



H.R. 6362 – TO AMEND TITLE 35, UNITED STATES CODE, AND THE TRADEMARK ACT OF 1946 TO PROVIDE THAT THE SECRETARY OF COMMERCE, IN CONSULTATION WITH THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE, SHALL APPOINT ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES, AND FOR OTHER PURPOSES

FLOOR SITUATION

H.R. 6362 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 Berman (D-CA) on June 25, 2008. The resolution was referred to the House Committee on the Judiciary, but was never considered.

H.R. 6362 is expected to be considered on the floor of the House on July 22, 2008.

****Note: Ranking Member of the Subcommittee on Courts, the Internet, and Intellectual Property Howard Coble, is an original co-sponsor to H.R. 6362.*

SUMMARY

H.R. 6362 transfers the authority to appoint administrative patent judges and administrative trademark judges from the Director of the U.S. Patent and Trademark Office to the Secretary of Commerce. The bill requires that the Secretary consult with the Director when making such appointments.

BACKGROUND

In 1991, the U.S. Supreme Court ruled in *Freytag v. Commissioner of the Internal Revenue Service*, that the Director of the U.S. Patent Office is not the chief official of the U.S. Patent Office and that the Office is under the authority of the Department of Commerce.

Under current law, the Director of the U.S. Patent and Trademark Office has the authority to appoint administrative patent judges and administrative trademark judges. Debate has ensued as to whether the Director has the constitutional authority to make such appointments.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6362 as of July 21, 2008.

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



S. 2565 – LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY ACT OF 2008

FLOOR SITUATION

S. 2565 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 Joseph Biden (D-DE) on January 29, 2008. The bill passed the Senate with an amendment by unanimous consent on June 26, 2008.

S. 2565 is expected to be considered on the floor of the House on July 22, 2008.

****Note: The House version of this legislation, H.R. 4056, passed the House, as amended, by voice vote on April 15, 2008.*

SUMMARY

S. 2565 authorizes the Attorney General to award a Federal Law Enforcement Congressional Badge of Bravery to a federal law enforcement officer who has performed an act of bravery while in the line of duty and has been cited by the Attorney General for doing so. Additionally, the bill authorizes the Attorney General to award a State and Local Law Enforcement Congressional Badge of Bravery to state and local law enforcement officers who have been similarly cited, unlike H.R. 4056, which only recognizes Federal officers.

****Note: While H.R. 4056 is largely similar to S. 2565, some differences exist between the two bills. For example, under H.R. 4056, no badge is to be awarded within 60 days of a congressional election while no such prohibition exists under S. 2565.*

The bill requires that all nominated officers have sustained a physical injury while performing an act of bravery, or been at risk of sustaining a serious physical injury or death while performing an act of bravery in the line of duty. Badges may be presented by Members of Congress to recipients residing in their District.

The legislation establishes a Federal Law Enforcement Congressional Badge of Bravery Board within the Department of Justice. The Board is to design a badge and have it produced, and recommend recipients of the award.

BACKGROUND

Currently, there is no Congressional award to honor federal law enforcement officers injured in the line of duty. A seven member board that receives nominations from agency heads would select honorees annually and each honoree would receive a Badge presented to them by the Attorney General or the Member of Congress for the honoree's congressional district. Since 2002, an annual average of 150 officers have sustained physical injuries as a result of encounters with assaultive subjects in the line of duty.

COST

The Congressional Budget Office estimates that implementing S. 2565 would cost less than \$500,000 annually. [Full CBO cost estimate for H.R. 4056](#)

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



H.R. 6531 – VESSEL HULL DESIGN PROTECTION AMENDMENTS OF 2008

FLOOR SITUATION

H.R. 6531 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 Berman (D-CA) on July 17, 2008. It was referred to the House Committee on the Judiciary, but was never considered.

H.R. 6531 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.R. 6531 provides that the individual design of all vessel hulls, decks, or specific combinations of the two, are protected under U.S. copyright law.

BACKGROUND

A hull is the main body of a watercraft ship or boat and the deck is the structure which spans across the hull to provide strength to the ships body, as well as a working surface onboard the ship.

Under current U.S. copyright law, a vessel hull is defined as including its corresponding deck. This definition does not specifically provide individual protection for a ship's deck design or the specific combination of a hull and a deck. State laws have been enacted to prohibit the manufacturing practice in which an existing ship hull and deck design are copied and used to make a replica 'mold' of the original hull/deck design. However, in *Bonito Boats, Inc. v. Thunder Craft Boats, Inc.*, the Supreme Court ruled these state laws to be in conflict with federal patent law.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6531 as of July 21, 2008.

