



**Legislative Bulletin.....November 14, 2006**

**Contents:**

- H.J.Res. 96** — Recognizing the contributions of the Christmas tree industry to the United States economy
- H.R. \_\_\_\_** — To amend title 38, United States Code, to extend certain expiring provisions of law
- H.R. 1245** — Gynecologic Cancer Education and Awareness Act of 2005
- H.R. 864** — Sober Truth on Preventing Underage Drinking Act
- H.Res. 993** — Expressing the sense of the House of Representatives with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month
- H.R. 5585** — Financial Netting Improvements Act of 2006

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

**Total Number of New Government Programs:** At least four

**Total Cost of Discretionary Authorizations:** \$100.5 million FY07, and 165.5 million over five years

**Effect on Revenue:** \$0

**Total Change in Mandatory Spending:** increased insignificantly

**Total New State & Local Government Mandates:** 0

**Total New Private Sector Mandates:** 0

**Number of Bills Without Committee Reports:** 3

**Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority:** 0

**H.J.Res. 96 — Recognizing the contributions of the Christmas tree industry to the United States economy — *as amended* (Foxx, R-NC)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, November 14, 2006, under a motion to suspend the rules and pass the resolution, as amended.

**Summary:** H.J.Res. 96 resolves that Congress, “recognizes the important contributions of the live-cut Christmas tree industry, Christmas tree growers, and persons employed in the live-cut Christmas tree industry to the United States economy.”

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

- “Christmas trees have been sold commercially in the United States since the 1850s;
- “36 million live-cut Christmas trees are produced each year, and 98 percent of these trees are shipped or sold directly from Christmas tree farms;
- “North Carolina, Oregon, Michigan, Washington, Wisconsin, Pennsylvania, New York, Minnesota, Virginia, California, and Ohio are the top producers of live-cut Christmas tree, but Christmas trees are grown in all 50 States;
- “there are more than 21,000 growers of Christmas trees in the United States, and approximately 100,000 people are employed in the live-cut Christmas tree industry;
- “many Christmas tree growers grow trees on a part-time basis to supplement their other farm and non-farm income; and
- “the retail value of all Christmas trees harvested in 2005 was \$1.4 billion.”

**Committee Action:** H.J.Res. 96 was introduced on September 19, 2006, and referred to the Committee on Agriculture, 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](mailto:marcus.kelley@mail.house.gov); (202) 226-9717

---

---

**H.R. \_\_\_\_\_ — To amend title 38, United States Code, to extend certain expiring provisions of law — *as introduced* (Buyer, R-IN)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, November 14, 2006, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. makes the following changes to current law:

- extends the availability of hospital care, medical services, and nursing home care to veterans exposed to a toxic substance, radiation, or other conditions from December 31, 2005, to December 31, 2007;
- extends the time that the Secretary of Veterans Affairs (VA) may make grants to homeless veterans for outreach, rehabilitative services, vocational counseling and training, and transitional housing assistance from September 30, 2005 to September 30, 2007;

- extends the time that the VA Secretary may provide outreach services – care, treatment, and rehabilitative services – and therapeutic transitional housing assistance in conjunction with work therapy to veterans suffering from serious mental illness, including veterans who are homeless from December 31, 2006, to December 31, 2007;
- extends the time that the VA Secretary may expand and improve the provision of benefits and services by the Department of Veterans Affairs to homeless veterans from December 31, 2006, to December 31, 2007;
- extends the establishment of the Advisory Committee on Homeless Veterans from December 31, 2006, to December 31, 2007;
- extends the time that the VA Secretary may provide government markers for veterans' graves in private cemeteries from December 31, 2006 to December 31, 2007;
- extends the time that the VA Secretary may pay educational assistance allowance to veterans from December 27, 2006 to June 30, 2007; and
- expands the eligibility for survivor and dependant educational expenses by making spouses and dependants of totally disabled veterans eligible for assistance.

**Committee Action:** The bill will be introduced Tuesday, November 14, 2006.

**Cost to Taxpayers:** Unofficially, CBO estimates authorizations for H.R. \_\_\_\_ will be \$77 million over the 2007-2011 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, the bill expands the eligibility for survivor and dependant educational expenses by making spouses and dependants of totally disabled veterans eligible for assistance.

**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](mailto:marcus.kelley@mail.house.gov); (202) 226-9717

## **H.R. 1245 — Gynecologic Cancer Education and Awareness Act of 2005 — *as amended* (Issa, R-CA)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, November 14, 2006, under a motion to suspend the rules and pass the bill, as amended.

*Note:* Under House Republican Conference Rules, legislation that creates a new program may not be considered by the House on the Suspension Calendar. This rule may be waived by a vote of the elected Leadership. H.R. 1245, which creates a new program, received such a waiver from the elected Leadership.

**Summary:** H.R. 1245 directs the Secretary of Health and Human Services (HHS) to develop and carry out a national awareness campaign regarding gynecologic cancers. The campaign is to develop and distribute written materials, and air public service announcements.

Six months from enactment, HHS is to report to Congress on the progress of the campaign. Three months after reporting to Congress the Secretary is to consult with private sector groups and nonprofit organizations to develop improvements in the awareness campaign.

**Committee Action:** H.R. 1245 was introduced on March 10, 2006, and referred to the Committee on Energy and Commerce, which took no official action.

**Cost to Taxpayers:** A cost estimate is unavailable. However, the bill authorizes \$16.5 million in the 2007-2009 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes, H.R. 1245 creates a new, \$16.5 million program to raise awareness of gynecologic cancer.

