



Legislative Bulletin..... September 27, 2006

Contents:

- H.R. 6138** — Third Higher Education Extension Act of 2006
- H.R. 4766** — Esther Martinez Native American Languages Preservation Act of 2006
- H.Res. 1009**—Supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations
- H.R. 6106** — To extend the waiver authority for the Secretary of Education under title IV, section 105, of Public Law 109-148
- H.Res. 295**— Expressing the sense of the House of Representatives supporting the establishment of September as Campus Fire Safety Month
- H.Con.Res. 478**—Supporting the goals and ideals of “Lights On Afterschool!,” a national celebration of after-school programs
- H.R. 5483**—Railroad Retirement Disability Earnings Act
- H.R. 4981**—Dam Safety Act
- H.R. 5546** — Carroll A. Campbell, Jr. Federal Courthouse Designation Act
- H.R. 5606** — William M. Steger Federal Building and United States Courthouse Designation Act
- H.R. 5026** — Andres Toro Building Designation Act
- H.R. 6051** — John F. Seiberling Federal Building and U.S. Courthouse Designation Act
- H.R. 1556** — Clyde S. Cahill Memorial Park Designation Act
- H.R. 2322** — Kika de la Garza Federal Building Designation Act
- H.R. 5637** — Nonadmitted and Reinsurance Reform Act
- S. 3850**—Credit Rating Agency Reform Act
- H.R. 5347** — HOPE VI Reauthorization Act of 2006
- H.R. 6079**—Hedge Fund Study Act
- H.R. 5503**—FHA Multifamily Loan Limit Adjustment Act
- H.R. 5585**—Financial Netting Improvements Act
- H.R. 6062** — Community Development Investment Enhancement Act
- H.R. 6072** — Financial Services Regulatory Relief Amendments Act
- H.R. 6162** — Secure Border Initiative Financial Accountability Act
- H.Con.Res. 473** — Supporting the Goals and Ideals of Gynecologic Cancer Awareness Month
- H.Res. 402** — Supporting the Goals and Ideals of Infant Mortality Awareness Month
- H.Res. 748** — Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War
- H.Con.Res. 222** — Supporting the Goals and Ideals of National Pregnancy and Infant Loss Remembrance Day
- H.Res. 991** — Congratulating the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games
- H.R. 5108** — Lance Corporal Robert A. Martinez Post Office Building Designation Act
- H.R. 6075** — Robert J. Thompson Post Office Building Designation Act
- H.R. 6078** — Chuck Fortenberry Post Office Building Designation Act
- H.R. 4720**—Beverly J. Wilson Post Office Building Designation Act
- H.Res. 973** — Recognizing Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life’s goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process
- H.R. 5989** — John J. Sinde Post Office Building Designation Act
- H.R. 5990** — Wallace W. Sykes Post Office Building Designation Act
- S. 3613** — Major George Quamo Post Office Building Designation Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: at least \$2.9 billion over five years

Effect on Revenue: increases by \$5-10 million per year between 2008-2016

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates:

Total New Private Sector Mandates: 1

Number of Bills Without Committee Reports: 22

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

H.R. 6138 — Third Higher Education Extension Act of 2006 — *as amended* (Keller, R-FL)

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. 6138 would extend the authorization (at current, FY04 levels) for the Higher Education Act of 1965 (HEA) through September 30, 2006. The House previously passed a short-term extension through September 30, 2006. Current law allows for flexibility in the authorization depending upon amendments to HEA enacted during FY05 or FY06. This is the 5th temporary HEA extension considered in the House this Congress.

The bill also makes the following changes to current HEA law:

- Directs the Secretary to cancel federal student loan debts, under certain circumstances, **of spouses or parents of individuals who died or was (or becomes) permanently disabled from the terrorist attacks of September 11, 2001.** Specifically, the Secretary is directed to cancel the entire student loan debt of the spouse of such an individual who was a public servant

(police officer, firefighter, other safety or rescue personnel, or an Armed Forces member); and the portion of student loans incurred by a spouse or parent on behalf of any other such individual who was a victim.

- Eliminates the two-year wait-out period between grant applications for Hispanic-serving institutions by eliminating the two-year wait-out period between grant applications. Under this provision, grants may be awarded to these institutions for five years, with no wait period in-between grant renewal.
- Places a moratorium on the ability of eligible student loan lenders to make or hold loans to students as trustee for an institution of higher education (IHE), unless certain requirements are met. The Deficit Reduction Act placed a moratorium on the number of IHEs that can enter into the schools-lender program (which allows IHEs to provide loans to its own graduate students). However, some schools have begun to use a trust in order to provide these loans, as a way to circumvent the DRA provision. This provision of H.R. 6138 aims to close the trust loophole.

Committee Action: The bill was introduced on September 21, 2006, and referred to the Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: An unofficial estimate CBO review estimates that enacting this legislation will cost 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?: 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*)

Staff Contact: Joelle Cannon, joelle.cannon@mail.house.gov, x60718

H.R. 4766 — Esther Martinez Native American Languages Preservation Act of 2006 — *as amended* (Wilson, R-NM)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill, as amended.

Note: Under House Republican Conference Rules, legislation authorizing more than a 10% funding increase in any given year may not be considered by the House on the Suspension Calendar. Although the Conference rule may be waived, H.R. 4766, which appears to violate this rule, did not receive a waiver from the elected Leadership.

Summary: H.R. 4766 amends the Native American Programs Act, adding three new purposes for which grants may be awarded by the Secretary of Health and Human Services (HHS). The added

purposes include Native American language nests, Native American language survival schools, and Native American language restoration programs.

Native American language nests are defined as site-based educational programs providing instruction and child care in a Native American language, where the Native American language is the dominant medium of instruction, to at least ten children under the age of seven for an average of 500 hours per year per student. The nest must also provide Native American language instruction to the students' parents.

Native American language survival schools are defined as site-based educational programs that provide at least 500 hours per year per student for at least 15 school-aged students where the survival school is the students' principal place of instruction in areas with high numbers or a great percentage of Native American students. The survival school must provide teacher training, and work toward all students being fluent in a Native American language.

Native American language restoration programs are defined as educational programs which operate at least one Native American language program, provide training programs for teachers of Native American languages, develop curricula for the Native American language programs, work toward increasing fluency in a Native American language. Granted funds may be used for, among other things, Native American language and culture camps, and for the development of Native American language instruction materials, such as audio visual tools and interactive media programs.

Additionally, H.R. 4766 requires applicants for grants to have at least three years of experience in any educational program which is conducted in a Native American language. The bill requires that grants awarded under the new purposes are three year grants.

Finally, the bill authorizes such sums as necessary to provide grants to applicants in the years from 2008 to 2012.

Additional Information: Some conservatives may be concerned that the Native American Programs Act allows grants under H.R. 4766 to go to Native Hawaiians (see [42 U.S.C. 2991b-3\(a\)\(1\)](#) and [42 U.S.C. 2991b\(a\)](#)). Native Hawaiians are a racial group, not a tribe, and dispensing benefits to them would likely be subject to strict scrutiny in federal courts. Providing additional financial assistance to this group is not only duplicative of numerous current federal education programs, but is also likely unconstitutional.

Additionally, English First will key vote a no vote on H.R. 4766, as part of its 2005-2006 Congressional Rating.

