.

Section VII

- Makes changes to the Public Health Service Act, which established the Foundation for the NIH. According to its [website](#), the Foundation “was established by the United States Congress to support the mission of the National Institutes of Health (NIH): improving health through scientific discovery. Guided by a board of directors composed of distinguished leaders in biomedical research, philanthropy, and business, the Foundation for NIH works to advance research by linking the generosity of private sector donors and partners to NIH programs.” H.R. 6141 directs the NIH to transfer between \$500,000 and \$1.25 million each year into the Foundation.

Additional Information: According to the Energy and Commerce Committee, H.R. 6141 aims to give the NIH Director maximum flexibility in developing an organizational structure at NIH that is effective and efficient, providing for increased coordination of research.

Committee Action: A committee print version of H.R. was marked-up in the Committee on Energy and Commerce on September 20, 2006. The Committee reported the bill out by a 41-1 vote. The version reported from Committee was then introduced as H.R. 6141, upon which the Committee took no additional action.

Cost to Taxpayers: CBO confirms that H.R. 6141 would authorize \$29.7 billion in FY 2007, and \$93.7 billion over three years.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill creates two new demonstration projects.

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*)

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

H.R. 5533 — Biodefense and Pandemic Vaccine and Drug Development Act of 2006 — as amended (Rogers, R-MI)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the bill, as amended.

Summary: H.R. 5533 would amend the Public Health Service Act to establish at the Department of Health and Human Services (HHS), the Biomedical Advanced Research and Development Authority (BARDA). The specific provisions of the bill are as follows:

- Directs HHS to coordinate and oversee the acceleration of countermeasure and product advanced research and development by:
 - facilitating collaboration among HHS and other federal agencies, relevant industries, academia, and other persons, with respect to advanced research and development;
 - promoting countermeasure and product advanced research and development;
 - facilitating contacts between interested persons and the offices or employees authorized by the Secretary to advise certain persons regarding requirements under the Federal Food, Drug, and Cosmetic Act; and
 - promoting innovation to reduce the time and cost of countermeasure and product advanced research and development.
- Directs the HHS Secretary to appoint a Director of BARDA, who is charged with, among other things, facilitating and coordinating advanced research and development with respect to qualified countermeasures and qualified pandemic or epidemic products of interest; convening meetings with representatives from the relevant industries; conducting ongoing searches for potential qualified countermeasures; and awarding contracts, grants, and cooperative agreements for countermeasure and product advanced research and development.
- Authorizes HHS to award contracts and grants, or enter into other transactions (such as prize payments) to promote innovation in technologies that assist countermeasure development; research on research tools and other devices; and research to promote rapid diagnostics and vaccine manufacturing technologies.
- Authorizes HHS to establish one more federally-funded research and development centers.
- Authorizes \$220 million over two years to carry out the provisions in this bill.
- Establishes the National Biodefense Science Board to provide expert advice to the HHS on scientific, technical and other matters of interest regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board is required to meet at least twice annually. Authorizes \$2 million over two years for the Board.
- Directs HHS to establish at the Food and Drug Administration, a team of experts on manufacturing and regulatory activities to provide other off-site and on-site technical assistance to manufacturers of countermeasures, security countermeasures, or vaccines, if HHS determines that a shortage may occur in the U.S. vaccine supply.

Additional Information: According to the sponsor's office, "Project BioShield was signed into law on July 21, 2004, to encourage the development of new bioterrorism countermeasures. The legislation provided procedures for bioterrorism-related procurement, hiring, and awarding of research grants, in

an effort to make it easier for HHS to quickly commit substantial funds to countermeasure projects. Congress has identified a number of barriers to fully realizing Project BioShield's full potential that this legislation will address. There is no single point of authority within HHS for the advanced research and development of medical countermeasures to make important procurement decisions. Additionally, HHS has limited purchasing and contractual flexibility. The inefficient structure and limited flexibility exacerbates the other issues. Drug and vaccine development is lengthy (8-12 years), and many potential products fail prematurely in the "valley of death", after basic research, when funding is limited for advanced research and development. There is not enough motivation for academic researchers, drug and vaccine manufacturers, and other possible partners to commit substantial resources to bring new and improved products to the market quickly."

Committee Action: H.R. 5533 was introduced in the House on June 6, 2006, and referred to the Committee on Energy and Commerce, which considered it, held a mark-up, and reported the bill, as amended, by voice vote on September 20, 2006.

