



H.R. 6842 – The National Capital Security and Safety Act

EXECUTIVE SUMMARY

This legislation was introduced by Representative Eleanor Holmes Norton (D-DC) on September 9, 2008. The Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by a vote of 21-1 on September 10, 2008.

On June 26, 2008, the Supreme Court affirmed a decision of the D.C. Circuit Court of Appeals, striking down certain D.C. firearm regulations as unconstitutional. H.R. 6842 requires the District of Columbia to revise its laws and regulations which govern the use of firearms to comply with the requirements of the decision of the Supreme Court case *District of Columbia v. Heller*, within 180 days of enactment.

The rule for this bill made in order a substitute amendment offered by Congressman Childers (D-MS) that would substitute in the language from H.R. 6691, the Second Amendment Enforcement Act. H.R. 6691 has 116 cosponsors (61 Republicans, 55 Democrats). This amendment specifies that the District of Columbia may not prohibit or unduly burden the ability of individuals to possess firearms for self-protection or other lawful purposes.

FLOOR SITUATION

This legislation was introduced by Representative Eleanor Holmes Norton (D-DC) on September 9, 2008. The Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by a vote of 21-1 on September 10, 2008. H.R. 6842 is being considered on the floor under a structured rule. The rule:

- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Member of the Committee on Oversight and Government Reform;
- Waives all points of order against consideration of the bill except for clauses 9 (earmarks) and 10 (PAYGO) of rule XXI;
- Provides that the amendment recommended by the Committee on Oversight and Government Reform, now printed in the bill, shall be considered as adopted in the House and the Committee of the Whole;
- Provides that the bill, as amended, shall be considered as an original bill for the purpose of further amendment and shall be considered as read;
- Waives all points of order against the bill, as amended. This waiver does not affect the point of order available under clause 9 of rule XXI (earmarks);
- No further amendment shall be in order except the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution;
- Provides that the amendment may be offered only by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment;
- Waives all points of order against the amendment printed in the report except for clauses 9 (earmarks) and 10 (PAYGO) of rule XXI;
- Provides one motion to recommit with or without instructions; and
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

H.R. 6842 is expected to be considered on the floor of the House on September 16, 2008.

BACKGROUND



On June 26, 2008, the Supreme Court affirmed the decision of the D.C. Circuit Court of Appeals in *Parker v. District of Columbia*. In that decision, the appeals court struck down certain D.C. firearm regulations as unconstitutional. In affirming this decision, the U.S. Supreme Court ruled by a 5-4 margin that the Second Amendment protects an individual's right to possess a firearm for private use. This decision was the first Supreme Court ruling on whether the right to keep and bear arms is an individual right or rather only a collective right applying to state-run militias.

Writing for the majority, Justice Antonin Scalia stated, "We hold that the District's ban on handgun possession in the home violates the Second Amendment, as does its prohibition against rendering any lawful firearm in the home operable for the purpose of immediate self-defense."

The Supreme Court's decision thus struck down the District of Columbia's Firearm Control Regulations Act of 1975 as unconstitutional. This local law restricted D.C. residents from owning handguns and required that rifles and shotguns be kept unloaded and disassembled, or bound by a trigger lock. Since the Supreme Court decision, D.C. has replaced its ban with temporary local legislation that permits residents to register revolvers for self-defense in the home. However, there is significant concern that the District's gun law remains overly restrictive.

SUMMARY

H.R. 6842 requires the District of Columbia to revise its laws and regulations which govern the use of firearms to comply with the requirements of the decision of the Supreme Court case *District of Columbia v. Heller*, within 180 days of enactment.

Note: The Rule made in order a substitute amendment offered by Congressman Childers (D-MS) that would substitute in the language from H.R. 6691, the Second Amendment Enforcement Act. H.R. 6691 has 116 cosponsors (61 Republicans, 55 Democrats). Please find a summary of that amendment below.

AMENDMENTS

Rep. Travis Childers (D-MS): This amendment specifies that the government of the District of Columbia may not prohibit or unduly burden the ability of individuals to possess firearms for self-protection or other lawful purposes. Additionally, the amendment repeals the District's ban on semiautomatic firearms, repeals a D.C. firearm registration requirement, and ends the District's ban on handgun ammunition. The amendment also repeals the District requirement that firearms be disassembled or secured with a trigger lock in the home. Finally, this provision removes criminal penalties for possessing firearms in one's home and allows D.C. residents to purchase firearms in Maryland or Virginia.

COST

The Congressional Budget Office (CBO) estimates that the cost associate with H.R. 6842 "would be negligible." [Full CBO Cost Estimate](#)

ADDITIONAL VIEWS

Oversight and Government Reform Ranking Member Tom Davis (R-VA):

"D.C. is rewriting its gun laws in light of the Supreme Court's *Heller* decision... I support the rights of the citizens of the District of Columbia under the Second Amendment - rights they've been denied for too long. Like the states and counties we represent, the District has self-governing authority to write the laws under which its citizens live. But the District, as the federal city, also has Congress as its legislature of last resort. We should exercise that power thoughtfully, surgically and sparingly. In terms of legislation, we all know the deal has been cut by the Democratic Leadership to vote on H.R. 6691... it seems the only sure impact of any legislation dealing with D.C. gun laws will be that the Democratic House will have abandoned its professed allegiance to home rule."

(Press Release, 9/9/08)



Statement of Administration Policy:

"The Administration supports the objective behind H.R. 6842 of revising the District of Columbia's firearms laws to ensure their conformity with the Second Amendment as interpreted by the Supreme Court in *District of Columbia v. Heller*. The bill in its present form, however, would do nothing more than direct the District's City Council to reconsider the emergency firearms legislation that it unanimously passed in July... Therefore, the Administration strongly opposes this legislation unless it is amended to include the provisions of H.R. 6691, the Second Amendment Enforcement Act. The Administration strongly supports H.R. 6691 because it would immediately advance Second Amendment principles by directly protecting the individual right of law-abiding District residents to keep and bear commonly used firearms not only to protect themselves and their families but also to protect their homes and property." [\(Statement of Administration Policy, 9/15/08\)](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



S. 3406 – ADA Amendments Act of 2008

FLOOR SITUATION

S. 3406 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Tom Harkin (D-IA) on July 31, 2008. The Senate passed the bill by unanimous consent on September 11, 2008.

S. 3406 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

S. 3406 amends the Americans with Disabilities Act of 1990 (ADA) to redefine the term "disability," including by clarifying the terms "major life activities" and "being regarded as having such an impairment."