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



H.RES. 1241 – CONGRATULATING ENSIGN DECAROL DAVIS UPON SERVING AS THE VALEDICTORIAN OF THE COAST GUARD ACADEMY'S CLASS OF 2008 AND BECOMING THE FIRST AFRICAN AMERICAN FEMALE TO EARN THIS HONOR

FLOOR SITUATION

H.Res. 1241 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 Bennie Thompson (D-MS) on June 4, 2008. The resolution was referred to the House Committee on Transportation and Infrastructure, but was never considered.

H.Res. 1241 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Res. 1241 resolves that the House of Representatives:

- Congratulates Ensign DeCarol Davis for becoming the first African-American female to serve as the valedictorian of the Coast Guard Academy; and
- Encourages the Coast Guard Academy to seek diverse candidates for the cadet corps and to continue to train and graduate cadets of a quality that the Coast Guard needs to fulfill all its homeland and non-homeland security missions.

BACKGROUND

Ensign DeCarol Davis of Woodbridge, Virginia, graduated as the valedictorian of the Coast Guard Academy class of 2008, which consisted of over 200 cadets. This marks the first time that an African-American female has achieved this distinction. Ensign Davis' other achievements include selection as a 2007 Truman Scholar, a 2008 Connecticut Technology Council Women of Innovation Award recipient, a 2006 Arthur Ashe, Jr. Women's Basketball First Team Sports Scholar, and 2007 ESPN The Magazine Academic All-District I College Women's Basketball First Team selection.

The Coast Guard Academy has several academic departments in which courses are offered, including engineering, science, mathematics, humanities, and homeland security. Majors offered at the Coast Guard Academy include Engineering, Government, Management, Marine and Environmental Sciences, and Operations Research Computer Analysis.

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



H.R. 6493 – Aviation Safety Enhancement Act of 2008

FLOOR SITUATION

H.R. 6493 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 15, 2008. The bill was referred to the Committee on Transportation and Infrastructure, but was never considered.

H.R. 6493 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

Aviation Safety Whistleblower Investigation Office: H.R. 6493 establishes an Aviation Safety Whistleblower Investigation Office within the Federal Aviation Administration (FAA). The Office will be headed by a Director, to be appointed by the Secretary of Transportation for a term of five years. The Director will receive complaints and information from FAA employees. The Director must assess these complaints and information and make recommendations to the FAA Administrator for further investigations or corrective actions, if necessary. The Administrator must respond in writing to any recommendation made by the Director.

H.R. 6493 requires the Director to immediately report a violation of Federal criminal law to the Inspector General of the Department of Transportation. The Director must report annually to Congress on complaints and information received, as well as corrective actions recommended and the responses of the FAA Administrator.

The bill does not allow the Director of the Office to disclose the identity of an individual who submits a complaint or information, unless the individual consents or the Director determines that such disclosure is unavoidable. H.R. 6493 states that the Director may not be prevented from completing an assessment or from reporting to Congress.

Customer Service Initiative Modification: The bill requires the FAA Administrator to modify the agency's customer service initiative to remove any reference to air carriers as 'customers', to clarify that FAA's only customers are traveling individuals, and to clarify that air carriers are not able to select which FAA employees inspect their operations.

FAA Flight Inspectors Post-Employment Restrictions: H.R. 6493 prohibits air carriers from employing or contracting with an individual to act as an agent or representative before the FAA if that individual was an FAA flight inspector in the preceding two years, or if the individual otherwise inspected or oversaw the air carrier. This requirement does not apply to an individual employed before enactment of the Act.

FAA Principal Maintenance Inspectors: The bill prohibits FAA principal maintenance inspectors from overseeing a single air carrier for a continuous period of more than 5 years. H.R. 6493 authorizes such sums as necessary to carry out this provision.

Air Transportation Oversight System Database Review: H.R. 6493 directs the FAA Administrator to establish a process to review the air transportation oversight system database on a monthly basis for trends in regulatory compliance, and to ensure that corrective actions are taken in accordance with FAA regulations. Monthly reports must be submitted to the Administrator and quarterly reports must be submitted to Congress.

BACKGROUND



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H.R. 6493 seeks to address concerns regarding the Federal Aviation Administration's (FAA) oversight of airline maintenance programs. The FAA relies greatly on data sharing and risk assessments in overseeing the world's safest commercial airline industry. Under this approach, airlines are expected to report maintenance problems that they discover to the FAA. In return for self reporting and correcting specified lapses, the airlines may avoid fines.

Certain recent investigations by the DOT IG and Transportation & Infrastructure Committee Majority staff uncovered an apparently unusual situation where this system of oversight broke down. In this case, concern focused on the inability of a FAA inspector to advance his concerns related to airline maintenance lapses because of an alleged "cozy" relationship between his managing inspector and the airline's maintenance official. While the results of the investigation showed that this situation does not appear to be widespread throughout the FAA, the legislation limits the opportunity for such abuses to be repeated in the future.