Cost to Taxpayers: As of press time, a CBO estimate was not available. However, CBO has confirmed that implementing the bill would not affect direct spending. In addition, the legislation authorizes at least \$222 million in discretionary spending.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill establishes a new Biomedical Advanced Research and Development Authority at HHS.

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*)

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

H.R. 4377 — To extend the time required for construction of a hydroelectric project, and for other purposes — *as reported* (Otter, R-ID)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4377 would direct the Federal Energy Regulatory Commission (FERC), upon licensee request, to do the following:

- 1) extend the period for commencing construction of project works 4656 (Arrowrock Hydroelectric Project, Idaho) for a period of three years if the license for the project is in effect on the date of the enactment of this Act; or
- 2) reinstate the license and extend the period for commencing construction of such project works for an additional three-year period if the project license has been terminated before the date of enactment of this Act.

Committee Action: H.R. 4377 was introduced on November 17, 2005, and referred to the Committee on Energy and Commerce’s Subcommittee on Energy and Air Quality. The bill was marked-up on September 20, 2006, and it was reported to the House by voice vote on the same day.

Cost to Taxpayers: A CBO score of H.R. 4377 is unavailable, but the bill does not authorize new 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 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: Derek V. Baker; derek.baker@mail.house.gov; 202-226-8585

S. 244 — A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming — *as received* (Sen. Thomas, R-WY)

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: S. 244 would authorize the Federal Energy Regulatory Commission (FERC), upon licensee request, to extend the deadline for commencement of construction of hydroelectric project number 1651 (Swift Creek Hydroelectric Project) in the state of Wyoming for three consecutive two-year periods from the expiration of the extension originally issued by the Commission.

Committee Action: S. 244 was introduced in the Senate on February 1, 2005, and passed the Senate by unanimous consent on July 26, 2005. It was referred to the House Committee on Energy and Commerce’s Subcommittee on Energy and Air Quality. The bill was marked-up on September 20, 2006, and it was reported to the House by voice vote on the same day.

Cost to Taxpayers: A CBO score of S. 244 is unavailable, but the bill does not authorize new 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 unavailable.

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**S. 176 — A bill to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska — *as received*
(Sen. Murkowski, R-AK)**

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: S. 176 would authorize the Federal Energy Regulatory Commission (FERC), upon licensee request, to extend the time period during which the licensee is required to commence construction of a hydroelectric project in Alaska for three consecutive two-year periods beyond the date that is four years after the license's date of issuance.

Committee Action: S. 176 was introduced in the Senate on January 26, 2005, and passed the Senate by unanimous consent on July 26, 2005. It was referred to the House Committee on Energy and Commerce's Subcommittee on Energy and Air Quality. The bill was marked-up on September 20, 2006, and it was reported to the House by voice vote on the same day.

Cost to Taxpayers: A CBO score of S. 176 is unavailable, but the bill does not authorize new 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 unavailable.

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**H.R. 971 — To extend the deadline for commencement of construction of certain hydroelectric projects in Connecticut, and for other purposes — *as introduced*
(Simmons, R-CT)**

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 971 would direct the Federal Energy Regulatory Commission (FERC) to extend through May 30, 2007, the time period during which the licensee is required to commence construction for projects numbered 11547, 10822, and 10823 in the state of Connecticut.

Thereafter and upon licensee request, the bill would require the Commission to extend the time period for construction of a project for two consecutive two-year periods.

The bill would also direct Commission to reinstate the licenses for such projects effective as of their respective expiration dates, and stipulates that the first authorized extension for each such project shall take effect on its expiration date.

Committee Action: H.R. 971 was introduced on February 17, 2005, and referred to the House Committee on Energy and Commerce’s Subcommittee on Energy and Air Quality. The bill was marked-up on September 20, 2006, and it was reported to the House by voice vote on the same day.

Cost to Taxpayers: A CBO score of H.R. 971 is unavailable, but the bill does not authorize new 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 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. 4417 — To provide for the reinstatement of a license for a certain Federal Energy Regulatory project — *as introduced (Mollohan, D-WV)*

Order of Business: The bill is scheduled for consideration on Tuesday, September 26 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4417 would direct the Federal Energy Regulatory Commission (FERC), upon the licensee request, to extend the time required for commencement of construction the project numbered 7307 (Tygart Dam Hydroelectric Project) until December 31, 2007. The bill would reinstate an expired license for the project, if the license expires before the date of enactment of this Act.

