RSC Republican Study Committee

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Legislative Bulletin……..……March 17, 2009

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H.Res. 240—To support the goals and ideals of Professional Social Work Month and World Social Work Day *(Shea-Porter, D-NH)*

Order of Business: The resolution is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 240 would resolve that the House of Representatives:

- "Supports the goals and ideals of Professional Social Work Month and World Social Work Day;
- "Acknowledges the diligent efforts of individuals and groups who promote the importance of social work and who are observing Professional Social Work Month and World Social Work Day;
- "Encourages the American people to engage in appropriate ceremonies and activities to further promote awareness of the life-changing role of social workers;
- "Recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work; and
- "Encourages young people to seek out educational and professional opportunities to become social workers."

The resolution lists a number of findings including:

- "Social workers have the demonstrated education and experience to guide individuals, families, and communities through complex issues and choices;
- "Social workers help people in all stages of life, from children to the elderly, and in all situations from adoption to hospice care;
- "Social workers are in schools, courtrooms, drug clinics, hospitals, senior centers, shelters, nursing homes, the military, disaster relief, prisons, and corporations;
- "Social workers are dedicated to improving the society in which we live and connecting individuals, families, and communities to available resources;
- "Social workers stand up for others to make sure everyone has access to the same basic rights, protections, and opportunities;
- "Social workers, such as Harry Hopkins, Frances Perkins, Whitney M. Young, Jr., and Dr. Dorothy I. Height have been the driving force behind important social movements in the United States and abroad;
- "The need for social workers is expected to grow twice as fast as any other occupation, especially in gerontology, home health care, substance abuse, private social service agencies, and school social work;
- "Professional Social Work Month and World Social Work Day, which is March 17, 2009, will build awareness of the role of professional social workers and their commitment and dedication to individuals, families, and communities everywhere though service delivery, research, education, and legislative advocacy; and
- "The 2009 Social Work Month theme--Social Work: Purpose and Possibility--highlights the special characteristics of those who choose social work as a profession, and underscores the goals of their work."

Committee Action: The resolution was introduced on March 12, 2009 and referred to the House Committee on Education and Labor. No further action was taken.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: A CBO score of cost to taxpayers 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? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

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

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)-226-0718.

H.Res. 211— Supporting the goals and ideals of National Women's History Month (Woolsey, D-CA)

Order of Business: H.Res. 211 is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 211 resolves that the House of Representatives:

- "Supports the goals and ideals of National Women's History Month; and
- "Recognizes and honors the women and organizations in the United States that have fought for and continue to promote the teaching of women's history."

The resolution lists a number of finding including:

- "The purpose of National Women's History Month is to increase awareness and knowledge of women's involvement in history;
- "As recently as the 1970s, women's history was rarely included in the kindergarten through grade 12 curriculum and was not part of public awareness;
- "The Education Task Force of the Sonoma County (California) Commission on the Status of Women initiated a `Women's History Week' celebration in 1978 centered around International Women's History Day, which is celebrated on March 8th;
- "In 1981, responding to the growing popularity of women's history celebrations, Congress passed a resolution making Women's History Week a national observance;
- "1987, the National Women's History Project petitioned Congress to expand the national celebration to include the entire month of March;
- "Educators, workplace program planners, parents, and community organizations in thousands of American communities, under the guidance of the National Women's History Project, have turned National Women's History Month into a major local learning experience and celebration;
- "President's Commission on the Celebration of Women in American History was established to consider how best to acknowledge and celebrate the roles and accomplishments of women in American history;
- "The National Women's History Museum was founded in 1996 as an institution dedicated to preserving, interpreting, and celebrating the diverse historic contributions of women, and integrating this rich heritage fully into the Nation's teachings and history books;
- "The House of Representatives recognizes March 2009 as National Women's History Month; and

- "The theme of National Women's History Month for 2009 is women taking the lead to save our planet:"

Committee Action: H.Res. 211 was introduced on March 5, 2009 and referred to the House Oversight and Government Reform Committee. On March 10, 2009 the committee held a mark-up and the legislation passed by a voice vote.

Administration Position: No Statement of Administration Policy was provided.

Cost to Taxpayers: The resolution would not authorize any additional expenditures.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable for H.Res. 211.

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H.R. 955—To designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office" *(Inslee, D-WA)*

Order of Business: H.R. 955 is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 955 would designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the "John 'Bud' Hawk Post Office"

Additional Information: While serving in Europe during World War II, Sgt. Hawk received several awards from the United States including ***four*** Purple Hearts and a Bronze Star. He also received a medal from the United Kingdom. A more detailed biography can be found here.

Committee Action: H.R. 955 was introduced on February 10, 2009 and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on March 10, 2009 and the bill subsequently passed by voice vote.

Administration Position: No Statement of Administration Policy was provided.

Cost to Taxpayers: A CBO score for H.R. 955 is unavailable, but the only costs associated with a U.S. post office 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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 1216—To designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building" (Akin, R-MO)

Order of Business: H.R. 1216 is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1216 would designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building".