Committee Action: H.R. 4766 was introduced on February 15, 2006, and referred to the Committee on Education and the Workforce's Subcommittee on Education Reform, which took no official action.

Cost to Taxpayers: No official cost estimate is available for H.R. 4766, however, unofficially, CBO estimates authorizations of \$108 million over the 2007-2011 period to pay for the new purposes for which grants may be provided. The estimate is in addition to the \$6 million per year that CBO projects that a mere reauthorization of the current purposes would cost. All together, CBO unofficially estimates \$132 million in the 2007-2011 period.

The estimate projects authorizations of \$22 million for the new grants in 2008, which is more than a 10% increase over the level, \$6 million per year, that the grant program has been receiving. Additionally, CBO's projections show more than a 10% increase in authorizations from 2008 to 2009, and more than a 10% increase in authorizations from 2009 to 2010 for the new purposes. Leadership has scheduled the bill for the suspension calendar and has not granted a waiver.

The Committee on Education and the Workforce contends that H.R. 4766 neither creates a new program, nor increases authorization levels. The Committee contends that the bill merely adds purposes for which the Secretary of Health and Human Services may make grants, that "such sums" language already in the law, and that H.R. 4766 merely reauthorizes such sums over the 2008-2012 period.

Additionally, the Committee contends that the unofficial CBO score is based on fully funding all applicants for grants. According to the Committee, the CBO score is too high because the Secretary of Health and Human Services may use his discretion in awarding grants.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, it adds new purposes for which federal grants may be provided.

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.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.Res. 1009—Supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations—as introduced (Porter, R-NV)

Order of Business: The resolution is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1009 would resolve that the House "supports efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth and youth in other high-risk situations."

The resolution asserts that:

- "the prevalence of runaway and homeless youth in the Nation is staggering, with studies suggesting that between 1,600,000 and 2,800,000 young people live on the streets of the United States each year; and
- "running away from home is widespread, with 1 out of every 7 children in the United States running away before the age of 18."

The resolution also notes that, “the purpose of National Runaway Prevention Month in November 2006 is to increase public awareness of the life circumstances of youth in high-risk situations and the need for safe and productive alternatives, resources, and supports for youth, their families, and their communities.”

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>)

H.Res. 1009 implies that Congress supports National Runaway Prevention Month, yet does not establish a commemorative day. Therefore, it is allowable under House rules.

Committee Action: On September 13, 2006, the resolution was referred to the Education and the Workforce Committee, which took no official action on it.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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

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

H.R. 6106 — To extend the waiver authority for the Secretary of Education under title IV, section 105, of Public Law 109-148 — *as introduced* (Jindal, R-LA)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Note: Under House Republican Conference Rules, legislation lacking a cost estimate may not be considered by the House on the Suspension Calendar. Although the Conference rule may be waived, H.R. 6106, which lacks a cost estimate, did not received a waiver from the elected Leadership.

Summary: Following Hurricane Katrina, Congress enacted legislation authorizing the Secretary of Education to waive certain requirements placed on states receiving funding through most federal education programs. Specifically, the Secretary was authorized to waive non-federal matching fund requirements and condition that federal funds should supplement, not supplant, non-federal funds, as well as other provisions that require states to financially contribute to these programs in addition to federal funding. This waiver authority, which expires at the end of FY06 (September 30, 2006), was granted to the Secretary for purposes of relieving states affected by Hurricane Katrina from their financial responsibilities for most education programs. H.R. 6106 would extend the Secretary’s waiver authority through FY 2007.

Committee Action: H.R. 6106 was introduced on September 19, 2006 and was referred to the Committee on Education and the Workforce, which took no official action.

Cost to Taxpayers: There is no CBO estimate available for H.R. 6106

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: There is no committee report citing constitutional authority available.

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

H.Res. 295— Expressing the sense of the House of Representatives supporting the establishment of September as Campus Fire Safety Month—as introduced (Jones, D-OH)

Order of Business: The resolution is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 295 would resolve that the House:

- “supports the establishment of September as Campus Fire Safety Month;
- “encourages administrators and municipalities across the country to provide educational programs to all students during September and throughout the school year; and
- “encourages administrators and municipalities to evaluate the level of fire safety being provided in both on- and off-campus student housing and take the necessary steps to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems and the development and enforcement of applicable codes relating to fire safety.”

The resolution also maintains that, “it is vital to educate the future generation of our Nation about the importance of fire safety behavior so that these behaviors can help to ensure their safety during their college years and beyond.”

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>)

H.Res. 295 *supports* the establishment of Campus Fire Safety Month, but does not actually establish it. Therefore, the resolution is allowable under House rules.

Additional Background: The resolution asserts that, “since January 2000, at least 75 people, including students, parents, and children have died in student housing fires.”

Committee Action: On May 24, 2005, the resolution was referred to the Education and the Workforce Committee. On June 22, 2005, the committee referred it to its Subcommittee on 21st Century Competitiveness. Neither entity took official action on the resolution.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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

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

H.Con.Res. 478—Supporting the goals and ideals of “Lights On Afterschool!,” a national celebration of after-school programs—*as introduced (Lowey, D-NY)*

Order of Business: The resolution is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 478 would resolve that Congress “supports the goals and ideals of ‘Lights On Afterschool!,’ a national celebration of after-school programs.”

Additional Background: The resolution notes that the seventh “Lights On Afterschool!” will be celebrated on October 12, 2006, to promote the “critical importance of high-quality after-school programs in the lives of children, their families, and their communities.” The resolution asserts that, “more than 28,000,000 children in the United States have parents who work outside the home, and 14,300,000 children have no place to go after school.”

To learn more about Lights On Afterschool!, visit this website:

http://www.afterschoolalliance.org/lights_on/index.cfm.

Committee Action: On September 21, 2006, the resolution was referred to the Education and the Workforce Committee, which took no official action on it.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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

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

H.R. 5483—Railroad Retirement Disability Earnings Act — *as reported (Young, R-AK)*

Order of Business: The bill is scheduled for consideration on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5483 would amend the Railroad Retirement Act of 1974 to nearly double, from \$400 monthly to \$700 monthly, the amount of employment income that an individual may earn while continuing to receive an annuity due to a disabling permanent physical or mental condition.

Additional Background: CBO provides this additional information: “Based on data provided by the Railroad Retirement Board, CBO estimates that few current or prospective beneficiaries would be affected by the change. Current recipients only infrequently have benefits withheld due to excess earnings. About 100 applicants annually are denied benefits because of excess earnings, and many of those workers have earnings that would exceed the new limit.”

Committee Action: On May 25, 2006, the bill was referred to the Transportation and Infrastructure Committee, which referred it to its Subcommittee on Railroads the following day. On July 19, 2006, the full Committee marked up the bill and, by voice vote, ordered it reported to the full House.

Cost to Taxpayers: CBO estimates that any resulting increase in mandatory spending because of this bill, in light of the “Additional Background” information above, would be minimal to zero.

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 Transportation and Infrastructure Committee, in House Report 109-669, 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]

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

H.R. 4981—Dam Safety Act—as amended (Kuhl, R-NY)

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, as amended.

Summary: H.R. 4981 would amend the National Dam Safety Program Act (33 U.S.C. 467d) to require (it is only allowed, not required, in current law) the Secretary of the Army, acting through the Chief of Engineers, to maintain and update information on the inventory of dams in the United States, including a performance-based assessment of each dam based on inspections completed by either a federal agency or a state dam safety agency.