**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](mailto:marcus.kelley@mail.house.gov); (202) 226-9717

---

---

## **H.R. 864 — Sober Truth on Preventing Underage Drinking Act — *as amended (Roybal-Allard, D-CA)***

**Order of Business:** The bill is scheduled for consideration on Tuesday, November 14, 2006, under a motion to suspend the rules and pass the bill, as amended

*Note:* Under House Republican Conference Rules, legislation which creates at least three new programs may not be considered by the House on the Suspension Calendar. This rule may be waived by a vote of the elected Leadership. H.R. 864 received such a waiver from the elected Leadership.

**Summary:** H.R. 864 codifies the interagency coordinating committee focusing on underage drinking that had been operating informally since 2004 and directs the Secretary of Health and Human Services (HHS) to enhance the efforts of the committee. The committee's purpose is to coordinate federal policy and program development with respect to underage drinking. The committee is to report annually to Congress. Additionally, HHS is to report annually to Congress on the states efforts to prevent underage drinking. H.R. 864 authorizes \$4 million over four years for the committee.

H.R. 864 directs HHS to continue the Ad Council's national media public service announcements against underage drinking, and authorizes \$4 million for the campaign. The Secretary must also report annually on the Ad Council's efforts.

The bill **authorizes \$20 million over four years for the establishment of a new grant program**, which would award grants to entities eligible to receive grants under the Drug-Free Communities Act of 1997, "to design, test, evaluate and disseminate effective strategies to maximize the effectiveness of community-wide approaches to preventing and reducing underage drinking."

H.R. 864 **authorizes \$20 million over four years for a new grant program**, which would direct award grants to states, institutions of higher education, and nonprofit entities to prevent and reduce the rate of underage alcohol consumption and binge drinking among students at institutes of higher learning.

The bill **authorizes \$24 million over four years for a new research initiative** and directs HHS to research and compile data on underage drinking including the scope of the phenomena, and the involvement of alcohol in unnatural deaths of persons aged twelve to twenty years. HHS would be required to collect data and surveys on the identification of alcohol use and attitudes about alcohol use during pre- and early adolescence, and the development and identification successful clinical treatments for youth with alcohol problems.

**Committee Action:** H.R. 864 was introduced on February 16, 2005, and referred to the Committee on Energy and Commerce's Subcommittee on Health, which took no official action.

**Cost to Taxpayers:** A CBO score of H.R. 864 is unavailable. However, the bill authorizes appropriations of \$72 million over the 2007-2010 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** Yes. The bill creates at least three new federal programs.

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

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

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

---

---

**H.Res. 993 — Expressing the sense of the House of Representatives with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month — *as introduced* (Lungren, R-CA)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, November 14, 2006, under a motion to suspend the rules and pass the resolution.

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

This resolution resolves that Congress supports the ideals and goals of the month, but does not establish a commemorative day, the parliamentarian’s office has ruled that it is allowable under House rules.

**Summary:** H. Res. 993 resolves that the House:

- “supports the goals and ideals of National Cyber Security Awareness Month; and
- “will work with Federal agencies, national organizations, businesses, and educational institutions to encourage the development and implementation of existing and future computer security voluntary consensus standards, practices, and technologies in order to enhance the state of computer security in the United States.”

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

- “terrorists and others with malicious motives have demonstrated an interest in utilizing cyber means to attack our Nation, and the Department of Homeland Security’s mission includes securing the homeland against cyber terrorism and other attacks;
- “Internet users and our information infrastructure face an increasing threat of malicious attacks through viruses, worms, Trojans, and unwanted programs such as spyware, adware, hacking tools, and password stealers, that are frequent and fast in propagation, are costly to repair, and disable entire systems;
- “consumers face significant financial and personal privacy losses due to identity theft and fraud, as reported in over 686,000 complaints in 2005 to the Federal Trade Commission’s Consumer Sentinel database; and Internet-related complaints in 2005 accounted for 46 percent of all reported fraud complaints, with monetary losses of over \$680,000,000 and a median loss of \$350;
- “our Nation’s youth face increasing threats online such as inappropriate content or child predators, according to the National Center for Missing and Exploited Children 34 percent of teens are exposed to unwanted sexually explicit material on the Internet, and with one in seven children having been approached by a child predator online each year; and
- “the National Cyber Security Alliance has designated October as National Cyber Security Awareness Month, which will provide an opportunity to educate the people of the United States about computer security.”

**Additional Information:** The National Cyber Security Alliance (NCSA) is a non-profit public-private partnership. NCSA’s sponsors include the Department of Homeland Security and the Federal Trade Commission. (<http://staysafeonline.org/about/index.html>)

**Committee Action:** H.Res. 993 was introduced on September 12, 2006, and referred to the Committee on Science, which took no official action.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

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

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

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

---

## **H.R. 5585 — Financial Netting Improvements Act of 2006 — *as received* (McHenry, R-NC)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, November 14, 2006, 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).

The Senate deleted a provision increasing the Chapter 7 filing fee. The filing fee was increased (in the original House version) to raise the compensation paid from part of the filing fee to private trustees appointed to manage a debtor's estate.

**Additional Information:** H.R. 5585 passed the House on September 27, 2006 on the suspension calendar by voice vote.

**Committee Action:** H.R. 5585 was received from the Senate on September 30, 2006.

**Cost to Taxpayers:** CBO estimates that H.R. 5585 may "insignificantly raise 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?:** No.

**Constitutional Authority:** Committee Report 109-648, cites constitutional authority for this legislation in Article 1, Section 8, and Clause 1 (the power to lay and collect taxes, duties, imposts, and excises, and to pay the debts for the general welfare), Article 1, Section 8, and

Clause 3 (the power to regulate interstate commerce), and Article 1, Section 8, and Clause 4 (the power to regulate bankruptcy).

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

---

---