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Legislative Bulletin.....July 20, 2010

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**H.R. 5266 – National Commission on Children and Disasters
 Reauthorization Act of 2010 (Brown, D-FL)**

Order of Business: The bill is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 5266 reauthorizes the National Commission on Children and Disasters. The bill sets authorization levels at \$1.5 million in 2011, \$1.5 million in 2012, and \$1 million in 2013 (total of \$4 million over three years).

According to [CBO](#), “The National Commission on Children and Disasters examines and reports to the Congress and the President on the needs of children during the preparation for, response to, and recovery from major disasters and emergencies.”

The bill requires the commission to issue a final report by the end of 2012.

Committee Action: The legislation was introduced on May 11, 2010. On July 1, 2010 the House Committee on Transportation and Infrastructure ordered the bill to be reported by voice vote.

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

Cost to Taxpayers: The legislation authorizes \$4 million (subject to appropriation) over three years.

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?: In the committee report, the Transportation and Infrastructure Committee states that the legislation contains no earmarks.

Constitutional Authority: The Transportation and Infrastructure Committee, in House Report 111-548, [states](#): “The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.”

RSC Staff Contact: Brad Watson, Brad.Watson@mail.house.gov, (202) 226-9719.

H.R. 5545 – To deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers (*Norton, D-DC*)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 5545 deauthorizes a federal navigation project that, according to [CBO](#), “covers a 200-foot-wide band stretching from south of Interstate 395 in the Washington Channel to just past Pier 5, covering 777,284 square feet.”

Committee Action: The legislation was introduced on June 16, 2010. On July 1, 2010 the House Committee on Transportation and Infrastructure ordered the bill to be reported by voice vote.

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

Cost to Taxpayers: According to CBO: “Deauthorizing this area could reduce the need for appropriated funds for any future dredging in the area; however, the Corps of Engineers has no plans to dredge the area in the next few years.”

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?: In the committee report, the Transportation and Infrastructure Committee states that the legislation contains no earmarks.

Constitutional Authority: The Transportation and Infrastructure Committee, in House Report 111-540 [states](#): “The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.”

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H.R. 5301 – To extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operation of vessels (LoBiondo, R-NJ)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: The legislation extends the existing moratorium (currently set to expire on July 31, 2010) for an owner or operator of a vessel less than 79 feet in length, or a fishing vessel, to obtain a Federal Water Pollution Control Act permit for discharges incidental to the normal operation of such vessel until December 18, 2013.

Committee Action: H.R. 5301 was introduced on May 13, 2010. On July 1, 2010 the House Committee on Transportation and Infrastructure ordered the bill to be reported by voice vote.

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

Cost to Taxpayers: The legislation would not impact 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?: According to the committee report, the legislation contains no earmarks.

Constitutional Authority: The Transportation and Infrastructure Committee, in House Report 111-539 [states](#): “The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.”

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H.Res. 1463 - Supporting the goals and ideals of Railroad Retirement Day (*Perriello, D-VA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1463 resolves that the House of Representatives:

- “Supports the goals and ideals of Railroad Retirement Day as designated by the Railroad Retirement Board;
- “Recognizes the important contributions that the rail industry, rail workers, and retirees make to the national transportation system; and
- “Urges the people of the United States to recognize such a day as an opportunity to celebrate the importance of the railroad retirement system to America's working families.”

The resolution contains a number of findings, including:

- “Railroad workers sought a separate railroad retirement system which would continue and broaden the existing railroad programs under a uniform national plan;
- “On August 29, 1935, President Franklin D. Roosevelt signed into law the Railroad Retirement Act, establishing the beginnings of a new social insurance system for the Nation's rail industry that today protects working families against loss of income due to the retirement, disability, or death of a wage earner and assists in meeting the medical expenses of the elderly and long-term disabled;
- “The Railroad Retirement Act was amended numerous times between 1937 and 2002, including a major restructuring in 1974 and most recently by enactment of

- the Railroad Retirement and Survivors' Improvement Act of 2001, the most significant railroad retirement legislation in almost 20 years;
- “The Act liberalized early retirement benefits for 30-year employees and their spouses, eliminated a cap on monthly retirement and disability benefits, lowered the minimum service requirement from 10 years to 5 years of service if performed after 1995, and provided increased benefits for some widows and widowers; and
 - “Today employee annuity awards average about \$2,700 a month, annuities for spouses average over \$900 a month, and annuities to aged and disabled widows and widowers just over \$1,700 a month.”