This bill also outlines the definition of "disability." The legislation specifies that the term will be interpreted in favor of broad coverage of individuals under the Act, and states that an impairment that substantially limits one major life activity need not limit other major life activities in order to be a disability. In addition, S. 3406 clarifies that an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active, and that the determination of whether an impairment substantially limits a major life activity will be made without regard to the effects of certain mitigating measures.

S. 3406 prohibits employment discrimination against a qualified individual on the basis of disability.

BACKGROUND

The ADA was originally signed into law by President George H.W. Bush in 1990 to provide qualified individuals with a disability with certain public services and accommodations, as well as to prohibit employment discrimination against these individuals. The Act stated that its purpose was to "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities."

The changes proposed by S. 3406 are in response to decisions by the Supreme Court interpreting the definition of disability, which affected an employer's consideration of mitigating measures when hiring.

The House passed a similar measure, H.R. 3195, on June 25, 2008, by a vote of 402-17. The Senate measure would not change the definition of "disability" under the statute, unlike the House version. Courts would have to construe the definition broadly during litigation of ADA discrimination cases.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for S. 3406 as of September 15, 2008.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.R. 2608 – SSI Extension for Elderly and Disabled Refugees Act

FLOOR SITUATION

H.R. 2608 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representatives Jim McDermott (D-WA) and Jerry Weller (R-IL) on June 7, 2007. The Ways and Means Income Security and Family Support Subcommittee had a hearing on the topic of SSI assistance for refugees on March 22, 2007, but it was never marked up.

The House passed H.R. 2608 by voice vote on July 11, 2007. The Senate passed the bill as amended by unanimous consent on August 1, 2008.

H.R. 2608 is expected to be considered on the floor on September 16, 2008.

SUMMARY

Extension of SSI: H.R. 2608 extends the eligibility of certain legal noncitizen refugees, asylees, victims of trafficking, and Cuban/Haitian entrants to receive Supplemental Security Income (SSI) benefits for an additional two years (for a total of nine years after entry). The benefit extensions would be available in fiscal years 2009 through 2011 only.

**Note: H.R. 2608 as passed by the House did not specifically include victims of trafficking.*

Qualified Aliens and Victims of Trafficking: The bill defines a qualified alien or victim of trafficking as a person who has been a lawful permanent resident for less than six years; has filed an application to become a lawful permanent resident within four years of receipt of SSI benefits; has been granted the status of Cuban and Haitian entrant; has had their deportation withheld by the Secretary of Homeland Security; has not attained age 18; or has attained age 70.

Unemployment Benefit Overpayments: H.R. 2608 authorizes the Secretary of the Treasury to recover unemployment benefit overpayments attributable to fraud by reducing federal income tax refunds for affected individuals.

BACKGROUND

Supplemental Security Income (SSI) is a welfare program designed to assist low-income individuals who are disabled, blind, or 65 or older. The benefits were provided to more than 7 million people in 2006, with an average benefit of approximately \$450 per person per month.

Congress barred most non-U.S. citizens from receiving SSI benefits as a part of the welfare reforms passed in 1996. An exemption was created for legal refugees, asylees, and related categories; this exemption currently allows the payment of SSI benefits to these legal refugees and related categories during their first seven years in the U.S.

This exemption was designed to provide sufficient time for those who seek to become citizens to navigate the naturalization process to completion; however, due to delays in processing naturalization applications, many refugees still have a pending application at the end of their seventh year in the U.S. causing a loss of SSI benefits.



LEGISLATIVE DIGEST

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This bill would extend SSI benefit eligibility for up to an additional two years (for a total of nine years) for all refugees and asylees, and for up to a total of ten years for those whose citizenship applications remain pending after the end of their ninth year in the U.S.

COST

According to a estimate of the Congressional Budget Office (CBO) for the House passed legislation, the net budgetary effect of enactment of H.R. 2608 would be to save \$11 million over 5 years and save \$48 million over 10 years. These savings come from the reduction in tax refunds for individuals who have fraudulently claimed unemployment benefits, which is included in the bill as an offset to cover the cost of this extension. ([CBO Cost Estimate](#))

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.R. 6893 – FOSTERING CONNECTIONS TO SUCCESS AND INCREASING ADOPTIONS ACT OF 2008

FLOOR SITUATION

H.R. 6893 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representatives Jim McDermott (D-WA) and Jerry Weller (R-IL) on September 15, 2008. The bill was referred to the House Committee on Ways and Means, but was never considered.

H.R. 6893 is expected to be considered on the floor of the House on September 16, 2008.

NOTE: Similar legislation, H.R. 6307, passed the House by a voice vote on June 24, 2008.

SUMMARY

Payments to Caregivers Related to Children: H.R. 6893 provides for kinship guardian assistance payments to relatives who have assumed legal guardianship of children whom they have cared for as foster parents for at least six months and for whom they have committed to care on a permanent basis. States may also pay the total cost of any non-recurring expenses associated with the adult's obtaining legal guardianship of the child, up to \$2,000 per child. The bill makes available independent living services and education and training vouchers for children who leave foster care for relative guardianship after the age of 16, following the current law treatment of children adopted at such age.

Family Connection Grants: This legislation allows the Secretary of Health and Human Services to make matching grants to public or private organizations which promote connections between family members and children in or at risk of entering the foster care system. The grants may be awarded for a period of between one and three years. The Federal contribution level is 75% for the first and second years of the grant, and 50% for the third year.

For these provisions, H.R. 6893 authorizes \$15 million for each of fiscal years 2009-2013.

State Option to Extend Federal Payments Until Age 21; Educational Attendance Requirements: H.R. 6893 allows States to extend from 18 to 21 the age through which Federal payments may be made on behalf of a youth in foster care (or for youth who were adopted or placed in kinship guardian homes after attaining age 16). Able-bodied youth above the age of 18 must be enrolled in school or job training or working at least part-time to be eligible under this section. To reduce high rates of school dropout among children involved with the child welfare system, the legislation also creates a new educational attendance requirement for youth under age 18 who are in foster care or for whom adoption or kinship guardianship payments are made.

Notification to Relatives of Foster Care Placements: This bill requires States to attempt to locate and notify any non-custodial parent, adult sibling, grandparent, aunt, or uncle of a child placed in foster care within 30 days of removal of a child from his or her home. States are required to explain to relatives available options for participating in the child's care and placement. The bill codifies licensing standards for relatives becoming foster parents and requires a report on the impact and next steps.

Training Child Welfare Workers: This bill increases the matching rate for training private sector child welfare workers from 50% to 75%, to align with the rate at which public sector workers are currently matched. The rate increased is phased in over the 2009-2013 period.