Committee Action: H.R. 4417 was introduced on November 18, 2005, and referred to the Committee on Energy and Commerce’s Subcommittee on Energy and Air Quality. The bill was marked-up on September 20, 2006, and it was reported to the House by voice vote on the same day.

Cost to Taxpayers: A CBO score of H.R. 4417 is unavailable, but the bill does not authorize new 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 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. 5835 — Veterans Identity and Credit Security Act of 2006 — *as reported*
(Buyer, R-IN)**

Order of Business: The bill is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the bill.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. Although the Conference rule may be waived, H.R. 5835, which creates two new programs, did not received a waiver from the elected Leadership.

Summary: H.R. 5835 would amend current law pertaining to the management of data at the Department of Veterans Affairs (VA). Specifically, the provisions of the bill are as follows:

- Directs the Office of Management and Budget (OMB) to establish policies and procedures for agencies to follow in the event of a breach of data security involving the disclosure of sensitive personal information, including a requirement for timely notice to be given to those individuals whose personal information could be compromised as a result of the breach.
- Establishes at the VA, an Under Secretary for Information Services (also the Chief Information Office – CIO), to be appointed by the President, with the Senate consenting. Also establishes several deputy positions under the Under Secretary.
- Directs the CIO to develop, approve, implement, integrate, and oversee the policies, procedures and activities of the VA relating to data management.
- Directs the VA to submit to Congress a report on the Department’s compliance with the provisions of H.R. 5835.
- Directs the VA to submit to Congress, every fiscal quarter, a report on any data breach with respect to personal information processed or maintained by the VA.
- Directs the VA to ensure that as soon as possible after a data breach, a non-VA entity will conduct an independent risk analysis of the data breach to determine the level of risk associated with the breach.

- Directs the VA, in the event of a data breach that poses reasonable risk for the potential misuse of the information of those involved, to provide credit protection services. The bill provides that for the purposes of this provision, a “covered” individual is one whose personal information that is maintained by the VA, is involved, on or after August 1, 2005, in a data breach determined to pose a reasonable risk for the potential misuse of information.
- Directs the VA, in the event of a data breach, to arrange, upon the request of an individual whose information was involved, for each principal credit reporting agency to apply a security freeze to that individual’s file.
- Directs the VA to, subject to the availability of funds, enter into contracts with one or more principal credit reporting agencies in order to ensure in advance, the provisions of these services in the case of a data breach.
- Credit monitoring services provided to covered individuals includes one copy of the credit report of the individual every three months, fraud resolution services, and identity theft insurance for up to \$30,000 in aggregate liability.
- Authorizes such sums as necessary to carry out the provisions of this legislation.
- Directs the VA to **carry out programs** to provide financial support for education in computer science and electrical and computer engineering at accredited institutions of higher education for the purpose of recruiting VA personnel who have certain information security skills. The VA is authorized to carry out a scholarship program to provide assistance to individuals for the pursuit of doctoral degrees in computer science and electrical and computer engineering. The VA is authorized to award up to five scholarships for any academic year who did not receive this same assistance the preceding academic year. In order to receive this financial assistance, an individual must enter into an agreement to accept and continue employment at the VA for a period of time determined by the VA, which can not be less than two times the total period of pursuit of the degree. The amount of the financial assistance granted is to be determined by the VA as being necessary to pay the tuition and fees of the individual and an additional \$1500 each month for books, laboratory expenses, and room and board. *The total assistance for any given year is limited at \$50,000, and the total assistance overall may not exceed \$200,000.* If an individual fails to satisfy the service requirements after receiving the financial assistance, they must repay “an amount equal to the unearned portion” of assistance. Finally, the VA may also provide a paid internship (not subject to the \$200,000 limit) to an individual receiving assistance between academic semesters.
- Directs the VA to **establish an education debt reduction program** to make debt reduction payments to VA employees who hold doctoral degrees in computer science and electrical and computer engineering. *The VA is authorized to make payments that can not exceed \$82,500 over a total of five years, with not more than \$16,500 being paid in one year.*
- Directs the VA, in awarding financial assistance under these new programs, to give a preference to individuals who are veterans with service-connected disabilities and all veterans.
- Terminates the authority of the VA to make payments under this legislation on July 31, 2017.

Committee Action: H.R. 5835 was introduced in the House on July 19, 2006, and referred to the Committees on Veterans' Affairs and Government Reform. The VA Committee considered it, held a mark-up, and reported the bill, as amended, by voice vote on September 13, 2006.