Current law authorizes \$6 million a year through FY2006 for the National Dam Safety Program. H.R. 4981 would authorize appropriations (allocated proportionally to the states with dams, with no more than a 50% federal share) as follows:

FY2007--\$6.5 million

FY2008--\$7.1 million
FY2009--\$7.6 million
FY2010--\$8.3 million
FY2011--\$9.2 million

Current law authorizes \$500,000 a year for the National Dam Inventory. H.R. 4981 would authorize appropriations as follows:

FY2007--\$650,000
FY2008--\$700,000
FY2009--\$750,000
FY2010--\$800,000
FY2011--\$850,000

Current law authorizes \$1.5 million a year through FY2006 for dam research. H.R. 4981 would authorize appropriations as follows:

FY2007--\$1.6 million
FY2008--\$1.7 million
FY2009--\$1.8 million
FY2010--\$1.9 million
FY2011--\$2.0 million

Current law authorizes \$500,000 a year through FY2006 for dam safety training. H.R. 4981 would authorize appropriations as follows:

FY2007--\$550,000
FY2008--\$600,000
FY2009--\$650,000
FY2010--\$700,000
FY2011--\$750,000

Current law authorizes \$600,000 a year through FY2006 for FEMA staff working on dam safety issues. H.R. 4981 would authorize appropriations as follows:

FY2007--\$700,000
FY2008--\$800,000
FY2009--\$900,000
FY2010--\$1 million
FY2011--\$1.1 million

Committee Action: On March 16, 2006, the bill was referred to the Transportation and Infrastructure Committee, which on the subsequent day referred it to its Subcommittee on Water Resources and Environment. On September 14, 2006, the Subcommittee marked up, amended, and by voice vote forwarded the bill to the full Committee. On September 20, 2006, the full Committee marked up the bill and by voice vote ordered it reported to the full House.

Cost to Taxpayers: The bill would authorize \$10 million in FY2007 and a total of \$59.2 million over the FY2007-FY2011 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.

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

H.R. 5546 — Carroll A. Campbell, Jr. United States Courthouse Designation Act — *as amended* (Inglis, R-SC)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5546 would designate the United States courthouse to be constructed in Greenville, South Carolina, as the “Carroll A. Campbell, Jr. United States Courthouse.”

Additional Information: Former Congressman Carroll Campbell served in the South Carolina House of Representatives, from 1970 to 1974, and in the South Carolina Senate, from 1976 to 1978 before being elected to the U.S. House of Representatives in 1979. Campbell served in the House until 1987, when he was elected Governor of South Carolina. He served two terms as governor. Campbell died at the age of 65 from Alzheimer’s Disease.

Committee Action: H.R. 5546 was introduced on June 7, 2006, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House, as amended, by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a U.S. courthouse renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 9 of the Constitution grants Congress the authority to constitute tribunals inferior to the Supreme Court; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in Article I, Section 8.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 5606 — William M. Steger Federal Building and United States Courthouse Designation Act — *as introduced* (Hall, R-TX)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5606 would designate the Federal Building and U.S. courthouse located at 221 and 211 West Ferguson Street in Tyler, Texas, as the “William M. Steger Federal Building and United States Courthouse.”

Additional Information: William Steger was a U.S. Attorney and federal judge. After Pearl Harbor was bombed, Steger left Baylor University to become a pilot for the Army Air Corps. He rose to the rank of Captain, and was awarded the Air Medal four times. After the war, Steger became a test pilot.

Later, Steger earned a law degree from Southern Methodist University, and was appointed to be a U.S. Attorney in 1953 by President Eisenhower. In 1970, President Nixon appointed Steger to be a federal district judge. Steger died June 4, 2006.

Committee Action: H.R. 5606 was introduced on June 14, 2006, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a federal building and U.S. courthouse renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 9 of the Constitution grants Congress the authority to constitute tribunals inferior to the Supreme Court; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in Article I, Section 8.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 5026 — Andres Toro Building Designation Act — *as introduced* (Fortuno, R -PR)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5026 would designate the Investigations Building of the Food and Drug Administration located at 466 Fernandez Juncos Avenue in San Juan, Puerto Rico, as the “Andres Toro Building.”

Additional Information: According to the sponsor’s office, Andres Toro was the former Director of Investigations for the San Juan, Puerto Rico District. He played a major role in unprecedented regulatory cases that the Food and Drug Administration initiated against the regulated entities. Toro was the first, and only, Puerto Rican to become Director of Investigations.

Committee Action: H.R. 5026 was introduced on March 28, 2006, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a federal building renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 3 of the Constitution grants Congress the authority to regulate interstate commerce; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in Article I, Section 8.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 6051 — John F. Seiberling Federal Building and U.S. Courthouse Designation Act — *as amended (Ryan, D-OH)*

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6051 would designate the Federal building and U.S. courthouse located at 2 South Main Street in Akron, Ohio, as the “John F. Seiberling Federal Building and United States Courthouse.”

Additional Information: Former Congressman [John F. Seiberling](#) represented an Ohio district. He was elected as a Democrat to the Ninety-second through the Ninety-ninth Congresses. In 1950, he was a volunteer for the New York Legal Aid Society. From 1992 to 1996, Seiberling was a member of the faculty of the University of Akron Law School. He is currently a resident of Akron, Ohio.

Committee Action: H.R. 6051 was introduced on September 8, 2006, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House, as amended, by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a federal building and U.S. courthouse renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 9 of the Constitution grants Congress the authority to constitute tribunals inferior to the Supreme Court; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in Article I, Section 8.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 1556 — Clyde S. Cahill Memorial Park Designation Act — as introduced (Clay, D-MO)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1556 would designate a parcel of land on the site of the Thomas F. Eagleton United States Courthouse in St. Louis, Missouri, as the “Clyde S. Cahill Memorial Park.”

Additional Information: Judge [Clyde Cahill](#) received his law degree from St. Louis University School of Law in 1951. He served as the chief legal advisor to the Missouri office of the NAACP, and filed the first lawsuit in Missouri to enforce *Brown v. Board of Education*. Cahill was appointed to the U.S. District Court for the Eastern District of Missouri in 1980. He was the first African-American federal district judge to serve in the 8th Circuit. Judge Cahill was critical of the federal sentencing guidelines as overly severe. In 1994 he ruled that the federal law requiring longer sentences for crack cocaine crimes as opposed to powder cocaine crimes was unconstitutional, noting the impact of the law on black communities. Judge Cahill is survived by his wife, Thelma, and their six children.

Committee Action: H.R. 1556 was introduced on April 12, 2005, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a memorial park renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 9 of the Constitution grants Congress the authority to constitute tribunals inferior to the Supreme Court; and Article I, Section 8, Clause 18, the Necessary and Proper Clause, grants Congress the power to make all laws necessary and proper to carry out the enumerated powers in Article I, Section 8.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 2322 — Kika de la Garza Federal Building Designation Act — as introduced (Doggett, D-TX)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2322 would designate the Federal building located at 320 North Main Street in McAllen, Texas, as the “Kika de la Garza Federal Building.”

Additional Information: Former Congressman “[Kika](#)” [de la Garza](#) served in the Eighty-ninth through the One Hundred Fourth Congresses representing a Texas district. According to the Library of Congress, he was a strong supporter of civil rights safeguards for minorities. De la Garza fought for improved access to health care for the elderly and veterans, better living conditions for low-income individuals and the impoverished, and access to education.