Tribal Child Welfare Programs: H.R. 6893 provides direct Federal funding to Native American tribes to administer foster care programs, beginning in fiscal year 2011 at levels under the discretion of the Secretary of Health and Human Services. Tribes must apply for and propose a child care plan to the Secretary in order to receive funding. The bill would provide \$3 million per year in mandatory funds for technical and start-up assistance to tribal foster care programs.

Health Oversight and Coordination Plan: The bill requires States to develop a plan for the oversight and coordination of health care services provided to children in foster care.

Adoption Incentives Program: This provision extends the Adoption Incentives Program, which provides States with bonus funds for increasing adoptions from foster care, through fiscal year 2013. H.R. 6893 also increases the awards for adoptions of children with special needs and older children, from \$2,000 to \$4,000 and \$4,000 to \$8,000 respectively.

BACKGROUND

According to the Heritage Foundation, foster children tend to have higher rates of absenteeism, tardiness and truancy, as well as lower standardized test scores, when compared to the general population. In addition, youth who age out of foster care have only a 35% chance of finishing high school and a 60% chance of being unemployed. These youths also are twice as likely as their peers to have a child outside of marriage. Only 20% of foster children attend college, compared to 60% of the general college-age population.

In the United States, foster home requirements vary considerably at the State level and are generally overseen by each State's Department of Social Services or Human Services. The U.S. Department of Health and Human Services oversees each State's foster care system, through HHS' Administration for Children and Families (ACF). State compliance with federal requirements is determined primarily by the Child and Family Services Review of ACF. Most federal assistance dedicated to child welfare is included in Title IV of the Social Security Act. Programs authorized under this provision provide funds for a range of child welfare services, including family support and preservation to foster care, adoption support and independent living.

[Department of Health and Human Services - Administration for Children and Families](#)

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6893 as of September 15, 2008.

STAFF CONTACT

For questions or further information contact Justin Hanson at 6-2302.



H.Res. 1432 – Supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children

FLOOR SITUATION

H.Res. 1432 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Jon Porter (R-NV) on September 15, 2008. The resolution was referred to the Committee on Ways and Means, but was never considered.

H.Res. 1432 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.Res. 1432 resolves that the House of Representatives:

- Supports the goals and ideals of National Adoption Day and National Adoption Month;
- Recognizes that every child in foster care deserves a permanent and loving family;
- Recognizes the significant commitment of taxpayers to support adoption, including the \$1,900,000,000 provided to support adoption through the Title IV-E Adoption Assistance program, as well as the assistance provided through the Title IV-E Foster Care program to 130,000 children waiting for adoptive families, among other important programs; and
- Encourages the citizens of the United States to consider adoption of children in foster care who are waiting for a permanent, loving family.

BACKGROUND

November 2008 is “National Adoption Month” and November 15, 2008, is “National Adoption Day.” National Adoption Month is dedicated to raising awareness about the adoption of children and youth from foster care. On National Adoption Day, more than 300 events are held nationwide to finalize the adoptions of children in foster care, and to celebrate all families who adopt. Since the first National Adoption Day, about 20,000 children have been adopted on this day.

There are currently about 500,000 children in foster care in the United States, approximately 130,000 of which are waiting for adoption families. The Department of Health and Human Services’ Administration for Children and Families runs a National Adoption Directory and provides information for prospective adoptive parents.

[Administration for Children and Families – National Adoption Month](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



Suspensions Naming United States Federal Buildings

FLOOR SITUATION

The following bills are being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage.

These bills are expected to be considered on the floor on September 16, 2008.

SUMMARY

H.R. 6681 designates the facility of the United States Postal Service located at 300 Vine Street in New Lenox, Illinois, as the "Jacob M. Lowell Post Office Building". This legislation was introduced by Representative Jerry Weller (R-IL) on July 30, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on September 10, 2008.

H.R. 6229 designates the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the "Mayor William 'Bill' Sandberg Post Office Building". This legislation was introduced by Representative Betty McCollum (D-MN) on June 10, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on July 16, 2008.

H.R. 6338 designates the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the "Army SPC Daniel Agami Post Office Building". This legislation was introduced by Representative Ron Klein (D-FL) on June 20, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on July 16, 2008.

S. 171 designates the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building". This legislation was introduced by Senator James Inhofe (R-OK) on January 4, 2007. The bill passed the Senate by unanimous consent on February 17, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on June 12, 2008.

H.R. 6772 designates the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, as the "CeeCee Ross Lyles Post Office Building". This legislation was introduced by Representative Tim Mahoney on August 1, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported by voice vote on September 10, 2008.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.RES. 1356 – CELEBRATING THE 221ST ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA, AND FOR OTHER PURPOSES

FLOOR SITUATION

H.Res. 1356 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Scott Garrett (R-NJ) on July 17, 2008. The House Committee on Oversight and Government Reform approved the bill by voice vote on September 10, 2008.

H.Res. 1356 is expected to be considered on the floor of the House on September 17, 2008.

SUMMARY

H.Res. 1356 resolves that the House of Representatives:

- Celebrates the 221st anniversary of the signing of the Constitution of the United States of America;
- Honors the efforts of the 42 delegates who attended the majority of the Constitutional Convention meetings and the 39 signers of the Constitution of the United States;
- Acknowledges the significance of the ideals established by the Constitution of the United States, including the principle of a limited Federal Government with a system of checks and balances between the 3 branches;
- Recognizes the Constitution of the United States as the source responsible for our Nation's ability to withstand calamity and preserve national stability, or as Thomas Jefferson wrote, 'Our peculiar security is in the possession of a written Constitution'; and
- Encourages the citizens of the United States of America, who have the privilege to share in the freedoms recognized in the Constitution of the United States, to join with the House of Representatives in this historic celebration.

BACKGROUND

After the Revolutionary War, the states were existing under the governance of the Articles of Confederation. In May of 1787, a convention with delegates from all thirteen colonies, except for Rhode Island, was held in Philadelphia, Pennsylvania. At the convention, General George Washington was chosen to be the president of the convention. The delegates decided that the Articles of Confederation must be replaced with a new governing constitution.

Three months after the Philadelphia convention, later known as the Constitutional Convention, a "Great Compromise" was reached and on September 17, 1787, thirty-nine delegates from twelve states signed the Constitution of the United States of America. In order for the document to be accepted as the governing body of the thirteen colonies, nine states needed to adopt the Constitution. On June 21, 1788, New Hampshire became the ninth state to ratify the Constitution, and the government under the Articles of Confederation was officially ended. Rhode Island became the last and final state to accept the Constitution on May 29, 1790.

STAFF CONTACT

For questions or further information contact Justin Hanson at 6-2302.



S. 996 – A bill to amend title 49, United States Code, to expand passenger facility fee eligibility for certain noise compatibility projects

FLOOR SITUATION

S. 996 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Dianne Feinstein (D-CA) on March 27, 2007. The bill passed the Senate by unanimous consent on February 28, 2008.

