

Legislative Bulletin.....December 2, 2010

Contents:

- H.R. __** - Airport and Airway Extension Act of 2010, Part IV
- H.R. 6469** - To amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program

H.R. __ - Airport and Airway Extension Act of 2010, Part IV
(Oberstar, D-MN)

Order of Business: The legislation is scheduled to be considered on Thursday, December 2, 2010, under a motion to suspend the rules and pass the bill.

Summary: The legislation would extend the Federal Aviation Administration's (FAA) authority to collect taxes and administer FAA programs through March 31, 2011 (under current law this authority lapses on December 31, 2010). Specifically, the legislation would:

- Extend the Airport and Airway Trust Fund Expenditure Authority through April 1, 2011; and
- Extend the Airport Improvement Program through December 31, 2011.
 - Authorize appropriations of \$1,850,000,000 for October - December of 2010.

Additional Background: The previous extension (H.R. 6190) passed the House on September 23, 2010 by voice vote.

Committee Action: H.R. _ has yet to be introduced.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: A CBO report was unavailable at press time.

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.

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H.R. 6469 - To amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program (*Miller, D-CA*)

Order of Business: The bill is scheduled to be considered on Thursday, December 2, 2010 under a motion to suspend the rules and pass the bill.

Summary: H.R. 6469 would do the following:

Make institutions ineligible for funds if they employ a child care staffer who refuses to consent to a criminal background check; makes a false statement in connection with such a check; is registered or is required to be registered on a state sex offender registry or the National Sex Offender Registry; or has been convicted of the felony (including homicide, child abuse or neglect, a crime against children including child pornography, spousal abuse, a crime involving rape of sexual assault, kidnapping, arson, or physical assault).

- The background check must include:
 - A search of the state criminal registry or repository where the staffer resides and where he or she previously resided;
 - A search of state-based child abuse and neglect registries and databases;
 - A search of the National Crime Information Center;
 - An FBI fingerprint check; and
 - A search of the National Sex Offender Registry.

Additional Background: This bill was offered as the Republican Motion to Recommit to S.3307, the Healthy, Hunger-Free Kids Act. It would have replaced Section 205 of the Child Nutrition bill.

Potential Conservative Concerns: The MTR offered yesterday was about protecting children and protecting family budgets. This bill does nothing to protect families from an increase in what they will pay for school lunches (included in Section 205). This bill is political cover for Democrats who do not want to vote for the MTR which will remove Section 205.

Section 205 will drive up the cost of schools meals by creating a federal price floor for paid lunches. It will require many schools to charge working families higher prices for their school lunches. In fact, according to the National Governors Association, the mandate will do the following: *“The provision will dramatically destabilize fair market pricing of school meals. The provision would also act as a disincentive for school districts to hold down meal costs, price out some low-income families from paid school meals, and punish school districts that in good faith have worked to increase the quality of school meals, while simultaneously holding down their paid meal prices. We urge the Senate to eliminate the provision.”*

For concerns with the underlying bill, please see the [Legislative Bulletin for S. 3307](#) that was distributed yesterday.

Committee Action: H.R. 6469 was introduced on December 1, 2010 and referred to the House Education and Labor Committee. No further public action was taken.

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

Cost to Taxpayers: There was no CBO score available at press time.

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?: Although the bill contains no earmarks, and there is 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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