Conservative Concern: Historically, many conservatives have argued that the Railroad Retirement Board continues to impose an unfair burden on taxpayers.

Committee Action: H.Res. 1463 was introduced on June 22, 2010, and referred to the House Transportation and Infrastructure Subcommittee on Railroads, Pipelines, and Hazardous Materials. A full committee markup was held on July 2, 2010, and the legislation passed by voice vote.

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

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 stating constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 5604 – Surface Transportation Savings Act of 2010 *(Perriello, D-VA)*

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5604 rescinds \$107 million of contract authority (mandatory budget authority) for transportation programs. This includes Safety Belt Performance Grants

(\$81 million), administrative expenses (\$6.5 million), National Driver Registration (\$78,000), National Highway Traffic Safety Administration and Research (\$1.8 million), and Transit Formula and Bus Grants (\$17.4 million).

Committee Action: H.R. 5604 was introduced on June 25, 2010. On July 1, 2010 the House Committee on Transportation and Infrastructure ordered the bill to be reported by voice vote.

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

Cost to Taxpayers: The legislation eliminates \$107 million of contract authority. The impact of this bill on outlays will depend on obligation limitations set by future appropriations bills.

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?: According to the committee report, the legislation contains no earmarks.

Constitutional Authority: The Transportation and Infrastructure Committee, in House Report 111-546 [states](#): “The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.”

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H.Res. 1516 - Recognizing the 65th anniversary of the end of World War II, honoring the service members who fought in World War II and their families, and honoring the service members who are currently serving in combat operations (*Skelton, D-MO*)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1516 resolves that the House of Representatives:

- “On the 65th anniversary of the end of World War II, recognizes the service and sacrifices of all of the brave men and women who fought and contributed to American victory in that conflagration;
- “Honors the families and decedents of those men and women, and the men and women themselves, whose lives were taken in defense of liberty and freedom; and

- “Remembers and honors the service members today who are actively fighting for freedom and to protect the American way of life in ongoing combat operations, including Operation Enduring Freedom and Operation Iraqi Freedom.”

The resolution contains a number of findings, including:

- “World War II was the largest and most violent armed conflict in the history of mankind, with fatality estimates ranging between 22,000,000 and 70,000,000 military and civilian deaths;
- “Allied forces faced vicious combat, exhibited unmatched bravery, and suffered untold tragedy in places like Southeast Asia, the Philippines, the islands of the Southwest and Central Pacific, the deserts of North Africa, across great stretches of the Atlantic Ocean, and from the beaches of Western Europe to the icy Russian tundra;
- “World War II ended 65 years ago with the surrender of the Japanese upon the deck of the U.S.S. Missouri on September 2, 1945; and
- “Approximately 2,000,000 surviving World War II veterans are still alive today.”

Committee Action: H.Res. 1516 was introduced on July 14, 2010, and referred to the House Armed Services Committee, which took no public action.

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

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 stating constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 1411 - Honoring the service and commitment of the 111th Fighter Wing, Pennsylvania Air National Guard. (Schwartz, D-PA)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1411 resolves that the House of Representatives:

- “Recognizes the exemplary service of members of the 111th Fighter Wing of the Pennsylvania Air National Guard; and
- “Honors and thanks all members of the 111th Fighter Wing of the Pennsylvania Air National Guard, past and present, for their tremendous contributions to the defense and security of the United States.”

The resolution contains a number of findings, including:

- “The 111th Fighter Wing's roots date back to the establishment of the 103rd Observation Squadron on 27 June 1924, in the sod fields of the Philadelphia Airport;
- “On 17 February 1941, the 103rd was ordered to active service, performing antisubmarine patrols off the coast of New England;
- “Immediately following the attacks of September 11th, the 111th Fighter Wing voluntarily deployed on very short notice to support joint combat operations for Operation Southern Watch and Operation Enduring Freedom;
- “The members of the 111th Fighter Wing of the Pennsylvania Air National Guard have served with courage, selflessness, and compassion in every role they have been asked to fulfill, and have earned the respect and gratitude of the citizens of Pennsylvania and all Americans; and
- “The ruling of the Base Realignment and Closure Commission of 2005 marks the ‘End of an Era’ for the 111th Fighter Wing at Willow Grove Naval Air Station.”