Additional Information: Lance Corporal Matthew P. Pathenos, of Ballwin, Missouri, was killed on February 7, 2007, while conducting combat operations in Al Anbar province, Iraq. Pathenos, who was 21 years old when he was killed, was assigned to the Marine Force Reserve's 3rd Battalion, 24th Marine Regiment, 4th Marine Division, stationed in Bridgeton, Missouri. Matthew, whose brother also served in the Marines, graduated from Parkway South High School,in Manchester, Missouri, in 2003.

Committee Action: H.R. 1216 was introduced on February 26, 2009 and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on March 10, 2009 and the bill subsequently passed by voice vote.

Administration Position: No Statement of Administration Policy was provided.

Cost to Taxpayers: A CBO score for H.R. 1216 is unavailable, but the only costs associated with a U.S. post office 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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 1323—Reducing Information Control Designations Act *(Driehaus, D-OH)*

Order of Business: The bill is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the bill. Similar legislation passed the House in the 110th Congress by a voice vote on July, 30, 2008.

Summary: H.R. 1323 would require each federal agency to "reduce and minimize its use of information control designations on information that is not classified." The bill would also require the Archivist of the U.S. to promulgate regulations regarding the use of information control designations, which limit the dissemination of unclassified information. Under the legislation, the regulations must address utilizing information control designations that maximize public access to information, and developing procedures for identifying, marking, dating, and tracking information that is assigned an information control designation. The bill would stipulate that the regulations do not interfere with national security or legal privacy rights.

H.R. 1323 would also require the head of each federal agency to implement the regulations promulgated by the Archivist in a manner that ensures that information can be

shared with state and local governments, as well as other agencies. The legislation would require the Inspector General of each federal agency to randomly audit unclassified information with information control designations to assess whether applicable policies and procedures have been followed. The bill would also stipulate that information control designations would not be considered in Freedom of Information Act determinations.

Addition Information: On May 9, 2008, President Bush released a memo regarding the framework for dealing with control designated information, which is defined as "government information of such sensitivity as to warrant placing degree of control over its use and dissemination." The President's memo stated that all control designated information would now be regarded as Controlled Unclassified Information, that is, executive branch information that is unclassified, yet significant to the national interests of the U.S. Currently, there are over 100 different control designations for unclassified information. H.R. 1323 would attempt to limit the use of control designations by requiring federal agencies to adhere to new regulations regarding their use.

Committee Action: H.R. 1323 was introduced on March 5, 2009 and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on March 10, 2009 and the bill subsequently passed by voice vote

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: CBO estimates that implementing H.R. 1323 would cost $45 million over the 2010-2014 period, assuming appropriation of the necessary amounts. Initial costs for developing regulations and implementing governmentwide training would total about $30 million and would be incurred in 2010 and 2011. Ongoing costs would total about $15 million over the 2012-2014 period, mostly for subsequent training and random audits by inspectors general.

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.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report citing constitutional authority is not available.

RSC Staff Contact: Bruce F. Miller, bruce.miller@mail.house.gov, (202)-226-9720.

H.R. 628 — To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges (Issa, R-CA)

Order of Business: The bill is scheduled for consideration on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the resolution. A similar bill, H.R. 5418, passed the House during the 109th Congress by a voice vote on September 28, 2006 (House Report 109-673) and in the 110th Congress by a voice vote on February 12, 2007.

Summary: H.R. 628 would authorize the appropriation of $5 million per year (for ten years) to create a new pilot program within the federal court system to increase the expertise of district judges presiding over patent and plant variety protection cases. Specifically, the program funds would be used for educational and professional development of participating district judges in matters relating to patents and plant variety protection and for compensation of law clerks with expertise in technical matters arising in patent and plant variety protection cases.

The program, administered by the Administrative Office of the U.S. Courts, would have to operate in at least five U.S. district courts in at least three circuits. The Administrative Office would have to periodically report to Congress on the progress made by this program.

Additional Background: For information on plant variety protection, as an alternative to patents, visit here: http://www.ams.usda.gov/science/PVPO/PVPO_Act/PVPA.htm.

Committee Action: H.R. 628 was introduced on January 22, 2009, and referred to the House Committee on the Judiciary, which took no subsequent action.

Cost to Taxpayers: A CBO score of H.R. 628 is unavailable. However, CBO estimated that implementing H.R. 5418 (identical bill in the 109th Congress) would cost $23 million over a five year period.

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

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

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

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)-226-0718.

H.R. 1110 — Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2009 (*Scott, D-VA*)

Order of Business: The bill is scheduled for consideration on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the bill. Similar legislation passed the House of Representatives in the 110th Congress by a vote of 413-1 on March 21, 2007 (House Report 110-37) and in the 109th Congress by voice vote.