Committee Action: H.R. 2322 was introduced on May 12, 2005, and referred to the Committee on Transportation and Infrastructure. The bill was marked-up and was ordered reported to the House by voice vote on September 20, 2006.

Cost to Taxpayers: The only costs associated with a federal building renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

Constitutional Authority: Although no committee report citing constitutional authority is available, Article IV, Section 3, Clause 2 of the Constitution grants Congress the authority to dispose of and make all needful rules and regulations respecting property belonging to the U.S.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 5637—Nonadmitted and Reinsurance Reform Act—as reported (Brown-Waite, R-FL)

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. 5637 attempts to reform the regulatory structure for nonadmitted insurance, also known as “surplus lines,” which are insurance policies sold to cover specialized risks for which the standard market does not offer policies (earthquakes, terrorism, product liability, etc.). The bill states that only the home state (where the principal place of business is maintained) of an insured may charge a premium tax for nonadmitted insurance. In addition, states would be encouraged to enter into a compact to share the premium taxes collected by the insured’s home state and adopt a nationwide, uniform procedure for the reporting, paying, and collecting of such taxes. Under current law, nonadmitted insurance purchasers are often double taxed, as different states have different assessment formulas and insurance policies often must cover multiple states.

H.R. 5637 similarly states that the statutory and regulatory requirements of the insured’s home state will govern alone (all regulations of a non-home state are preempted), and no state, other than an insured’s home state, would be permitted to require a broker to be licensed to sell nonadmitted insurance in their state. Currently, brokers often have to maintain as many as 50 different licenses. H.R. 5637 requires that states impose uniform eligibility requirements in conformance with the Non-Admitted Insurance Model Act. GAO would be required to study the effect of H.R. 5637’s provisions on the nonadmitted insurance market and submit its findings to Congress.

The legislation also attempts to reform the regulatory structure for reinsurance (insurance for insurance companies). H.R. 5637 ensures that no state may deny a “credit” for reinsurance to a primary insurer (or ceding insurer) who is domiciled in another state if that state is properly accredited by the National Association of Insurance Commissioners (NAIC). Currently, a ceding insurer can receive a credit for purchasing reinsurance and therefore either reduce its liabilities or increase its assets on its financial statements. However, some states have been refusing to accept the credits given to companies in their state of domicile. H.R. 5637 preempts states’ ability to refuse the credits of other states, as it would their ability to impose laws and regulations that further restrict the ceding insurer. Such authority would rest solely with the state of domicile. Furthermore, the bill provides the state of domicile (if accredited) with the authority to regulate the financial solvency standards of a reinsurer.

Committee Action: On June 19, 2006, H.R. 5637 was introduced and referred to the House Financial Services and Judiciary Committees for consideration. On September 12, 2006, the Financial Services Committee reported the bill for consideration by the full House.

Cost to Taxpayers: According to CBO, H.R. 5637 increases federal revenues by \$5-10 million per year between 2008-2016, since the bill prohibits states from taxing certain insurance products which in turn reduces federal tax deductions. The bill would have no significant impact on direct spending.

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. By preempting states from taxing and regulating insurance products issued to companies who are principally located in other states, H.R. 5637 includes an intergovernmental mandate. However, according to CBO, the costs to state governments of complying with this mandate would fall under the annual threshold for intergovernmental mandates established by the Unfunded Mandates Reform Act (UMRA).

Constitutional Authority: Committee Report 109-649 cites constitutional authority in Article I, Section 8, Clause 3 of the Constitution (“to regulate commerce...among the several states”).

RSC Staff Contact: Russ Vought, russell.vought@mail.house.gov, (202) 226-8581

S. 3850—Credit Rating Agency Reform Act—*as received* **(Sen. Shelby, R-AL)**

Order of Business: The bill is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

On July 12, 2006, the House passed a similar bill (H.R. 2990) by a vote of 255-166:

<http://clerk.house.gov/evs/2006/roll368.xml>. To read the RSC Legislative Bulletin on H.R. 2990, as it came to the House floor, visit this webpage:

http://www.house.gov/pence/rsc/doc/LB_071206_creditrating.doc.

Summary: S. 3850 would replace the Securities and Exchange Commission’s (SEC) staff’s subjective role in designating credit rating agencies (i.e. agencies rating debt securities, like bonds) as Nationally Recognized Statistical Rating Organizations (NRSROs), with a voluntary, more objective registration system for those agencies who want their ratings to be able to be used for federal regulatory purposes. Under current law, there is no formal registration process; SEC staff currently recognize five credit rating agencies as NRSROs. Rating agencies that have issued fee-based credit ratings for at least three years using a quantitative or qualitative model to determine its publicly available ratings and registered with the SEC would be eligible to be NRSROs.

NRSROs would be required to disclose, as part of their applications (in an electronically-accessible format), their long-term, mid-term, and short-term statistical record at rating securities and public companies, the methods they use in deriving their ratings, any conflicts their respective practices create (and how such conflicts are resolved), and their respective organizational structures.

Applicants would also be required to submit written certifications from at least ten qualified institutional buyers, none of which is affiliated with the applicant, but all of which have used the applicant’s credit ratings for the previous three years. NRSROs would also be required to implement systematic procedures to manage conflicts of interest and prevent the misuse of non-public information.

The SEC would have 90 days to either approve an application or initiate procedures for its denial. This timeframe could be extended upon agreement with the applicant. NRSROs would have to update their registration information annually with the SEC, and the SEC could take disciplinary action (including revoking a registration) against an NRSRO that violates the terms of its registration.

The SEC would be instructed to inspect, examine, and bring enforcement actions under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.). NRSROs would have to appoint a chief compliance officer to ensure compliance with applicable securities laws and regulations.

It would be illegal for NRSROs to:

- represent themselves as statistical rating organizations, unless they are in compliance with this bill's registration requirements; and
- represent or imply that they have been sponsored, recommended, or approved by any federal entity or officer.

SEC would be given 270 days from this bill's enactment to review and, if necessary, revise its regulations that use the term "NRSRO." The SEC could adopt rules or regulations to prohibit NRSROs from engaging in any act or practice the SEC deems to be unfair, coercive, or abusive (including modifying ratings on the condition of the customer purchasing other services from the credit rating agency).

S. 3850 would make NRSROs subject to the reporting and recordkeeping requirements of the Securities Exchange Act of 1934 (such as those for those for mutual funds, investment advisors, and brokers).

The registration regime created by this legislation would go into effect 270 days after enactment. Immediately upon enactment of this legislation, the SEC could no longer enforce its existing rules on NRSROs (17 CFR 240.15c3-1).

The bill would clarify that there is no private right of action for NRSROs under the Securities Exchange Act of 1934 by establishing "furnishing" requirements, rather than "filing" requirements and by affirmatively stating that the legislation creates no right of private action. [Current securities law allows private rights of action against certain filings.]

S. 3850 would require the U.S. Comptroller General to report to Congress between three and four years of this bill's enactment on:

- the impact that this legislation has had on the quality of credit ratings issued, the financial markets, competition among credit rating agencies, incidences of conflicts of interest and inappropriate sales practices, and other such matters;
- the problems arising from the above impacts; and
- the solutions to any problems identified above.