Committee Action: H.Res. 1411 was introduced on May 27, 2010, and referred to the House Armed Services Subcommittee on Military Personnel, which took no public action.

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

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 stating constitutional authority is unavailable.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.Res. 1483 - Recognizing the exemplary service and sacrifice of the soldiers of the 14th Armored Division of the United States Army, known as the Liberators, during World War II (Gingrey, R-GA)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1483 resolves that the House of Representatives:

- “Recognizes the exemplary service and sacrifice of the soldiers of the 14th Armored Division of the United States Army, known as the Liberators, during World War II.”

The resolution contains a number of findings, including:

- “The 14th Armored Division was activated on November 15, 1942, at Camp Chafee, Arkansas, as a unit of the United States Army;
- “When the German army launched Operation Nordwind, the last major German offensive of the European war, against 7th Army positions, the Division engaged several German divisions between January 1 and January 7, 1945, contributing materially to stopping the initial German attacks;
- “During April 1945, the Division rapidly advanced hundreds of miles across southern Germany, fighting numerous battles before crossing the Danube River north of Munich;
- “The Division is designated a ‘Liberating Unit’ by the United States Holocaust Memorial Museum in recognition of its liberation of approximately 250,000 civilians of many nationalities and ethnicities from forced labor and concentration camps, including several large sub-camps of the notorious Dachau concentration camp system; and
- “The Secretary of the Army awarded the Division the distinctive unit designation, ‘Liberators’, in recognition of the Division’s role in liberating approximately 30,000 members of the Armed Forces of the United States and 170,000 Allied military personnel from German prisoner of war camps.”

Committee Action: H.Res. 1483 was introduced on June 28, 2010, and referred to the House Armed Services Committee, which took no public action.

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

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 stating constitutional authority is unavailable.

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H.R. 4842—Homeland Security Science and Technology Authorization Act (*Clarke, D-NY*)

Order of Business: The bill is scheduled to be considered on Tuesday July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: Authorizing a total of \$2.898 billion over FY 2011 & FY 2012, H.R. 4842 would require the Department of Homeland Security's office of Science and Technology to create a process to collaborate research with businesses and universities to defend the nation from terrorist threats including radiological, biological, and electronic. The bill expands the budget for cyber security research and development programs to support secure computer networks within the DHS.

Additionally, the bill creates a new Office of Public-Private Partnerships to "promote interaction between homeland security researchers and private-sector companies to accelerate transition research or a prototype into a commercial product and streamline the handling of intellectual property." The bill also creates a new commission on the Protection of Critical Electric and Electronic Infrastructures to recommend a strategy for protecting it from terrorist attack. Some of the specific provisions of note authorized under the bill are as follows:

Authorization of Appropriations: There are authorized to be appropriated to the Under Secretary \$1,121,664,000 for fiscal year 2011 and \$1,155,313,920 for fiscal year 2012 for the necessary expenses of the Directorate.

Management Administration: The bill requires the Secretary of DHS to issue guidance on how homeland security research should be identified, prioritized, funded, tasked, and evaluated by the Directorate of Science and Technology (S&T) and publicize requirements to inform the Federal, State, and local governments, first responders, and

the private sector. The bill requires the creation of a mandatory workforce program to help S&T customers in the Department to better identify and prioritize homeland security capability gaps that may be addressed by technological solutions and requires the submission of quarterly updates on the implementation of activities in support of the requirements.

The bill establishes a Division of Test, Evaluation, and Standards to develop operational and performance testing plans and procedures, and developing and coordinating the adoption of national homeland security standards. Additionally, the bill creates an Office of Public-Private Partnerships in the Directorate of Science and Technology with the purpose of developing guidelines for independent, external, scientific peer review of research projects.

Reports: The bill requires specific reports on a strategic plan, technology requirements, and venture capital organization. H.R. 4842 calls for the development of a strategic plan for the activities of S&T every other year to include long-term strategic goals, the identification of programs that support these goals, and the connection of S&T programs to homeland security capability gaps identified by customers. The bill requires a report on the technology requirements and a list of detailed operational and technical requirements to Congress for projects having a federal cost share of greater than \$80 million and a life-cycle cost of over \$1 billion. Finally, the bill requires a report on venture capital organization to assess the current role of the venture capital community in funding advanced homeland security technologies and providing recommendations about creating a nonprofit organization for the purposes of delivering advanced homeland security technologies to the homeland security community to further its missions.