S. 996 is scheduled to be considered on the floor on September 16, 2007.

SUMMARY

S. 996 allows passenger facility fees to be used by the Lennox and Inglewood School Districts in California for noise mitigation projects.

BACKGROUND

The Lennox School District and the City of Los Angeles settled a lawsuit that allowed passenger aircraft to fly over the schools. The planes pass over the schools at low altitude approximately every three minutes.

In February 2005, a settlement was reached between the Lennox and Inglewood school districts and the Los Angeles World Airports to provide \$110 million over ten years for noise mitigation efforts. However, the Federal Aviation Administration (FAA) found that Federal law prohibits the payment of the settlement funds to the school districts. This bill would make changes to Federal law to allow those funds to be made available to the school districts.

COST

The Congressional Budget Office has not scored this legislation.

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.Con.Res. 408 – Recognizing North Platte, Nebraska, as ‘Rail Town USA’

FLOOR SITUATION

H.Con.Res. 408 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Adrian Smith (R-NE) on July 31, 2008. The resolution was referred to the Committee on Transportation and Infrastructure, but was never considered.

H.Con.Res. 408 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.Con.Res. 408 resolves that Congress recognizes North Platte, Nebraska, as ‘Rail Town USA’.

BACKGROUND

North Platte, Nebraska, rail line was built in 1867 as a part of the transcontinental route. The city is home to the largest freight classification yard in the world, Baileys Yard. A freight classification yard is used to separate railroad cars onto different tracks. Union Pacific uses the city’s freight classification yard to process up to 150 trains a day and 10,000 rail cars. According to the Rail Fest 2008 website, more trains pass through North Platte than anywhere else in the world.

North Platte is home to Rail Fest and this year’s celebration will take place September 19 -21. The event focuses on many aspects of railroading, including preservation, education, safety, and entertainment.

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.R. 3986 – JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2008

FLOOR SITUATION

H.R. 3986 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative James Oberstar (D-MN) on October 29, 2007. H.R. 3986 passed the House by voice vote on December 11, 2007. The bill subsequently passed the Senate, as amended, by unanimous consent on June 26, 2008.

H.R. 3968 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.R. 3986, as amended by the Senate, reauthorizes funding for maintenance, repair, security, and capital projects at the John F. Kennedy Center.

Note: Senate amendments to H.R. 3986, as passed by the House, authorizes amounts for the Kennedy Center for fiscal years 2011 and 2012.

The following amounts are authorized for maintenance, repair, and security:

- o FY2008: \$20.2 million;
- o FY2009: \$21.8 million;
- o FY2010: \$22.5 million;
- o FY2011: \$23.5 million; and
- o FY2012: \$24.5 million

Note: The current authorization level for FY2005-FY2007 is \$18 million for each year.

The following amounts are authorized for capital projects:

- o FY2008: \$23.15 million;
- o FY2009: \$16 million;
- o FY2010: \$17 million.
- o FY2011: \$17 million; and
- o FY2012: \$18.5 million

Note: The current authorization level for FY2005-FY2007 is \$18 million for each year.

The bill also authorizes such sums as may be necessary for the Kennedy Center's Board to study, plan, design, engineer, and construct a photovoltaic (solar power) system for the roof of the Kennedy Center.

BACKGROUND

The John F. Kennedy Center for the Performing Arts is the sole national memorial to former President John F. Kennedy in Washington, D.C. The building's construction was first authorized by legislation signed into law by President Eisenhower in 1958. Following John F. Kennedy's assassination, Congress designated the building as a memorial to John F. Kennedy. The Kennedy Center first opened to the public in 1971. Honorary Chairs of the Kennedy Center include First Lady Laura Bush, Senator Hillary Clinton, and Former First Lady Nancy Reagan. Officers of the Board of the Kennedy Center include Steven A. Schwarzman (Chairman), Michael M. Kaiser (President), and Jean Kennedy Smith (Secretary).

As a federal memorial, the Kennedy Center receives funding for building upkeep. Events and programs at the Kennedy Center are paid for almost entirely through ticket sales and private donations. Congress provides additional funding for educational programs at the Kennedy Center through the Arts in Education grant program.



COST

The Congressional Budget Office estimates that “implementing H.R. 3986 would increase outlays by \$23 million in 2009 and \$150 million over the 2009-2013 period.”

[CBO cost estimate for H.R. 3986](#)

STAFF CONTACT

For questions or further information contact Justin Hanson at 6-2302.



H.R. 6460 – Great Lakes Legacy Reauthorization Act of 2008

FLOOR SITUATION

H.R. 6460 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Vernon Ehlers (R-MI) on July 10, 2008. The Committee on Transportation and Infrastructure ordered the bill to be reported, as amended, by voice vote on July 31, 2008.

H.R. 6460 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.R. 6460 authorizes the Environmental Protection Agency (EPA), in collaboration with non-Federal sponsors, to carry out projects aimed at cleaning up certain areas of the Great Lakes where contamination has settled into sediments at the bottom of the lakes. The bill authorizes the appropriation of \$150 million for each of the fiscal years 2009-2013 for this purpose.

The bill also authorizes \$5 million for each of the fiscal years 2009-2013 for EPA to conduct research on the development and use of innovative methods for cleaning up the Great Lakes.

BACKGROUND

The Great Lakes Legacy Act (P.L. 107-33) was enacted in 2002 and authorized \$395 million over five years for various Environmental Protection Agency (EPA) activities to clean up the Great Lakes. These authorizations are set to expire at the end of 2008. The Act provided this funding to clean up contaminated sediment in specific "Areas of Concern" located wholly or partially in the United States. 43 areas have been identified - 26 located entirely within the United States, 12 located wholly within Canada, and five that are shared by both countries. The Great Lakes clean-up program is administered by the EPA's Great Lakes National Program Office.

The Great Lakes Basin is home to over 30 million Americans. The Great Lakes region includes all of Michigan and part of Illinois, Indiana, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. In 2004, President Bush signed an Executive Order recognizing the Great Lakes as a "national treasure."

[Environmental Protection Agency – Great Lakes](#)

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6460 "would cost \$639 million over the 2009-2013 period. [Full CBO Cost Estimate](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



S.J.RES. 35 – TO AMEND PUBLIC LAW 108-331 TO PROVIDE FOR THE CONSTRUCTION AND RELATED ACTIVITIES IN SUPPORT OF THE VERY ENERGETIC RADIATION IMAGING TELESCOPE ARRAY SYSTEM (VERITAS) PROJECT IN ARIZONA

FLOOR SITUATION

S.J.Res. 35 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Patrick Leahy (D-VT) on May 22, 2008. The resolution passed the Senate on July 17, 2008 by unanimous consent. The House Committee on Transportation and Infrastructure agreed to the resolution by voice vote on July 31, 2008.