Cost to Taxpayers: CBO estimates that implementing H.R. 5835 will authorize \$54 million over five years. However, CBO also states, "...if VA were to experience another data breach similar to the recent incident involving personal information on 17 million individuals, the cost could be as much as \$1 billion."

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill creates two new federal programs.

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

Constitutional Authority: Committee Report [109-651](#) cites constitutional authority in Article 1, Section 8, Clause 1 (common defense and general welfare) of the Constitution.

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H.Res. 1016 — Encouraging all offices of the House of Representatives to hire disabled veterans — *as introduced* (Rohrabacher, R-CA)

Order of Business: The resolution is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1016 resolves that the House of Representatives, "encourages the Members, committees, and all other offices of the House to hire disabled veterans, and to use the resources that the Committee on House Administration will direct the Chief Administrative Officer to provide to find qualified disabled veterans to fill positions in these offices."

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

- "the men and women of our armed forces play a central role in preserving our Nation's freedom;
- "disabled veterans have sacrificed greatly for their country;
- "one way for our Nation to repay its debt to those disabled veterans is to help disabled veterans return to their previous lifestyle;
- "Congress relies on knowledgeable staff to help formulate policy;
- "disabled veterans provide unique perspectives on a range of issues, especially regarding national security;
- "Members who are veterans or reservists have played a leading role throughout the history of Congress; and
- "Congress wishes to give disabled veterans the opportunity to work in their government as a benefit to those disabled veterans as well the members of Congress on whose staffs they will serve

Committee Action: H.Res. 1016 was introduced on September 19, 2006, and referred to the Committee on House Administration, 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.R. 1215—Green Chemistry Research and Development Act—*as reported* (Gingrey, R-GA)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1215 would authorize (from funds otherwise authorized) appropriations for fiscal years 2006 through 2008 for “green chemistry” programs (chemistry and chemical engineering research aimed at reducing or eliminating the use and production of hazardous substances) at four agencies: the National Science Foundation (NSF), the National Institute of Standards and Technology (NIST), the Department of Energy (DOE), and the Environmental Protection Agency (EPA). The specific authorizations (in millions of dollars) are as follows:

	FY2006	FY2007	FY2008
NSF	\$7	\$7.5	\$8
NIST	\$5	\$5.5	\$6
DOE	\$7	\$7.5	\$8
EPA	\$7	\$7.5	\$8

These authorizations would be organized under the following programs and functions:

- a Green Chemistry Research and Development Program under the President to promote and coordinate federal green chemistry research, development, demonstration, education, and technology transfer activities;
- a presidential interagency working group;
- a new grant program within the above presidential program to support efforts by higher educational institutions to revise their undergraduate curriculum in chemistry and chemical engineering to incorporate green chemistry concepts and strategies (authorized at an additional \$7 million, \$7.5 million, and \$8.0 million for fiscal years 2006 through 2008 respectively);
- an NSF study of the factors that constitute barriers to the successful commercial application of green chemistry research and development; and
- a joint, coordinated program (within the presidential Program above) to award grants to institutions of higher education to establish partnerships with companies in the chemical

industry to retrain chemists and chemical engineers in the use of green chemistry concepts and strategies.

Additional Background: CBO reported for 2005 that, “NSF expects to spend around \$25 million in 2005 for green chemistry research. EPA and NIST estimate those agencies will spend \$2 million and \$4 million, respectively, in 2005 on green chemistry research. DOE currently does not conduct research specifically targeted to green chemistry technologies.”

Committee Action: On March 10, 2005, the bill was referred to the Science Committee, which, on April 13, 2005, marked up and ordered the bill reported to the full House by voice vote.

Cost to Taxpayers: Although the bill language explicitly states that the authorizations in this bill are not new and must come from existing authorizations for the four respective agencies, because of CBO scoring rules, CBO still estimates that this bill will authorize \$33 million in new authorizations in FY2006 and a total of \$106.5 million over the FY2006-FY2008 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill would create a new program and two subprograms within that program.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. This rule may be waived by a vote of the elected House Leadership. H.R. 1215 received such a waiver.

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

Constitutional Authority: The Science Committee, in House Report 109-82, cites constitutional authority in Article I, Section 8, 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. 5136—National Integrated Drought Information System Act—*as reported* (Hall, R-TX)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5136 would direct the National Oceanic and Atmospheric Administration (NOAA) to establish an integrated drought information system within the National Weather Service to provide early warnings of droughts by collecting, coordinating, and disseminating drought information. NOAA would have to consult with relevant federal, regional, state, tribal, and local government agencies, research institutions, and the private sector in the development of the system.