Directorate of Science & Technology Programs: Requires a GAO study to evaluate the university-based centers for homeland security program to review the need to support the homeland security mission, and criteria that should be utilized to determine those key areas for which the Department should maintain, establish, or eliminate university-based centers.

The bill requires the undersecretary to support research, development, testing, evaluation, and transition of cybersecurity technology, including fundamental, long-term research to improve the ability of the United States to prevent, protect against, detect, respond to, and recover from acts of terrorism and cyber attacks, with an emphasis on research and development relevant to large-scale, high-impact attacks.

The bill allows the Secretary of DHS to create a Cybersecurity Preparedness consortium to provide training to state and local first responders and officials specifically for preparing and responding to cybersecurity attacks and develop and update a curriculum and training model for state and local first responders and officials. The consortium must include at least 3 academic institutions that are any combination of historically Black colleges and universities, Hispanic-serving institutions, or Tribal Colleges and Universities.

The bill allows for the creation of a Cybersecurity Training Center to provide training courses and other resources for state and local first responders and officials to improve preparedness and response capabilities. Additionally, H.R. 4842 requires the DHS to enter into an agreement with the National Research Council of the National Academy of Sciences to conduct a study to assess methods that might be used to promote market mechanisms that further cybersecurity and make recommendations for appropriate improvements.

The bill requires a joint demonstration project with the Transportation Security Administration to test and assess the feasibility and effectiveness of certain technologies to enhance the security of underwater public transportation tunnels against terrorist attacks involving the use of improvised explosive devices.

The bill authorizes the Under Secretary to conduct technology research, testing, evaluation, and transition activities to protect the nation from biological, agricultural, and chemical threats and produce risk assessments for biological, agricultural, and chemical threats.

The bill requires the Secretary to establish capabilities for conducting global maritime domain awareness and maritime security technology test, evaluation, and transition.

H.R. 4842 requires the Secretary to assess whether the development of screening capabilities for pandemic influenza and other infectious diseases should be undertaken by the Directorate to support entry and exit screening at ports of entry. In addition, the bill requires the creation of a public awareness campaign to enhance preparedness and collective response to a radiological attack.

The bill establishes a Homeland Security Science and Technology Fellows Program to facilitate the temporary placement of scientists in relevant scientific or technological fields for up to two years in components of the Department with a need for scientific and technological expertise.

The bill also requires the Secretary to facilitate a biological threat agent identification among federally operated biomonitoring programs in consultation with the Director of the Centers for Disease Control and Prevention. In addition, the bill requires the Secretary to assess what technologies are available to mitigate the threat of small vessel attack in secure zones of ports, including the use of transponders or radio frequency identification devices to track small vessels.

Domestic Nuclear Detection Office: Provides a sense of Congress that the Directorate should conduct basic and innovative research and nondevelopmental testing on behalf of the Domestic Nuclear Detection Office in order to advance next generation nuclear detection technologies.

The bill requires the Director of the DNDO to conduct an internal review of the methodology by which research, development, testing, and evaluation is identified,

prioritized, and funded by the DNDO. In conducting such review, the Director shall consult with the Under Secretary and the heads of all operational components of the Department that own, operate, or maintain nuclear or radiological detection technologies. The bill also requires the DNDO to issue a report to Congress on both existing and developmental alternatives to existing radiation portal monitors and advanced spectroscopic portal monitors that would provide the DHS with a significant increase in operational effectiveness for primary screening for radioactive materials.

Additional Background: In 2002, Congress authorized the Science and Technology Directorate in the Homeland Security Act. However, the Domestic Nuclear Detection Office was not authorized until 2006. While Congress has passed legislation affecting the mission of each of these agencies, it has not passed a comprehensive, multi-year authorization like the Homeland Security Science and Technology Authorization Act of 2010 in order to address management, administration, and programmatic areas affecting the Science and Technology Directorate ('S&T') and the Domestic Nuclear Detection Office ('DNDO').

Committee Action: On March 15, 2010, the bill was introduced and referred to the Committee on Homeland Security. On April 15, 2010, the committee held a mark-up and ordered the bill reported, as amended, by a vote of 26-0.