Summary: H.R. 1110 would make it a federal crime to modify caller identification (ID) information with the intent to defraud or deceive another person. Violators may be fined, imprisoned for up to five years, or both. The bill provides an exception for law enforcement activities. The bill also requires a court, upon conviction of a violation of this provision, to require forfeiture any equipment used for the offense, and any real property or monetary gain obtained by the offense.

Committee Action: H.R. 1110 was introduced on February 23, 2009, and referred to the House Committee on the Judiciary. No further action was taken by the Committee this Congress.

Cost to Taxpayers: A CBO score of H.R. 1110 is unavailable. However, in the 110th Congress, CBO estimated that "implementing H.R. 740 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant. Because those prosecuted and convicted under H.R. 740 could be subject to criminal fines, the federal government might collect additional fines if the legislation is enacted. CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected."

Does the Bill Expand the Size and Scope of the Federal Government? As noted above, it would create a new federal crime.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

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

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)-226-0718.

H.R. 1429 — Stop AIDS in Prison Act of 2009 (*Waters, D-CA*)

Order of Business: H.R. 1429 is expected to be considered on Tuesday, March 17, 2009, on a motion to suspend the rules and pass the bill.

Summary: H.R. 1429 would direct the Bureau of Prisons (BOP) to develop and provide comprehensive HIV testing, treatment, and prevention for prison inmates. The bill would require that medical personnel must provide HIV testing to all inmates following admission (currently such tests are only given to inmates serving terms of six months or longer).

In addition, the BOP would be directed to provide "frequent" HIV/AIDS awareness education programs. The bill would also require the BOP to provide educational materials concerning HIV/AIDS to inmates. In addition, the BOP would be have to administer HIV/AIDS testing to any inmate that wished at least once a year, or more frequently if the inmate is concerned that they might have been exposed to HIV/AIDS.

H.R. 1429 would require that inmates diagnosed with HIV/AIDS are given timely, comprehensive medical care, confidential medical counseling and voluntary partner notification services. BOP medical personnel would be directed develop and implement procedures to ensure the confidentiality of inmates.

This bill would allow for any inmate to opt out of any of the annual HIV/AIDS testing. The BOP would be required to issue a report on the implantation of these requirements within one year.

Additional Information: According to House Report 110–342 from the 110th Congress, HIV/AIDS in prison poses a threat not only to prison inmates and prison employees, but ultimately to the community at large. Prisoners who are unaware of their condition or who do not know how to keep others safe from the infection can unwittingly infect fellow prisoners. Prison workers, including corrections officers, healthcare workers, and administrators, are also at risk from exposure incidents resulting from close interaction with the prison population. The threat to the community at large comes from infected prisoners being released without having had the proper screening, education, and treatment, thereby exposing friends and loved ones to the disease.

The bill may have a particularly beneficial effect on minority communities. According to the Centers for Disease Control and Prevention, racial minorities comprise 69% of all new HIV/AIDS cases in the nation. Since African Americans are disproportionately represented in the inmate population--41 percent of all inmates in the prison system at the end of 2004, according to the Bureau of Justice Statistics--the risks associated with contracting HIV/AIDS in prison are one factor putting minority communities at higher

risk of exposure. The Stop AIDS in Prison Act is therefore one way to begin reversing the high incidence of HIV/AIDS in minority communities.

Committee Action: H.R. 1429 was introduced on March 11, 2009, and referred to the Committee on the Judiciary. In the 111th Congress, no further official action was taken. In the 110th Congress, the bill was referred to the Subcommittee on Crime, Terrorism, and Homeland Security, which held hearings on May 22, 2007, and reported the bill to the full committee following a mark-up on July 24, 2007. On July 25, 2007, the full committee held a mark-up and reported the bill, as amended, by voice vote.

Cost to Taxpayer: A CBO score of H.R. 1429 is unavailable. However, according to CBO, H.R. 1943 from the 110th Congress would authorize $3 million in 2008 and $12 million over the FY 2008 – 2012 period.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it requires the Bureau of Prisons to expand its HIV/AIDS testing requirements.

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

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report citing constitutional authority is not available for the 111th Congress. However, in the 110th Congress, House Report 110–342 cites Constitutional authority in Article I Section 8, but fails to cite a specific Clause. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. XX—Providing for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 *(Velazquez, D-NY)*

Order of Business: The bill is scheduled to be considered on Tuesday, March 17, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. XX will extend programs covered under the Small Business and Small Business Investment acts through July 31, 2009. Both of these acts were part of a 2007 extension, which are set to expire on March 20 without reauthorization

Addition Information: According to Congressnow, **"**The Small Business Act seeks to encourage and develop small business growth with $45 billion in loan guarantees, disaster relief loans and business loans. In addition, the Small Business Investment Act was created to "stimulate and supplement the flow of private equity capital and long term loan funds which small business concerns need for the sound financing of their business operations."

Committee Action: None.

Administration Position: No Statement of Administration Policy (SAP) is available.

Cost to Taxpayers: A CBO score of cost to tax payers 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? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report citing constitutional authority is not available.

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