The bill notes, regarding credit rating agencies, that "their ratings, publications, writings, analyses, and reports customarily relate to the purchase and sale of securities traded on securities exchanges and in interstate over-the-counter markets, securities issued by companies engaged in business in interstate commerce, and securities issued by national banks and member banks of the Federal Reserve System; and the foregoing transactions occur in such volume as substantially to affect interstate commerce, and securities markets, the national banking system, and the national economy."

Additional Background: The five NRSROs are: A.M. Best Company, Inc.; Dominion Bond Rating Service Limited; Fitch, Inc; Moody's Investors Service, Inc.; and the Standard & Poor's Division of the McGraw Hill Companies, Inc. (Moody's and S&P are the two dominant ones.).

Committee Action: The Senate bill was not referred to any House committee. On June 20, 2005, the House version of this bill, H.R. 2990, was referred to the Financial Services Committee, which (on June 14, 2006) marked up and ordered the bill reported to the full House by voice vote.

Administration Position: Although a formal Administration position is not available for S. 3850, the Statement of Administration Policy (SAP) for H.R. 2990 indicated support for the legislation:

<http://www.whitehouse.gov/omb/legislative/sap/109-2/hr2990sap-h.pdf>. Additionally, the SEC testified last year before Congress that it favors a more explicit regulatory regime for NRSROs: <http://financialservices.house.gov/media/pdf/041205an.pdf>.

Cost to Taxpayers: CBO estimates that S. 3850 would cost \$3 million over the FY2007-2011 period 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?: CBO confirms that the new registration requirements in the bill would be considered private-sector mandates.

Constitutional Authority: Senate committee reports are not required to contain statements of constitutional authority. The House Financial Services Committee, in House Report 109-546 for H.R. 2990, cites constitutional authority in Article 1, Section 8, Clause 1 (relating to the general welfare of the United States) and Clause 3 (relating to the power to regulate interstate commerce).

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

H.R. 5347 — HOPE VI Reauthorization Act of 2006 — *as reported* (Shays, R-CT)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill, as amended

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. 5347, which extends a sunset, did not received a waiver from the elected Leadership.

Summary: H.R. 5347 would amend the U.S. Housing Act of 1937 to extend appropriations (such sums as necessary) for FY2007 for demolition, site revitalization, replacement housing, and tenant-based assistance grants for public housing projects (42 U.S.C. 1437v). The bill also extends the sunset date (currently September 30, 2006) for this type of assistance to September 30, 2007.

Committee Action: H.R. 5347 was introduced on May 10, 2006, and referred to the Committee on Financial Services. The bill was marked-up on May 24, 2006, and it was reported to the House by voice vote on July 27, 2006 (H. Rept. [109-605](#)).

Possible Conservative Concerns: Originally known as the Urban Revitalization Demonstration (URD), HOPE VI grew out of recommendations by the National Commission on Severely Distressed Public Housing, which was charged with proposing a National Action Plan to eradicate severely distressed public housing. In response, Congress established the Revitalization of Severely Distressed Public Housing (HOPE VI) program in 1992 to address 100,000 of the most severely distressed public housing units in the nation's urban neighborhoods by 2003. This HUD program provides competitive grants to local housing authorities to construct, rehabilitate and transform distressed public housing

units into mixed-income communities. *However, the 2003 goal has been met and exceeded according to HUD. In addition, in 2002 the Government Accountability Office reported that HOPE VI has 27 percent higher per-unit housing costs than vouchers that serve the same population and 47 percent higher when all costs are considered. It is also duplicative of other federal programs providing similar assistance.* The President's FY2007 budget request defunded the HOPE VI program, and Administration also submitted a request that Congress rescind the as-of-yet unawarded FY2006 HOPE VI funds. In addition, the FY07 RSC Budget proposed termination of this program.

Cost to Taxpayers: In FY2006, \$99 million was appropriated for this program. CBO estimates that “assuming appropriation of a similar amount adjusted for inflation, implementing H.R. 5347 (as amended) would cost \$60 million through FY2011.” However, the bill would actually authorize \$574 million for FY2007.

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 Financial Services Committee, in House Report [109-605](#), cites constitutional authority in Article I, Section 8, Clause 1 (relating to the general welfare of the U.S.) and Clause 3 ((relating to the power to regulate interstate commerce).

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

H.R. 6079—Hedge Fund Study Act—as introduced (Castle, R-DE)

Order of Business: The bill is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6079 would direct the President’s existing Working Group on Financial Markets to study and (within 180 days of enactment) report to Congress on the hedge fund industry. The study would have to focus on:

- the changing nature of hedge funds and what characteristics define a hedge fund;
- the growth of hedge funds within financial markets;
- the growth of pension funds investing in hedge funds;
- whether hedge fund investors are able to protect themselves adequately from the risk associated with their investments;
- whether hedge fund leverage is effectively constrained; and
- the potential risks hedge fund pose to financial markets or to investors.

The report would also have to include recommendations on:

- any proposed legislation relating to appropriate disclosure requirements for hedge funds;
- the type of information hedge funds should disclose to regulators and to the public; and

- any oversight responsibilities that members of the President's Working Group should have over the hedge fund industry, and the degree and scope of such oversight.

Additional Background: For information on what hedge funds are, visit this webpage: <http://www.thehfa.org/Aboutus.cfm?CFID=5501272&CFTOKEN=8062ace1f6269f22-EA9F2E42-3048-2197-8E84C2500F3A0A26>.

Committee Action: On September 14, 2006, the bill was referred to the Financial Services Committee, which took no official action on it.

Cost to Taxpayers: This bill would not yield any significant cost to the taxpayer.

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.

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

H.R. 5503—FHA Multifamily Loan Limit Adjustment Act—*as reported* (Miller, Gary, R-CA)

Order of Business: The bill is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

Summary and Background: H.R. 5503 would increase the current limit on the value of individual loans that the Federal Housing Administration (FHA) could guarantee in certain high-cost areas of the country under 12 of its 20 multifamily loan guarantee programs. [Under the National Housing Act, FHA is authorized to insure private loans (up to certain amounts) for financing certain multifamily homes.]

The maximum amount of a loan that FHA can guarantee for multifamily housing depends on the base loan levels established by FHA, which vary by type and size of housing within a project. Currently, in regions designated by FHA as high-cost areas (urban areas, such as Los Angeles, New York, and Seattle), the base loan limit can be increased by up to 140% of the base. H.R. 5503 would increase the loan limit in high-cost areas to 170% of the base amount and allow the FHA the discretion, on a case-by-case basis, to increase it to 215% of the base.

Additional Background: The Financial Services Committee, in House Report 109-645, writes the following:

The FHA multifamily mortgage insurance program allows developers to obtain long-term, fixed-rate, non-recourse loans for the construction and substantial rehabilitation of affordable, multifamily housing. FHA-insured multifamily units are available for low- and moderate-income families and serve as an important source of housing, especially

in expensive cities that lack other affordable housing alternatives. However, because of its statutory loan limits, in the past two years FHA was only able to insure a handful of multifamily loans for areas where housing costs are especially high, such as New York City, Philadelphia, Seattle, and Los Angeles.

Committee Action: On May 25, 2006, the bill was referred to the Financial Services Committee, which, two months later, marked up and by voice vote ordered the bill reported to the full House.