Cost to Taxpayers: According to CBO, "H.R. 4842 would authorize the appropriation of about \$1.1 billion for fiscal year 2011 and about \$1.2 billion for 2012 for the Directorate of Science and Technology in the Department of Homeland Security (DHS). The bill also would authorize the appropriation of about \$306 million for 2011 and \$315 million for 2012 for the Domestic Nuclear Detection Office in DHS. Assuming appropriation of the authorized amounts, CBO estimates that implementing the bill would cost \$2.9 billion over the 2011-2015 period."

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment? No.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill expands several programs under the DHS and creates a Commission on the Protection of Critical Electric and Electronic Infrastructures.

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?: According to committee report, 111-486, H.R. 4842 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.

Constitutional Authority: The Homeland Security committee cites Article I, section 8, clause 1, which grants Congress the power to provide for the common Defense of the United States

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H.R. 4684 - National September 11 Memorial & Museum Commemorative Medal Act (*Nadler, D-NY*)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4684 would direct the Secretary of the Treasury to make no more than 2 million silver medals, each with one ounce of silver. The design of the medals shall be representative of the courage, sacrifice, and strength of those individuals who perished in the terrorist attacks of September 11, 2001, the bravery of those who risked their lives to save others that day, and the endurance, resilience, and hope of those who survived.

On each medal shall be the words “Always Remember,” and the years “2001 – 2011.” The design will be selected by the Secretary, after consultation with the National September 11 Memorial & Museum at the World Trade Center and the Commission of Fine Arts. The medals will be available for sale beginning on January 1, 2011, and no medals will be made after December 31, 2012. Medals sold will include a surcharge of \$10, which will be paid to the National September 11 Memorial & Museum at the World Trade Center.

Committee Action: H.R. 4684 was introduced on February 24, 2010, and referred to the House Financial Services Committee, which took no public action.

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

Cost to Taxpayers: A CBO score 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.

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.

RSC Staff Contact: Curtis Rhyne, Curtis.Rhyne@mail.house.gov, (202) 226-8576.

H.R. 5341 - To designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the “Joyce Rogers Post Office Building” (*Dingell, D-MI*)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5341 would designate the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the “Joyce Rogers Post Office Building.”

Additional Information: Joyce A. Rogers was born March 16, 1931 in Birmingham, Alabama and passed away at her Brighton, Michigan home on November 4, 2009 at the age of 78. Joyce Rogers was married to John Rogers for 57 years and was the mother of five sons, including Michigan State Representative Bill Rogers, Major General James Rogers and United States Congressman Mike Rogers.

Mrs. Rogers worked to improve the Brighton community, serving in the economic development of the Brighton business community during the 1980’s and 1990’s. She was a member of the Livingston County Board of Commissioners from 1985-1992 and also the Executive Director of the Greater Brighton Area Chamber of Commerce.

Committee Action: H.R. 5341 was introduced on May 19, 2010, and referred to the House Oversight and Government Reform Committee, which held a markup on June 17, 2010, and passed the legislation by unanimous consent.

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

Cost to Taxpayers: No CBO score is available, 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.

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H.Res. 1513 - Congratulating the Saratoga Race Course as it celebrates its 142nd season (*Murphy, D-NY*)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1513 resolves that the House of Representatives:

- “Congratulates the Saratoga Race Course as it celebrates its 142nd season;
- “Encourages all people in the United States to spend an electrifying day at the races; and
- “Recognizes the Saratoga Race Course's important place in horseracing history.”

The resolution contains a number of findings, including:

- “July 23, 2010, marks the start of the Saratoga Race Course's 142nd season;
- “The Saratoga Race Course is the oldest continuously operating thoroughbred race track in the United States;
- “Saratoga Springs is a top destination for tourists from around the world;
- “The Saratoga Race Course has been recognized by Sports Illustrated Magazine as one of the world's greatest sporting venues and has contributed to the town of Saratoga receiving the first ‘Great American Place’ Award from American Heritage Magazine.”

Committee Action: H.Res. 1513 was introduced on July 13, 2010, and referred to the House Oversight and Government Reform Committee, which took no public action.

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

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 stating constitutional authority is unavailable.

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H.R. 5283 - Help HAITI Act of 2010 (Fortenberry, R-NE)

Order of Business: The bill is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5283 would allow the Secretary of Homeland Security to adjust the status of certain aliens that were inspected and granted parole into the United States, pursuant to the humanitarian parole policy for certain Haitian orphans announced on January 18, 2010, and suspended as to new applications on April 15, 2010. These aliens will be deemed to have satisfied the requirements applicable to adopted children if the alien is under the age of 18 at the time adjustment occurs, and if a U.S. citizen adopts the alien, regardless of when adoption occurs.