S.J.Res. 35 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

S.J.Res. 35 authorizes Smithsonian board of regents to locate the Very Energetic Radiation Imaging Telescope Array System (VERITAS) at the Fred Lawrence Whipple Observatory Base Camp at Mount Hopkins, Arizona.

BACKGROUND

Previously, H.R. 5105 (P.L. 108-331) authorized the construction of the VERITAS at Kitt Peak, Arizona. The bill authorized \$1 million in appropriations for fiscal year 2005.

Original plans for the VERITAS had the telescope permanently located in Horseshoe Canyon, at Kitt Peak, Arizona. Unresolved legal claims against the placement of the VERITAS at Kitt Peak resulted in the telescope being permanently placed at the Whipple Observatory.

COST

The Congressional Budget Office estimates that “enacting S.J. Res. 35 would not affect the federal budget.” [CBO cost estimate for S.J. Res 35](#)

STAFF CONTACT

For questions or further information contact Justin Hanson at 6-2302.



H.R. 6627 – Smithsonian Institution Facilities Authorization Act of 2008

FLOOR SITUATION

H.R. 6627 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative James Oberstar (D-MN) on July 29, 2008. The Committee on House Administration ordered the bill to be reported by voice vote on July 31, 2008.

H.R. 6627 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.R. 6627 authorizes the Smithsonian Institution to design and construct laboratory and support space for the Mathias Laboratory in Edgewater, Maryland. The bill authorizes the appropriation of \$41 million for fiscal years 2009 through 2011 for this purpose.

The bill also authorizes \$14 million in fiscal years 2009 and 2010 for the construction on laboratory space at the Smithsonian Tropical Research Institute located in Gamboa, Panama.

BACKGROUND

The Mathias Laboratory in Edgewater, Maryland conducts research on ecosystems. This bill would permit the Smithsonian Institution to build a new 52,000-square-foot facility to replace existing facilities. The Smithsonian Tropical Research Institute in Panama studies biological diversity and conducts long-term tropical ecological studies. The new facility authorized in this legislation would be more than 53,000 square feet in size, and would be located on the east bank of the Panama Canal.

The Smithsonian Institution is a research and museum complex funded and administered in part by the Federal government. The Smithsonian includes 19 museums and nine museums. The Smithsonian Institution was established as a trust by Congress. The Smithsonian employs about 6,300 persons and is headed by the Secretary of the Smithsonian, currently G. Wayne Clough.

[Smithsonian Institution](#)

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6627 “would cost \$55 million over the 2009-2013 period.” [Full CBO Cost Estimate](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.R. 5840 – Insurance Information Act of 2008

FLOOR SITUATION

H.R. 5840 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Paul Kanjorski (D-PA) on April 17, 2008. The bill was ordered reported as amended from the Committee on Financial Services, by voice vote, on July 9, 2008.

H.R. 5840 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

Office of Insurance Information: The bill establishes the Office of Insurance Information within the Department of the Treasury to coordinate Federal efforts and establish Federal policy on international insurance matters, including working with the International Association of Insurance Supervisors, and to serve as a liaison between the Federal Government and the individual states regarding insurance matters of national and international importance.

** Note: The Office of Insurance Information will not have authority over health insurance.*

In addition, the Office will advise the Secretary on major domestic and international insurance policy issues, including matters that affect consumers and insurers like financial guarantee insurance, catastrophe insurance, and reinsurance requirements.

Preemption of State Insurance Measures: H.R. 5840 allows for state law to be preempted if it is determined to be inconsistent with agreements relating to Federal policy on international insurance matters as established by the Office or as entered into by the United States with a foreign government, authority, or regulatory entity.

Advisory Group: The bill creates a 13 member advisory group comprised of state insurance commissioners or supervisors, state legislators, a representative from the Department of Commerce, the Federal Trade Commission, the Office of the United States Trade Representative, as well as representatives from the insurance industry.

BACKGROUND

Regulation of insurance products is almost completely state-based. Each state establishes their own parameters for insurance products that may be offered in their state. As our economy becomes more globalized, insurance providers have developed more of a national focus. The Department of Treasury has identified that the state-based regulatory system makes it difficult to develop national insurance products and to compete in the global marketplace.

On April 29, 2008, the Department of Treasury released a report titled Blueprint for a Modernized Financial Regulatory Structure that makes recommendations for improving our nation's financial services regulatory structure. One of the recommendations in the report was to create an Office of Insurance Oversight that would focus on areas of federal interest in the insurance sector as an advisor to the Secretary of Treasury on domestic and international insurance matters and would play a role in international insurance matters.

**Note: According to testimony by Deputy Assistant Secretary of the Treasury, Jeremiah Norton, before the Subcommittee on Capital Markets, Insurance, and Government Reform, " Treasury welcomes the introduction of H.R. 5840 by Subcommittee Chairman Kanjorski and Ranking*



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Member Pryce. This bill would create an office within Treasury very similar to that recommended in the Blueprint."

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 5840.

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.R. 5611 – National Association of Registered Agents and Brokers Reform Act of 2008

FLOOR SITUATION

H.R. 5611 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative George Miller (D-CA) on May 22, 2008. The Committee on Financial Services amended the bill at subcommittee level on July 9, 2008, but was never considered by the full Committee.

H.R. 5611 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

National Association of Registered Agents and Brokers: H.R. 5611 amends the Gramm-Leach-Bliley Act (P.L. 106-102) to establish the National Association of Registered Agents and Brokers (NARAB) as a nonprofit corporation. The purpose of NARAB would be to provide a mechanism through which licensing, continuing education, and other insurance producer qualification requirements and conditions can be adopted and applied on a multi-state basis. States would still preserve the right to license, supervise, and discipline insurance producers, as well as prescribe and enforce laws and regulations regarding insurance-related consumer protection and unfair trade practices.

Membership: The bill establishes various membership requirements for NARAB, including a mandatory criminal background check for state-licensed insurance producers. Any eligible insurance producer licensed in its home state may become a member. Membership may be denied based upon criminal history information.

H.R. 5611 allows NARAM to establish membership classes with different criteria, including education, training, and experience. Association membership authorizes an insurance producer to sell insurance in any state for any line of insurance specified in such producer's home state license, as well as to exercise incidental powers, including claims adjustments and settlement, risk management, employee benefits advice, and retirement planning.

Office of Consumer Complaints: This legislation requires NARAB to establish an Office of Consumer Complaints, which must include a toll-free telephone number. The Office will receive complaints from consumers and State insurance regulators.