The bill would authorize \$11 million for the system in FY2007, increasing by \$1 million a year up to and including \$16 million in FY2012.

Committee Action: On April 6, 2006, the bill was referred to the Science Committee, which, two weeks later, referred it to its Subcommittee on Environment, Technology, and Standards. On May 4, 2006, the Subcommittee marked up and by voice vote forwarded the bill to the full Committee. On June 7, 2006, the Committee marked up and by voice vote ordered the bill reported to the full House.

Cost to Taxpayers: CBO confirms that the bill would authorize \$11 million in FY2007 and a total of \$65 million over the FY2007-FY2011 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill would create a new federal program.

Note: Under House Republican Conference Rules, legislation creating new programs or reauthorizing sunset programs may not be considered by the House on the Suspension Calendar. This rule may be waived by a vote of the elected House Leadership. H.R. 5136 received such a waiver.

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

Constitutional Authority: The Science Committee, in House Report 109-503, cites constitutional authority in Article I, Section 8, 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.Res. 948 — Recognizing the dedication of the employees at the National
Aeronautics and Space Administration’s Stennis Space Center
— as introduced (Taylor, D-MS)**

Order of Business: The resolution is scheduled for consideration on Tuesday, September 26, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 948 resolves that the House, “commends the dedication of the employees who stayed behind at the National Aeronautics and Space Administration's Stennis Space Center, who, during and after Hurricane Katrina's assault on Mississippi, provided shelter and medical care to storm evacuees and logistical support for storm recovery efforts, while effectively maintaining critical facilities at the Center.”

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

- “during Hurricane Katrina, some 3,700 persons (including employees, their immediate and extended families, and members of the general public), sought shelter at the Stennis Space Center;
- “the Stennis cafeteria, which normally serves about 175 breakfasts and 600 lunches each day, served 3,000 meals 3 times a day to evacuees, for a period of a week following the storm;
- “before, during, and in the immediate aftermath of the storm, the small staff of the Stennis Medical Clinic provided medical care to all who needed it among the evacuees onsite, including some 20 special needs patients, and soon after the storm, the Stennis clinic staff was complemented by medical personnel airlifted from other National Aeronautics and Space Administration Centers;
- “although commercial electrical power was not available to Stennis for 10 days following the storm, electrical power was maintained to all essential buildings through the extensive use of diesel-powered generators and the around the clock efforts of a team of individuals who mechanically maintained those generators and kept them fueled, also enabling the pumps on Stennis' deep-water wells to provide a continuous supply of potable water for drinking, cooking, and sanitation to support the 3,700 people onsite;
- “for 10 days following the storm, logistical support (including food, water, medical supplies, and personnel exchange) of the National Aeronautics and Space Administration Michoud Assembly Facility in New Orleans was provided via helicopters operating from the Stennis Space Center, along with helicopters, and flight crew and security personnel, from the Marshall Space Flight and Kennedy Space Centers; and
- “immediately following the storm, Stennis Space Center facilitated the use of its property as the site of the Federal Emergency Management Agency's Incident Command Center serving a 6-county area along the Mississippi Gulf Coast, and Stennis served as the central distribution hub for disaster response supplies to those same counties, including, during the nearly 2-months of Federal Emergency Management Agency relief operations at Stennis, distributing more than 7,600,000 gallons of water, 41,000,000 pounds of ice, and 3,500,000 MREs (meals-ready-to-eat) to devastated areas via the Stennis Space Center hub.”

Committee Action: H.Res. 948 was introduced on July 25, 2006, and referred to the Committee on Science, 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.R. 6159—To extend temporarily certain authorities of the Small Business Administration—as introduced (Manzullo, R-IL)

Order of Business: The bill is scheduled to be considered on Tuesday, September 26th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6159 would provide that any program, authority, or provision, including any pilot program, authorized under the Small Business Act (15 U.S.C. 631 et seq.) or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) as of September 30, 2006, that is scheduled to expire on or after September 30, 2006 and before February 2, 2007, would remain authorized through February 2, 2007, under the same terms and conditions in effect on September 30, 2006.

Committee Action: On September 25, 2006, the bill was referred to the Small Business Committee, which took no official action on it.

Cost to Taxpayers: The bill would yield no cost to taxpayers. [To prevent double-counting, across-the-board temporary extensions score as zero so that subsequent—and sometimes retroactive—reauthorizations of specific programs and authorities can be scored.]

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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