The Federal Aviation Administration is an agency within the Department of Transportation that oversees and regulates the U.S. aviation system with the task of providing the safest and most efficient system in the world. Robert A. Sturgell is the Acting Administrator of the FAA and oversees an agency budget of about \$14.9 billion annually.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 6493 as of July 21, 2008.

STAFF CONTACT

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H.R. 5949 – Clean Boating Act of 2008

FLOOR SITUATION

H.R. 5949 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 Steven LaTourette (R-OH) on May 1, 2008. The Committee on Transportation and Infrastructure ordered the bill to be reported by voice vote on May 15, 2008.

H.R. 5949 is expected to be considered on the floor of the House on July 22, 2008.

Note: H.R. 6556, which addresses the same issue for non-recreational vessels, is also expected to be considered on the floor on July 22, 2008.

SUMMARY

H.R. 5949 amends the Federal Water Pollution Control Act to direct the Environmental Protection Agency (EPA) Administrator to not require permits for the discharge of graywater, bilge water, cooling water, weather deck runoff, or other discharges incidental to the normal operation of a recreational vessel.

Note: 'Recreational vessel' is defined as any vessel that is leased, rented, or chartered to a person for pleasure, or that is manufactured primarily for pleasure.

The bill requires the EPA Administrator to develop management practices for recreational vessels to mitigate adverse impacts on American waters from discharges other than sewage. The Administrator must also publicize federal performance standards within one year for each discharge for which a management practice is developed.

H.R. 5949 also requires the Secretary of Transportation or Homeland Security (depending on the Coast Guard's operation) to make regulations governing the design, construction, installation, and use of management practices for recreational vessels. The bill also prohibits recreational vessel operators and owners from operating in U.S. waters if they are not in compliance with management practice regulations.

BACKGROUND

In 1973, the Environmental Protection Agency (EPA) issued a regulation excluding recreational and commercial vessels from permitting requirements under the Federal Water Pollution Control Act for discharges that are incidental to normal boat operation. In September 2006, the U.S. District Court for the northern district of California ruled in *Northwest Environmental Advocates v. U.S. Environmental Protection Agency* that the EPA had exceeded its authority under the Federal Water Pollution Control Act. The court thus revoked the permit exclusion for recreational vessels effective September 30, 2008.

According to the EPA, around 13 million recreational vessels could be affected by this ruling. The owners and operators of these vessels would be required to obtain discharge permits. However, no permits are currently available and the cost of these permits is as of yet unknown. Under current law, failure to comply with permit requirements could result in fines of up to \$32,500 per day for a recreational boater.

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 5949 "would have no significant effect on the federal budget." [Full CBO Cost Estimate](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at (202) 226-2302.



H.R. 6556 – To clarify the circumstances during which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels, and to require the Administrator to conduct a study of discharges incidental to the normal operation of vessels

FLOOR SITUATION

H.R. 6556 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 21, 2008. The bill was referred to the Committee on Transportation and Infrastructure, but was never considered.

H.R. 6556 is expected to be considered on the floor of the House on July 22, 2008. Also under consideration on the floor on July 22, 2008 is H.R. 5949 which deals with recreational vessels.

SUMMARY

H.R. 6556 directs the Environmental Protection Agency (EPA) Administrator not to require a permit for the discharge of effluent from properly functioning marine engines, and other incidental discharges from covered vessels.

Note: 'Covered vessel' refers to a boat less than 79 feet in length or a fishing vessel of any length.

This permitting exemption does not apply to sewage discharges, ballast water discharges, or vessels when used as a mining or energy facility or food processing facility.

The bill requires the EPA Administrator to conduct a study to evaluate the impacts of engine discharges and other discharges incidental to the normal operation of a vessel. The study will include potential health, welfare, and environmental risks posed by such boat discharges. The study will also analyze the extent to which the discharges are currently subject to Federal or international law. H.R. 6556 requires the Administrator to publish a draft of the study in the Federal Register for public comment and submit a final report to Congress within 15 months of enactment.

BACKGROUND

In 1973, the Environmental Protection Agency (EPA) issued a regulation excluding recreational and commercial vessels from permitting requirements under the Federal Water Pollution Control Act for discharges that are incidental to normal boat operation. In September 2006, the U.S. District Court for the northern district of California ruled in *Northwest Environmental Advocates v. U.S. Environmental Protection Agency* that the EPA had exceeded its authority under the Federal Water Pollution Control Act. The court thus revoked the permit exclusion for recreational and commercial vessels effective September 30, 2008.

The owners and operators of commercial and fishing vessels would be required to obtain discharge permits. However, no permits are currently available and the cost of these permits is as of yet unknown. Under current law, failure to comply with permit requirements could result in fines of up to \$32,500 per day for a boater.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 6556 as of July 21, 2008.