Possible Conservative Concerns: Similar to concerns raised about the increased loan limits in last year's GSE bill (H.R. 1461), some conservatives have expressed concerns about H.R. 5503's increasing the availability of a government loan guarantee program—especially in such a way that could allow more financially secure people to participate.

To read the RSC Legislative Bulletin on H.R. 1461, see pages two and six here:
<http://www.house.gov/pence/rsc/doc/GSE%20Legislative%20Bulletin.pdf>.

Cost to Taxpayers: CBO estimates that H.R. 5503 would reduce authorizations by \$15 million a year, beginning in FY2007.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill would expand who could participate in a federal loan guarantee program.

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

Constitutional Authority: The Financial Services Committee, in House Report 109-645, cites constitutional authority in Article I, Section 8, Clause 1 (the congressional power to provide for the general welfare of the United States) and Article I, Section 8, Clause 3 (the congressional power to regulate interstate commerce).

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

H.R. 5585—Financial Netting Improvements Act—*as reported* (McHenry, R-NC)

Order of Business: The bill is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5585 would amend current (banking, securities, and bankruptcy) laws regarding the disposition of financial contracts in the event of bankruptcy or insolvency, to provide that contracts and various components of contracts are settled consistently on a net-value basis (i.e. settling mutual obligations at their *net* value as opposed to each obligation's *gross* dollar value). This method of settling, known as "netting," is seen as reducing the risk that the failure of one entity will disrupt financial markets.

Several of the provisions of the bill are clarifying or technical changes to Title IX of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (Public Law 109-8).

H.R. 5585 would also increase the statutory filing fee (by \$40) paid by those filing for Chapter 7 bankruptcy, in order to raise the compensation (from \$60 to \$100) paid from part of the filing fee to private trustees appointed to manage a debtor's estate under such bankruptcy relief.

Committee Action: On June 12, 2006, the bill was referred to the Financial Services and Judiciary Committees. On June 14th, the Financial Services Committee marked up and by voice vote ordered the bill reported to the full House. On September 22nd, the Judiciary Committee discharged the bill.

Cost to Taxpayers: CBO reports that this bill would yield no significant change in mandatory spending. CBO also reports the following regarding the fee increase: "Increasing filing fees and trustee compensation under Chapter 7 of the bankruptcy code would have no budgetary impact. Under current law, \$45 of the \$245 fee paid by those filing for Chapter 7 relief is collected by the government on behalf of a private trustee, placed in a (nonbudgetary) deposit account, and paid to the private trustee. Those amounts are not owned by the Federal Government and are not recorded on the budget."

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

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

Constitutional Authority: The Financial Services Committee, in House Report 109-648, cites constitutional authority in Article I, Section 8, Clause 1 (the congressional power to provide for the general welfare of the United States), Article I, Section 8, Clause 3 (the congressional power to regulate interstate commerce), and Article I, Section 8, Clause 4 (the congressional power to establish uniform bankruptcy laws).

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

H.R. 6062—Community Development Investment Enhancement Act — *as introduced (Frank, D-MA)*

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. 6062 increases the amount that national and state member banks can contribute "to promote the general welfare, including the welfare of low- and moderate-income communities or families (such as by providing housing, services, or jobs)," as a percent of their capital stock, from 10% to 15%. In addition, the bill extends the same authority to federal thrifts institutions "to promote the public welfare." Such authority would be limited to between 5-15% of their capital stock.

Additional Background: The provisions of H.R. 6062 were largely encompassed in the Financial Services Regulatory Relief Act (H.R. 3505), sponsored by Rep. Jeb Hensarling, that passed the House on March 8, 2006, by a vote of 415 to 2.

Committee Action: On September 13, 2006, H.R. 6072 was introduced and referred to the House Financial Services Committee for consideration. The Committee has not yet taken any formal action on the bill.

Cost to Taxpayers: A CBO cost estimate is not available.

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?: A CBO cost estimate is not available.

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

RSC Staff Contact: Russ Vought, russell.vought@mail.house.gov, (202) 226-8581

H.R. 6072—Financial Services Regulatory Relief Amendments Act — *as introduced (Ross, D-AR)*

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. 6072 amends Section 43 of the Federal Deposit Insurance Act, dealing with requirements for depository institutions that are not insured by FDIC, namely state-chartered credit unions. The bill would allow state supervisors of private deposit insurers to enforce compliance with Section 43. In addition, H.R. 6072 clarifies that such institutions' deposit slips do not need to conspicuously note that they are not federally insured, loosens the requirement that any of the institution's advertising contain such a statement, and requires a written acknowledgment card be signed by the new depositors (either through a merger or not) and current depositors that the institution is not federally insured.

In addition, H.R. 6072 repeals a provision in current law that prohibits privately-insured credit unions from using "any instrumentality of interstate commerce to receive or facilitate receiving deposits" (i.e. mail, telephone, Internet) unless the institution meets all the eligibility requirements of a federally-insured institution. The bill also limits the Federal Trade Commission enforcement of Section 43 to the required disclosures and the manner and content by which they are made. According to the Financial Service Committee, this is to prevent the FTC from identifying entities that are not depository institutions and yet subjecting them to Section 43's requirements. Finally, H.R. 6072 clarifies the maximum interest rate that can be levied by certain financial institutions.

Additional Background: The provisions of H.R. 6072 were encompassed in the Financial Services Regulatory Relief Act (H.R. 3505), sponsored by Rep. Jeb Hensarling, that passed the House on March 8, 2006, by a vote of 415 to 2.

Committee Action: On September 14, 2006, H.R. 6131 was introduced and referred to the House Financial Services Committee for consideration. The Committee has not taken any formal action on the bill as of yet.

Cost to Taxpayers: A CBO cost estimate is not available.

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?: A CBO cost estimate is not available.

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

RSC Staff Contact: Russ Vought, russell.vought@mail.house.gov, (202) 226-8581

H.R. 6162 — Secure Border Initiative Financial Accountability Act — *as introduced* (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. 6162 would require the Department of Homeland Security (DHS) Inspector General (IG) to review each contract action (greater than \$20 million) related to DHS' Secure Border Initiative, to determine whether the action complies with applicable cost requirements, performance objectives, *inclusion of small, minority, and women-owned business*, and timelines.

The bill requires that the IG complete a report within 60 days of the action's start, and upon conclusion of the contract, and submit these reports to the DHS Secretary. Requires the DHS Secretary to submit a report to Congress on the findings of the IG reports, and include what steps are being taken to remedy any problems identified in the reports.

The bill authorizes to be appropriated, in addition to amounts otherwise authorized to the Office of the Inspector General, an additional amount equal to at least 5% for FY2007, 6% for FY2008, and 7% for FY2009, of the overall budget for that office.

Committee Action: H.R. 6162 was introduced on September 25, 2006, and referred to the Committee on Homeland Security, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 6162 is unavailable.

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

H.Con.Res. 473 — Supporting the Goals and Ideals of Gynecologic Cancer Awareness Month — *as reported* (Issa, R-CA)

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 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 Congress supports the ideals and goals of the day, and urges the President to issue a proclamation with respect to the day. Because the resolution merely states support for, and urges a proclamation on, but does not establish a commemorative day, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Con.Res. 473 resolves that Congress:

- “supports the goals and ideals of Gynecologic Cancer Awareness Month; and
- “requests that the President issue a proclamation calling upon the people of the United States to observe Gynecologic Cancer Awareness Month with appropriate educational programs and activities.”