Minors may have applications submitted on their behalf by parents or legal guardians. The Secretary of State will not be required to reduce the number of immigrant visas authorized under the Immigration and Nationality Act, when aliens are granted status to lawfully be in the U.S. as a result of this legislation.

Parents of aliens who obtain an adjustment in status under this legislation will have no inherent right, privilege, or status under this legislation.

Committee Action: H.R. 5283 was introduced on May 12, 2010, and was referred to the House Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, which took no public action.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: A CBO score is unavailable.

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

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

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?: Although 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.

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H.R. 5532 - International Adoption Harmonization Act of 2010 *(Lofgren, D-CA)*

Order of Business: The bill is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5532 would amend the Immigration and Nationality Act to edit the definition of a "child" to under 18, current law is only under 16. This definition would apply to individuals who have been in the custody of the adopting parent(s) for at least two years, or to individuals who were abused by the adopting parent or a family member in the same household.

The amendments made by this legislation shall be retroactive in cases where an alien attained the age of 16, 17, or 18, between April 1, 2008, and the date of enactment of this legislation.

Additional Background: Under current immigration law, adoption processes for alien minors have to be completed by the time the minor turns 16 in order for the minor to automatically become a U.S. citizen. This can pose problems in certain cases where the adoption process has been started, but not completed by the time the minor turns 16. This legislation expands on the definition of "child," in some cases, to encompass alien minors under the age of 18.

Committee Action: H.R. 5532 was introduced on June 15, 2010, and was referred to the House Judiciary Committee, which took no public action.

Administration Position: No Statement of Administration Policy is provided.

Cost to Taxpayers: No CBO score is available.

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

Constitutional Authority: A committee report citing constitutional authority was unavailable at press time.

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?: Although the bill contains no earmarks, and there was no accompanying committee report available at press time, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

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H.Res. 1470 - Honoring the life, achievements, and distinguished career of Chief Justice William S. Richardson (Djou, R-HI)

Order of Business: The resolution is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1470 resolves that the House of Representatives:

- “Honors the life, achievements, and distinguished career of Chief Justice William S. Richardson;
- “Emphasizes that, among his judicial accomplishments, Chief Justice William S. Richardson changed the face of higher education in Hawaii by opening avenues for the Islands' most disadvantaged groups and by building a more equitable society for the people of Hawaii; and
- “Recognizes the William S. Richardson School of Law, the educational institution that bears his name, as a significant part of the legacy of William S. Richardson.”

The resolution contains a number of findings, including:

- “William S. Richardson was born on December 22, 1919, and spent most of his childhood in Palama and Kaimuki;
- “William S. Richardson served as a platoon leader in the United States Army during World War II and was later inducted into the Infantry Officer Candidate School Hall of Fame;
- “William S. Richardson led the Hawaii Democratic Party from 1956-1962;
- “William S. Richardson served as the Chief Justice of the Hawaii Supreme Court from 1966-1982; and
- “On June 21, 2010, at the age of 90, William S. Richardson passed away in Honolulu, Hawaii.”

Committee Action: H.Res. 1470 was introduced on June 23, 2010, and was referred to the House Judiciary Committee, which took no public action.

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

Cost to Taxpayers: The resolution would not authorize 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 stating constitutional authority is unavailable.

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H.R. 5566 - Prevention of Interstate Commerce in Animal Crush Videos Act of 2010 (Gallegly, R-CA)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5566 amends current law by prohibiting the sale or distribution, or offer to sell or distribute, an animal crush video in interstate or foreign commerce. Persons shall be fined under this legislation, or imprisoned up to 5 years, or both.

This legislation does not prohibit the sale, distribution, or offer to sale or distribute, any visual depiction of customary and normal veterinary or agricultural animal science practices, or visual depictions of hunting, trapping or fishing.

This legislation defines “animal crush video” as “any obscene photograph, motion-picture film, video recording, or electronic image that depicts actual conduct in which one or more living animals is intentionally crushed, burned, drowned, suffocated, or impaled in a manner that would violate a criminal prohibition on cruelty to animals under Federal law or the law of the State in which the depiction is created, sold, distributed, or offered for sale or distribution.”

Committee Action: H.R. 5566 was introduced on June 22, 2010 and referred to the House Judiciary Committee. A full committee markup was held on June 23, 2010 and the legislation was ordered to be reported by a [roll call vote](#) of 23-0.