Board of Directors: H.R. 5611 creates a Board of Directors of the Association to be comprised of 11 members, and procedures and qualifications for their appointment to two year terms. This provision outlines the officers of the Association and their selection process.

Powers: The bill gives the Association all powers granted to non-profit corporations in the District of Columbia, as well as the ability to borrow money, the power to amend bylaws, the right to collect membership fees, and the ability to hire employees.

Other Provisions: The Association must submit a report to Congress and the President, along with financial statements annually. H.R. 5611 also preempts certain State actions against NARAB members. Additionally, this bill allows for judicial review over litigation involving the Association.

BACKGROUND

This legislation enables insurance agents and brokers who are licensed in good standing in their home states to apply for membership in NARAB, thus allowing them to operate in multiple states. Agents and



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brokers will also be able to obtain non-resident licenses in other States if they pay the necessary fees and meet NARAB standards for membership. This legislation will only address insurance market-entry procedures and does not concern the day-to-day regulation of insurance. Insurance agents and brokers are still subject to various consumer protection measures imposed by States.

Congress endorsed the concept of NARAB in 1999 with the passage of the Gramm-Leach-Bliley Act (P.L. 106-102). This legislation would have created NARAB unless a certain threshold of uniformity among the States was reached. Although a sufficient number of States acted to achieve the requisite level of uniformity, the result fell short of achieving the goal of national licensing because the bar was set too low and States have struggled to achieve uniformity on their own.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 5611 as of September 12, 2008.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.R. 3019 – EXPAND AND PRESERVE HOME OWNERSHIP THROUGH COUNSELING ACT

FLOOR SITUATION

H.R. 3019 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Judy Biggert (R-IL) on July 12, 2007. The bill was referred to the House Committee on Financial Services, but was never considered.

H.R. 3019 is expected to be considered on the floor of the House on September 16, 2008.

Note: Many of the provisions included in H.R. 3019 previously passed the House as H.R. 3915 on November 15, 2007, by a vote of 291-127. [Link to Legislative Digest for H.R. 3915](#)

SUMMARY

Office of Housing Counseling

H.R. 3019 establishes the Office of Housing Counseling within the Department of Housing and Urban Development (HUD). The Office is to be headed by a Director appointed by the Secretary of HUD. The bill provides that the Director is responsible for all homeownership and rental housing counseling programs for HUD, and will establish, coordinate and administer all regulations, requirements, standards, and performance measures that relate to housing counseling, homeownership counseling, mortgage-related counseling, and rental housing counseling. The Secretary is authorized to appoint an advisory committee composed of no more than 12 individuals representing all aspects of the mortgage and real estate industry, including consumers.

Counseling procedures

H.R. 3019 requires the Secretary to establish, coordinate and monitor all HUD counseling procedures, including requirements, standards, and performance measures that relate to homeownership and rental housing. The Secretary is to provide for the certification of various computer software programs for consumers to use in evaluating different residential mortgage loan proposals. Additionally, the bill requires the Secretary to develop, implement, and conduct national public service multimedia campaigns to make potentially vulnerable consumers aware of the existence of homeownership counseling. H.R. 3019 directs the Secretary to provide advice and technical assistance to States, units of local government, and non-profit organizations regarding provisions of counseling services.

The legislation authorizes an appropriation not to exceed \$3 million for national public service multimedia campaigns for fiscal years 2008, 2009, and 2010.

Grants for Housing Counseling Assistance

The legislation directs the Secretary to make financial assistance available for homeownership or rental counseling to States, units of local government, and non-profit organizations. Under the bill, the Secretary is to establish standards and guidelines for assistance eligibility.

H.R. 3019 authorizes appropriations of \$45 million for each of fiscal years 2008 through 2011 for this program.

Requirements to use HUD-certified counselors under HUD Programs

The bill requires any homeownership counseling or rental housing counseling administered by HUD to be provided solely by organizations or counselors certified by the Secretary.

Study of defaults and foreclosures



No later than 12 months after the enactment of this legislation, the Secretary will submit to Congress a preliminary report on the root causes of default and foreclosure of home loans and the role of escrow accounts in helping prime and nonprime borrowers to avoid defaults and foreclosures.

Also, no later than 24 months after the enactment of this legislation, the Secretary will submit a final report regarding the results of the study, which will include any recommended legislation relating to the study and recommendations for best practices and for a process to identify populations that need counseling the most.

BACKGROUND

The housing market in the United States is currently in a period of turmoil. In 2007, there were approximately 1.5 million foreclosures. This year economists estimate that there will be closer to 2.5 million foreclosures. These foreclosures have put a strain on many of our nation's financial institutions, limiting liquidity, and contributing to the fall of Bear Stearns earlier this year and the current stock market fluctuations.

H.R. 3221, the Economic Recovery Act, was signed into law (P.L. 110-289) on July 30, 2008. The law includes FHA Modernization provisions, establishes the Federal Housing Finance Agency as the regulator of the Government Sponsored Entities (GSE), creates an Affordable Housing Trust Fund, provides several housing related tax provisions, increases the amount of the low-income housing tax credit, and provides for a first-time homebuyer tax credit. In addition, the Economic Recovery Act contains several revenue raising offsets, including the credit card reporting requirement and worldwide allocation of interest.

Also included in P.L. 110-289 is the Administration's recent three part proposal designed to strengthen the financial position of Fannie Mae and Freddie Mac and restore investor confidence. The first part of the Administration's plan would increase the credit line available to Fannie and Freddie from the current line of \$2.5 billion to an undetermined amount. The second part would allow the Department of the Treasury to use taxpayer dollars to purchase equity in Fannie and Freddie. The third part would give the Federal Reserve a role in a newly created government sponsored entity regulator's process for setting capital requirements and other standards.

On September 7, 2008, Secretary Henry Paulson announced that the U.S. Treasury in cooperation with the Federal Reserve would be taking over control of Fannie Mae and Freddie Mac. Using the authority given to the Treasury by P.L. 110-289, the Secretary is implementing a plan that enables Treasury to purchase preferred stock in the GSE's, buy mortgage backed securities in the open market, and allows Treasury to ensure credit availability to the GSEs to try and increase stability in the housing market and the financial markets.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 3019 as of September 15, 2008.

STAFF CONTACT

For questions or further information contact Justin Hanson at 6-2302.



H.R. 5772 – Frank Melville Supportive Housing Investment Act of 2008

FLOOR SITUATION

H.R. 5772 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Christopher Murphy (D-CT) on April 10, 2008. The Committee on Financial Services ordered the bill to be reported, as amended, by voice vote on July 30, 2008.