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

- “the Gynecologic Cancer Foundation was founded by the Society of Gynecologic Oncologists in 1991;
- “the mission of the Gynecologic Cancer Foundation is to raise awareness about the prevention, early detection, and treatment of reproductive cancers;
- “over 77,000 American women will be diagnosed with a reproductive cancer in 2006; and
- “September is widely recognized as Gynecologic Cancer Awareness Month.”

Committee Action: H.Con.Res. 473 was introduced on September 14, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.Res. 402 — Supporting the Goals and Ideals of Infant Mortality Awareness Month — *as reported* (Burgess, R-TX)

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 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 Congress supports the ideals and goals of the month. Because the resolution merely states support for, but does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Res. 402 resolves that the House supports the goals and ideals of Infant Mortality Awareness Month in order to:

- “increase national awareness of infant mortality and its contributing factors; and
- “facilitate activities that will assist local communities in their efforts to meet the objective, as established by the Secretary of Health and Human Service in Healthy People 2010, that the rate of infant mortality in the United States be reduced to a rate of not more than 4.5 infant deaths per 1,000 births.”

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

- “infant mortality refers to the death of a baby before it reaches its first birthday;
- “the United States ranks 28th among industrialized nations in the rate of infant mortality;
- “in the United States, infant mortality increased in 2002 for the first time in more than four decades;
- “in 2002 the rate reached 7 deaths per 1,000 live births, which was the first increase since 1958;
- “the recent increase is a significant and troubling public health issue, especially for African American families, Native American families, and Hispanic families;
- “the infant mortality rate among African American women is more than double that of Caucasian women, according to a report produced by the National Healthy Start Association and by a related group supported by the health department of Allegheny County, in the State of Pennsylvania;
- “the Secretary of Health and Human Services has designated 2010 as the year by which certain objectives should be met with respect to the health status of the people of the United States;
- “such objectives, known as Healthy People 2010, include an objective regarding a decrease in the rate of infant mortality;
- “September 1, 2005, is the beginning of a period of several months during which there will be several national observances that relate to the issue of infant mortality, including the observance of October as Sudden Infant Death Awareness Month and November as Prematurity Awareness Month; and
- “it would be appropriate to observe September 2005 as Infant Mortality Awareness Month.”

Committee Action: H.Res. 402 was introduced on July 28, 2005, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

**H.Res. 748 — Recognizing the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War
— as reported (Jo Ann Davis, R-VA)**

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 748 resolves that the House, “recognizes the 225th anniversary of the American and French victory at Yorktown, Virginia, during the Revolutionary War and reminds the American people of the debt the United States owes to its armed forces and the important role Yorktown and the Commonwealth of Virginia played in securing their liberty.”

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

- “at Yorktown, Virginia, on October 19, 1781, General George Washington and the American and French armies received the surrender of Lieutenant General Charles Cornwallis and nearly 7,100 British soldiers and sailors, ending nine days of siege operations against the British army;
- “the victory at Yorktown concluded the last major battle of the American Revolution, effectively ending the war and securing for the colonies their independence by providing a military conclusion to the political declaration issued five years earlier;
- “Virginia, as the largest and most populous of the original 13 colonies and the home of General Washington, Thomas Jefferson, Patrick Henry, Thomas Nelson, Jr., and other leaders of the American Revolution, is blessed with a rich history of noteworthy contributions to the struggle to secure liberty and democracy;
- “in 1983 the Virginia General Assembly designated the 19th day of October of each year to be recognized and celebrated as Yorktown Day throughout the Commonwealth of Virginia; and
- “the 2006 observance of Yorktown Day celebrates the 225th anniversary of the American and French victory at Yorktown.”

Committee Action: H.Res. 748 was introduced on March 30, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.Con.Res. 222 — Supporting the Goals and Ideals of National Pregnancy and Infant Loss Remembrance Day — *as introduced* (Latham, R-IA)

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 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 Congress supports the ideals and goals of the day, and urges the President to issue a proclamation with respect to the day. Because the resolution merely states support for, and urges a proclamation on, but does not establish a commemorative day, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Con.Res. 222 resolves that Congress:

- “supports the goals and ideals of National Pregnancy and Infant Loss Remembrance Day; and
- “requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.”

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

- “each year, approximately one million pregnancies in the United States end in miscarriage, stillbirth, or the death of a newborn baby;
- “during the past two years, Governors of all 50 States have signed proclamations designating October 15 as Pregnancy and Infant Loss Remembrance Day;
- “the legislatures of the States of Arkansas, Kansas, Kentucky, Louisiana, Missouri, New York, Rhode Island, and South Dakota have passed concurrent resolutions recognizing October 15 of each year, as Pregnancy and Infant Loss Remembrance Day;
- “the observance of Pregnancy and Infant Loss Remembrance Day may provide validation to those who have lost a baby through miscarriage, stillbirth, or other complications;
- “recognizing Pregnancy and Infant Loss Remembrance Day will provide the people of the United States with an opportunity to increase their understanding of the great tragedy involved in the deaths of unborn and newborn babies;
- “Pregnancy and Infant Loss Remembrance Day would enable the people of the United States to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members, and work to prevent the causes of these deaths; and

- “October 15, 2005 would be an appropriate day to observe National Pregnancy and Infant Loss Remembrance Day.”

Committee Action: H.Con.Res. 222 was introduced on July 27, 2005, 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.

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.Res. 991 — Congratulating the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games — *as introduced* (Westmoreland, R-GA)

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 991 would resolve that the House of Representatives congratulates the Columbus Northern Little League Baseball Team from Columbus, Georgia, on its victory in the 2006 Little League World Series Championship games.

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

- “although Columbus Northern had taken 1 loss in the series, they did not give up, and although the Championship game was delayed a day by rain, the Columbus Northern team still kept pressing hard to come from behind to win the Championship game;
- “a team from the State of Georgia had not won the world title in more than 20 years;
- “the championship victory of the Columbus Northern Little League Baseball Team sets an example of sportsmanship, dedication, and a ‘never give up’ spirit for men and women all across the country; and
- “the achievement of the Columbus Northern Little League Baseball Team is the cause of enormous pride for the Nation, the State of Georgia, and the city of Columbus.”

Committee Action: H.Res. 991 was introduced on September 7, 2006, and referred to the Committee on Government Reform. The bill was marked-up on September 21, 2006, and it was reported to the House by unanimous consent the same day.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

H.R. 5108 — Lance Corporal Robert A. Martinez Post Office Building Designation Act — *as introduced* (Poe, R-TX)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5108 would designate the U.S. Postal Service facility located 1213 East Houston Street in Cleveland, Texas, as the “Lance Corporal Robert Martinez Post Office Building.”



at
A.

from

Additional Information: Marine Lance Corporal Robert A. Martinez died an improvised explosive device at the age of 22 on December 1, 2005 while inside an abandoned flour factory being used as a patrol base. Lance Corporal Martinez was assigned to the 2nd Battalion, 7th Marine Regiment, 1st Marine Division, First Marine Expeditionary Force.

For additional information on Robert Martinez and other fallen heroes of Operation Iraqi Freedom, please visit: <http://www.fallenheroesmemorial.com/oif/profiles/martinezroberta.html>.