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

Cost to Taxpayers: CBO estimates this legislation would have no significant cost to the federal government.

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. The legislation would impose a private-sector mandate by prohibiting the sale or distribution of photographs, videos, or other electronic images that depict individuals conducting illegal acts of cruelty against animals.

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.

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S. 1749 - Cell Phone Contraband Act of 2010 (*Sen. Feinstein, D-CA*)

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: S. 1749 would prohibit the possession of cell phones or other wireless devices by federal prisoners. Current law prohibits the use of cell phones in the federal correctional system. Classifying this as a crime would allow the government to pursue cases that it otherwise would not be able to prosecute. This legislation would also require the GAO to submit a report to Congress, within 90 days of enactment.

The report would include a study of telephone rates within state and federal prisons and jails to include information on interstate, intrastate and collect calls made by prisoners, including—

- “The costs of operating inmate telephone services;
- “The revenue obtained from inmate telephone systems;
- “How the revenue from these systems is used by State governments and the Bureau of Prisons; and
- “Recommendations to lower telephone costs to inmates and their families, while still maintaining sufficient security.”

The report would also include a study of state and federal efforts to prevent the smuggling of cell phones and other wireless devices into prisons and jails, including efforts that state and federal authorities are making to minimize trafficking of cell phones by guards and other prison officials and recommendations to reduce the number of cell phones that are trafficked into prisons and jails.

The report would also include a study of cell phone use by inmates in State and Federal prisons and jails, including—

- “The cost that inmates pay for cell phones trafficked into prisons;
- “The quantity of cell phones that are located in state and federal prisons and jails; and
- “The quantity of illegal activity that is conducted or facilitated as a result of inmate cell phone use.”

Committee Action: S. 1749 was introduced October 5, 2009, and referred to the Senate Judiciary Committee, where the bill was amended on February 2, 2010. The legislation passed the Senate on April 13, 2010 by unanimous consent and was referred to the House Judiciary Subcommittee on Crime, Terrorism, and homeland Security, which took no public action.

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

Cost to Taxpayers: CBO estimates that implementing S. 1749 would have no significant cost to the federal government.

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 stating constitutional authority is unavailable.

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H.R. 1469 - Child Protection Improvements Act of 2009 *(Schiff, D-CA)*

Order of Business: The legislation is scheduled to be considered on Tuesday, July 20, 2010, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1469 sets forth requirements for the requests of national background checks for certain entities that offer services pertaining to children (care, supervision, treatment, education, etc).

H.R. 1469 would require the Attorney General to assist certain covered entities in obtaining background checks for certain individuals. The Attorney General shall also convert paper fingerprint cards into an electronic form and securely transmit all fingerprints electronically to the national criminal history background check system. The Attorney General shall also collect a fee to conduct the national background check and will coordinate with the FBI, and various state agencies to ensure that background check requests are completed with specified time periods.

This legislation will create a Criminal History Review Program with the purpose of providing certain entities with information regarding whether an employee has been convicted of, or has an open arrest or pending charges for, a crime that may make the employee unfit to be responsible for the safety and well-being of the children in their care. The Attorney General will establish procedures to receive criminal records from the FBI and state agencies.

H.R. 1469 exempts entities from damages resulting from not conducting a criminal background check on an employee. The legislation also exempts entities from damages resulting from not taking action on an employee after receiving their national background check.

This legislation temporally extends the Child Safety Pilot program (42 U.S.C. 5119a note). The program will be extended until the national criminal history background check program, that is established under this legislation, is operating and able to enroll any organization using the Child Safety Pilot Program.

H.R. 1469 authorizes for appropriation “**such sums as are necessary**” for FY 2009 – FY 2012. This legislation also expresses that it is the sense of the House that:

- “In fiscal year 2009, and each fiscal year thereafter, the fees collected by the Attorney General or the background check designee should be sufficient to carry out the duties of the Attorney General or the background check designee under this section and to help support the criminal history review program.”

Committee Action: H.R. 1469 was introduced on March 12, 2009, and referred to the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, which took no public action.

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

Cost to Taxpayers: A score from CBO is unavailable. However, this legislation authorizes for appropriation “such sums as are necessary” for FY 2009 – FY 2012.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. H.R. 1469 creates a national criminal history background check program.

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 stating constitutional authority is unavailable.

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