H.R. 5772 is expected to be considered on the floor of the House on September 17, 2008.

BACKGROUND

The Department of Housing and Urban Development's (HUD) Section 811 program allows persons with disabilities to live independently in the community by increasing the supply of affordable rental housing with the availability of supportive services. Capital advances are made to eligible nonprofit sponsors to finance the development of rental housing with the availability of supportive services for persons with disabilities. The advance is interest free and does not have to be repaid if the housing remains available for very low-income persons with disabilities for at least 40 years. HUD also provides project-based assistance through the Project-Based Rental Assistance Contract (PRAC), which covers the difference between the HUD-approved operating cost and the amount residents pay in rent.

Section 811 is the only Federal housing program solely dedicated to assisting very low-income people with serious and long-term disabilities. Recently, Congress has maintained the same funding level of \$237 million for Section 811. The Administration has proposed significant cuts to the program by requesting \$160 million for fiscal year 2009. The number of supportive housing units produced declined to 700 and 1,008 units in 2006 and 2007 respectively, as opposed to over 3,000 units per year in the 1990s. Reasons for this decline include application processing problems, cost inefficiencies, and outdated barriers for the program.

[Department of Housing and Urban Development – Section 811](#)

SUMMARY

Tenant-based Rental Assistance: The bill transfers all existing tenant-based Mainstream vouchers, and any future incremental vouchers for disabled persons to the Section 8 Housing Choice Voucher program. H.R. 5772 authorizes such sums as necessary for fiscal year 2009 to provide this tenant-based assistance. The Secretary of Housing and Urban Development is required to give guidance to public housing agencies to ensure that these vouchers are provided to qualified persons with disabilities.

Modernized Capital Advance Program: The bill modernizes the Capital Advance Program. H.R. 5772 requires the Secretary, when renewing project-based rental assistance contracts, to adjust the annual contract amount to account for reasonable cost increases. The bill also lengthens the initial contract term for projects assisted with low-income housing tax credits or bonds from 20 to 30 years. This provision prohibits the use of Federal funds to replace State or local funds.

The bill states that the Secretary must delegate processing of Section 811 multi-family projects that provide funding apart from the capital advance program to a qualified state or local agency. The delegated processing agency may charge a reasonable fee for processing, which will be included in the capital advance amount. If no State or local housing finance agency has applied or agreed to serve as a delegated processing agency, the Secretary may continue to process capital advances.



In addition, the bill makes changes to the program to encourage integration and mixed-use developments, such as Low-income Housing Tax Credits (LIHTC). Housing units that are already being built using such funds may receive Section 811 monies to have up to 25% of the total units be supportive housing for people with disabilities.

Project Rental Assistance Competitive Demonstration Program: The bill authorizes a new demonstration program which will award project-based rental assistance contracts for the creation of supportive housing for people with disabilities within larger multifamily housing projects. Specifically, up to 25 percent of the total number of units per project may be for people with disabilities. The initial contract between HUD and an eligible project is for 15 years, with 5-year renewals. The demonstration program would include the creation of 2,500 incremental dwelling units under such program for 2008 and 2009 and 5,000 incremental dwelling units under the demonstration program for fiscal years 2010-2012. Projects must provide supportive housing for people with disabilities for at least 30 years under this provision. The bill authorizes such sums as are necessary for carrying out the demonstration program for 2008-2012.

Other Provisions: H.R. 5772 requires the Secretary to issue regulations for implementing the Act within 180 days. GAO is directed to study the number of households assisted by Section 811, and the extent to which they have access to supportive services. The Secretary must report to Congress five years after enactment on the demonstration program's effectiveness.

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 5772 "would cost \$652 million over the 2009-2013 period, assuming appropriation of the necessary amounts."

[Full CBO Cost Estimate](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.R. 998 – Civil Rights History Project

FLOOR SITUATION

H.R. 998 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Carolyn McCarthy (D-NY) on February 12, 2007. The bill was ordered reported as amended from the Committee on House Administration, by voice vote, on July 30, 2008.

H.R. 998 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.R. 998 establishes an oral history project to survey, solicit, reproduce, and collect video and audio recordings of individuals who participated in the Civil Rights movement. The Civil Rights History Project would be administered by the Librarian of Congress and the Secretary of the Smithsonian Institution and they would be allowed to solicit and accept donations and in-kind contributions to support the project.

The bill authorizes \$500,000 for fiscal year 2009 and such sums as necessary for fiscal years 2010 through 2013.

BACKGROUND

The Civil Rights movement of the 1950's and 1960's aimed to fulfill America's promise of equality for all people by abolishing racial discrimination against African-Americans. Through the work of many organizations, such as the Southern Christian Leadership Conference (SCLC), the Student Nonviolent Coordinating Committee, and the Congress of Racial Equality and dedicated individuals, like Rosa Parks, Dr. Martin Luther King and thousands of volunteers the Civil Rights movement was able to break down the walls that segregated American society.

The Library of Congress, in conjunction with the American Association of Retired Persons and the Leadership Conference on Civil Rights, currently has a project called Voices of Civil Rights that has collected thousands of personal stories and oral histories from the civil rights movement. According to the Voices of Civil Rights webpage, they have compiled the largest archive of personal accounts of the American civil rights movement.

COST

According to the Congressional Budget Office cost estimate, "Based on information from the two agencies, and assuming appropriation of the necessary amounts, CBO estimates that enacting H.R. 998 would cost \$4 million over the 2009-2013 period." ([CBO Cost Estimate](#))

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.Con.Res. 388 – Expressing the sense of Congress that the Department of Defense and the Federal Voting Assistance Program should take certain additional and timely measures to ensure that members of the Armed Forces and their dependents are provided with reasonable information on how to register to vote and vote in the 2008 general elections

FLOOR SITUATION

H.Con.Res. 388 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Roy Blunt (R-MO) on July 8, 2008. The resolution was referred to the Committee on Armed Services, but was never considered.