Committee Action: H.R. 5108 was introduced on April 5, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 6075 — Robert J. Thompson Post Office Building Designation Act — *as introduced* (Pitts, R-PA)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6075 would designate the U.S. Postal Service facility located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building.”

Additional Information: [Robert Thompson](#) was a Pennsylvania state Senator who represented parts of Chester and Montgomery counties. Thompson died at the age of 68 as a result of complications from pulmonary fibrosis. He had been in public service for more than 30 years. He is survived by his wife, two daughters, four grandchildren, a sister and brother.

Committee Action: H.R. 6075 was introduced on September 14, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 6078 — Chuck Fortenberry Post Office Building Designation Act — *as introduced* (Brady, R-TX)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6078 would designate the U.S. Postal Service facility located at 307 West Wheat Street in Woodville, Texas, as the “Chuck Fortenberry Post Office Building.”

Additional Information: [According to the Associated Press](#), Warrant Officer Chuck Fortenberry was killed on April 11, 2004 at the age of 38, when his AH-Apache attack helicopter was shot down by insurgents near Baghdad. He was escorting a fuel convoy to Falujah when his helicopter was attacked. Fortenberry was assigned to the 1st Battalion, 227th Aviation Regiment, 1st Cavalry Division.



64

Committee Action: H.R. 6078 was introduced on September 14, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 4720—Beverly J. Wilson Post Office Building Designation Act—*as introduced* (Doolittle, R-CA)

Order of Business: The bill is scheduled to be considered on Wednesday, September 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4720 would designate the U.S. postal facility located at 200 Gateway Drive in Lincoln, California, as the “Beverly J. Wilson Post Office Building.”

Additional Background: Beverly J. Wilson was a fifty-year resident of Lincoln, CA, and served as a postal carrier for over twenty-five years. Tragically, Beverly was killed in the line of duty a mere four weeks short of retirement.

Committee Action: On February 8, 2006, the bill was referred to the Government Reform Committee, which on September 21, 2006, marked up and by unanimous consent ordered the bill reported to the full House.

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

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

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

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

H.Res. 973 — Recognizing Financial Planning Week, recognizing the significant impact of sound financial planning on achieving life’s goals, and honoring families and the financial planning profession for their adherence and dedication to the financial planning process — *as introduced* (Hinojosa, D-TX)

Order of Business: The resolution is scheduled for consideration on Wednesday, September 27, 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 expresses the sense of the House of Representatives that a Financial Planning Week has been designated as beginning on October 2, 2006. Because the resolution merely congressional findings, but does not actually establish a commemorative week, the Parliamentarian’s office has apparently ruled that it is allowable under House rules.

Summary: H.Res. 973 would resolve that the House of Representatives:

- 1) “encourages Americans to observe ‘Financial Planning Week’ with appropriate programs and activities;
- 2) “supports the goals and ideals of ‘Financial Planning Week’;
- 3) “recognizes the significant impact that sound financial planning can have on securing financial independence and achieving life’s goals and dreams; and
- 4) “acknowledges and commends the millions of families across the United States, as well as the financial planning profession, for their adherence and dedication to the financial planning process.”

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

- “the financial planning process can play a vital role in helping workers achieve financial independence by empowering them to identify and manage realistic financial objectives and meet the financial challenges that arise at every stage of life;
- “all individuals in the United States can improve their quality of life by securing competent, objective, and comprehensive financial advice to assist them in attaining their financial goals; and
- “the Financial Planning Association has designated the week beginning October 2, 2006, as ‘Financial Planning Week.’”

Committee Action: H.Res. 973 was introduced on September 7, 2006, and referred to the Committee on Government Reform on September 21, 2006. The bill was marked-up on September 21, 2006, and it was reported to the House by unanimous consent on the same day.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

H.R. 5989 — John J. Sinde Post Office Building Designation Act
— as introduced (Davis, D-IL)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5989 would designate the U.S. Postal Service facility located at 10240 Roosevelt Road in Westchester, Illinois, as the “John J. Sinde Post Office Building.”

Additional Information: John J. Sinde was the mayor of the Village of Westchester from 1981 to 2004. [Mayor Sinde](#) is survived by his wife Marilyn, 3 children, and 6 grandchildren.

Committee Action: H.R. 5989 was introduced on July 28, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

H.R. 5990 — Wallace W. Sykes Post Office Building Designation Act
— as introduced (Davis, D-IL)

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5990 would designate the U.S. Postal Service facility located at 415 South 5th Avenue in Maywood, Illinois, as the “Wallace W. Sykes Post Office Building.”

Additional Information: According to materials received from the Committee on Government Reform, “Pastor Wallace Wyatt Sykes is an institution in the town of Maywood, Illinois,” and “has provided dedicated leadership sorely needed for the Church of God since 1961.”

Committee Action: H.R. 5990 was introduced on July 28, 2006, and referred to the Committee on Government Reform. The bill was marked-up and was ordered reported to the House by unanimous consent on September 21, 2006.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

S. 3613 — Major George Quamo Post Office Building Designation Act — *as received (Sen. Clinton, D-NY)*

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5990 would designate the U.S. Postal Service facility located at 2951 New York Highway 43 in Averill Park, New York, as the “Major George Quamo Post Office Building.”

Additional Information: According to Senator Clinton’s website, [Maj. Quamo](#) was a member of the Special Forces Unit in the Vietnam War, and was killed in 1968 at age 27 when the helicopter he was traveling in crashed outside of Laos in a heavily wooded area. “Quamo commanded three reconnaissance teams while in Vietnam, leading a number of covert missions. His actions saved the lives of 14 of his men. During his distinguished career he was awarded 26 medals which included the Distinguished Service Cross, two Silver Stars, Bronze Star, Legion of Merit and Presidential Unit Citations. He was 27 and the youngest major ever to have served in the Special Forces Unit.”

Committee Action: S. 3613 was received from the Senate on September 6, 2006, and referred to the Committee on Government Reform, which took no official action.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717

S. 3187 — Richard L. Cevoli Post Office Building Designation Act — *as received (Reed, D-RI)*

Order of Business: The bill is scheduled for consideration on Wednesday, September 27, 2006, under a motion to suspend the rules and pass the bill.

Summary: S. 3187 would designate the U.S. Postal Service facility located at 5755 Post Road, East Greenwich, Rhode Island, as the “Richard L. Cevoli Post Office.”

Additional Information: According to the sponsor’s office, Richard Cevoli fought in World War II and the Korean War. In World War II, Commander Cevoli was awarded the Navy Cross for his bravery during the Battle of Leyte Gulf. During the battle, Cevoli strafed the largest Japanese ship, silencing many of its guns. The following day he severely damaged a Japanese aircraft carrier with a 500-pound bomb, and strafed a destroyer, silencing its antiaircraft weapons, thereby contributing to the successful bombing and torpedo attacks that followed.

Following the Second World War, Cevoli served as the Executive Officer in Squadron VF-19 on board the USS LEYTE, seeing action in the Korean War. In addition to the Navy Cross, Commander Cevoli earned two Distinguished Flying Crosses and eight Air Medals during his active flying career.

Cevoli was born in East Greenwich in 1919, where he remained a life-long resident.

Committee Action: S. 3187 was received from the Senate on July 24, 2006, and referred to the Committee on Government Reform, which took no official action.

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

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

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

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

RSC Staff Contact: Marcus Kelley; marcus.kelley@mail.house.gov; (202) 226-9717