H.Con.Res. 388 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.Con.Res. 388 resolves that it is the sense of Congress that:

- It is in the interests of the United States to ensure that the Secretary of Defense and the Federal Voting Assistance Program provide members of the Armed Forces and their dependents who are eligible under the Uniformed and Overseas Citizens Absentee Voting Act with sufficient information regarding opportunities to register to vote and to request an absentee ballot for elections occurring in 2008, including the November 2008 general election;
- The Secretary of Defense and the Federal Voting Assistance Program must, on a monthly basis starting July 15, 2008, through the November 2008 general election, provide all eligible members of the Armed Forces and their dependents with an electronic reminder of the voter registration and absentee ballot process available under the Uniformed and Overseas Citizens Absentee Voting Act, and, as required by Department policy, provide all members of the Armed Forces and their dependents with an electronic or paper copy of the Federal Post Card Application, along with sufficient instruction on completing and returning the application to the appropriate election official;
- State and local election officials should work with the Federal Voting Assistance Program to develop methods, consistent with privacy and security, for obtaining updated addresses and contact information, if possible, for any member of the Armed Forces or dependent who has been identified by the State or local election official as having an undeliverable ballot address;
- The Under Secretary of Defense for Personnel and Readiness should report to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committees on Armed Services of the House of Representatives and Senate not later than September 15, 2008, on the efforts made by the Department of Defense to--
 - educate members of the Armed Forces on the process of voter registration and absentee voting in the 2008 general election,
 - provide all eligible members of the Armed Forces and their dependents with the Federal Post Card Application to register to vote and cast absentee ballots in such election, and
 - cooperate effectively with State and local election officials in their efforts to register these individuals and distribute and collect their absentee ballots;
- States must redouble their efforts to make sure that local jurisdictions collect the mandated information for individuals who are eligible under the Uniformed and Overseas Citizens



- Absentee Voting Act, and should work in partnership with the Federal Government to develop best practices (including the use of electronic means) for encouraging voting participation among members of the Armed Forces and their dependents and citizens living overseas; and
- The Department of Defense, the Federal Voting Assistance Program, the Election Assistance Commission, and State governments should examine recommendations made by the Election Assistance Commission in its September 2007 survey findings regarding the Uniformed and Overseas Citizens Absentee Voting Act.

BACKGROUND

Congress enacted the Uniformed and Overseas Citizens Absentee Voting Act (P.L. 99-410) in 1986. This legislation allowed United States citizens including service members, Federal employees abroad, and private citizens abroad to vote in Federal elections via absentee ballot. Recently, there have been certain anomalies regarding the use of absentee ballots by these groups.

In the 2006 general election, less than 17 percent of the 16 million Americans eligible under the Uniformed and Overseas Citizens Absentee Voting act voted, according to the Election Assistance Commission (EAC). Of the 48,600 ballots cast, about 70 percent were not counted due to undeliverable addresses. The EAC is an independent Federal agency which administers Federal elections and establishing standards for State and local governments.

[Election Assistance Commission](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.R. 6625 - Veteran Voting Support Act

FLOOR SITUATION

H.R. 6625 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Robert Brady (D-PA) on July 29, 2008. The Committee on House Administration ordered the bill to be reported, as amended, by voice vote on July 30, 2008.

H.R. 6625 is expected to be considered on the floor of the House on September 16, 2008.

SUMMARY

H.R. 6625 allows the Secretary of Veterans Affairs to designate VA facilities as voter registration agencies. These facilities must provide information about and furnish absentee ballots, and work with local election officials to ensure proper delivery of absentee ballots.

This legislation permits nonpartisan organizations to provide voter registration information and assistance at VA facilities. In addition, the Secretary must permit local election officials, whether elected or appointed, to provide voting information to veterans at VA facilities.

The Secretary must submit an annual report to Congress on compliance with this Act.

BACKGROUND

In May 2008, the Department of Veterans Affairs released a directive stating that voter registration drives would not be permitted in VA facilities because the Hatch Act requires that facility operations not be disrupted. Last week, however, the Department announced that it would permit nonpartisan organizations, as well as state and local election officials, to assist in voter registration at VA facilities.

The National Voter Registration Act of 1993 requires States to offer voter registration opportunities at all offices that provide public assistance, services to the disabled and at all motor vehicle offices. The Act also allows federal agencies to provide voter registration opportunities. This legislation is intended to include VA facilities under this Act.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 6625 as of September 15, 2008.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.



H.Con.Res. 61 – Expressing the sense of the Congress that the United States flag flown over the United State Capitol should be lowered to half-mast one day each month in honor of the brave men and women from the United States who have lost their lives in military conflicts

FLOOR SITUATION

H.Con.Res. 61 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Lincoln Davis (D-TN) on February 8, 2007. The resolution was referred to the Committee on House Administration, but was never considered.

H.Con.Res. 61 is expected to be considered on the floor of the House on September 17, 2008.

SUMMARY

H.Con.Res. 61 resolves that it is the sense of the Congress that the United States flag flown over the United States Capitol should be lowered to half-mast one day each month in honor of the brave men and women from the United States who have lost their lives in military conflicts.

BACKGROUND

The United States Flag Code serves as a guide for the use and display of the flag and how to show respect for the flag. The United States flag is commonly flown at half-staff on Memorial Day and to honor the memory of certain recently deceased public officials and other distinguished individuals.

The men and women of the United States Armed Forces fought to establish the United States during the Revolutionary War and have bravely defended our nation in every war that has followed. Many of these brave men and women have made the ultimate sacrifice to protect the freedom of our country.

STAFF CONTACT

For questions or further information contact Brianne Miller at 6-2302.



H.Con.Res. 415 – Celebrating 75 years of effective State-based alcohol regulation and recognizing State lawmakers, regulators, law enforcement officers, the public health community and industry members for creating a workable, legal, and successful system of alcoholic beverage regulation, distribution, and sale

FLOOR SITUATION

H.Con.Res. 415 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Howard Coble (R-NC) on September 16, 2008. The resolution was referred to the Committee on the Judiciary, but was never considered.

H.Con.Res. 415 is expected to be considered on the floor of the House on September 17, 2008.

SUMMARY

H.Con.Res. 415 resolves that it is the sense of Congress that:

- Congress celebrates 75 years of effective state-based alcohol regulation since the passage of the 21st Amendment;
- Commends state lawmakers, regulators, law enforcement officers, the public health community, and industry members for their successful collaboration in achieving workable, legal, and successful system of alcohol beverage distribution and sale; and
- Congress and the executive branch shall continue to support policies that allow states to effectively regulate alcohol.

BACKGROUND

In 1919, the 18th Amendment to the Constitution was ratified, prohibiting the manufacture, sale, or transportation of alcohol in the United States. The following period is commonly known as “Prohibition.” During these years, illegal activity stemming from organized crime, black market liquor production, and other noncompliance rose significantly. Prohibition became increasingly unpopular during the 1920s, and especially during the Great Depression.

In 1933, President Franklin D. Roosevelt signed the Cullen-Harrison Act which legalized the sale of 3.2 percent beer, beginning the dismantling of Prohibition. Finally, on December 5, 1933, the United States ratified the 21st Amendment, which fully repealed Prohibition and restored control of alcohol to the states. Today, individual states continue to regulate the sale and distribution of alcohol. States have diverse laws regarding what days alcohol may be sold, what types of liquor and beer may be sold, and at what hours.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.