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S. 294 – Passenger Rail Investment and Improvement Act

FLOOR SITUATION

S. 294 is being considered on the House floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Frank Lautenberg (D-NJ) on January 16, 2007. The bill was passed by the Senate on October 30, 2007 by a vote of 70-22. S. 294 is expected to be considered on the House floor on July 22, 2008.

Note: The House passed an Amtrak reauthorization measure, H.R. 6003 on June 11, 2008, by a vote of 311-104. The House is expected to consider S. 294 with the Senate language stricken and the text of H.R. 6003 inserted, as well as a request to go to conference with the Senate.

SUMMARY

H.R. 6003 reauthorizes Amtrak through fiscal year 2013. The bill authorizes \$14.9 billion for capital and operating grants, state intercity passenger grants, and high-speed rail over the next five years.

Tunnel Project: H.R. 6003 authorizes \$60 million over five years for a new rail tunnel alignment in Baltimore, Maryland, that will enable increased train speed and service reliability and ensure the completion of an environmental review.

Modern Financial Accounting System: The bill authorizes the Amtrak Board of Directors to employ an independent financial consultant with experience in railroad accounting to assist in implementing an improved accounting and reporting system. Amtrak is required under this legislation to submit a detailed report to Congress that allocates revenues and costs to each route, line of business, and each major activity within a route or line of business. Amtrak is also directed to submit a five year financial plan to the Secretary of Transportation and the Inspector General for the Department of Transportation (DOT).

Northeast Corridor: H.R. 6003 establishes the Northeast Corridor Infrastructure and Operations Advisory Commission to develop recommendations for the Northeast Corridor rail infrastructure and operations. The bill requires Amtrak to conduct a study to determine improvements needed to provide regular Acela service between Washington, D.C. and New York City in 2 hours and 30 minutes, 2 hours and 15 minutes, and 2 hours, and between New York City and Boston in 3 hours and 15 minutes, 3 hours, and in 2 hours and 45 minutes.

**Note: The Acela Express is the fastest train in North America, with a normal speed of 150 mph on a 35-mile portion of its route between Boston and New Haven. Otherwise, its top speed is generally 135 mph between Boston and Washington D.C.*

Debt Restructuring: The bill allows the Secretary of the Treasury, in consultation with the Secretary of Transportation and Amtrak, to restructure and repay Amtrak's debt. In addition, it prohibits Amtrak from incurring additional debt without the approval of the Secretary of the Treasury. The Secretary of the Treasury is required to report to the relevant Congressional committees regarding the details of any agreements to restructure the Amtrak debt and to provide an estimate of cost savings to Amtrak and the United States government.

Plan for Restoration of Service: H.R. 6003 requires Amtrak to provide a plan for restoring passenger rail service between New Orleans, Louisiana, and Sanford, Florida, within nine months of the date of enactment. The bill authorizes \$1 million for this provision.

**Note: Passenger rail service between New Orleans and Sanford was suspended as a result of Hurricane Katrina in 2005.*



Locomotive Biofuel Study: This section requires the Administrator of the Federal Railroad Administration (FRA), in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, to conduct a study to determine the extent to which freight and passenger rail operators could use biofuel blends to power its locomotive fleet. The bill authorizes \$1 million for this study.

Buy American: H.R. 6003 subjects Amtrak to the Buy American Act for purchases of \$100,000 or more.

State Rail Plans: The bill allows states to prepare a State rail plan to set forth state policy involving freight and passenger rail transportation, to present priorities and strategies to enhance rail service in the State that benefits the public, and to serve as the basis for Federal and State rail investments within the State.

Intercity Passenger Rail Investment Grants: H.R. 6003 allows the Secretary of Transportation to make grants to assist in financing the capital costs of facilities, infrastructure, and equipment necessary to provide or improve intercity passenger rail service. The Secretary may not approve a grant for a project unless it is a part of a State Rail plan. In addition, the bill requires workers employed with funds provided under this section to be paid according to Davis-Bacon Act requirements.

Next Generation Corridor Train Equipment Pool: The bill requires Amtrak to establish a Next Generation Corridor Equipment Pool Committee, made up of representatives from Amtrak, the FRA, freight railroads, equipment manufacturers, and other passenger rail operators. The Committee is responsible for designing and developing specifications for, and the procurement of standardized next-generation corridor equipment.

Passenger Rail System Comparison Study: H.R. 6003 requires the Comptroller General of the United States to complete a study, within one year of the date of enactment, that compares the passenger rail systems in Canada, Germany, Great Britain, England, France, China, Spain, and Japan.

High-Speed Rail: The bill allows the Secretary of Transportation to establish and implement a high-speed rail corridor grant program. H.R. 6003 authorizes \$350 million for each of fiscal years 2009 through 2013. In addition, the bill requires the Secretary of Transportation to request proposals for projects for the financing, design, construction, and operation of an initial high-speed rail system between Washington, DC, and New York City. The bill requires workers employed with funds provided under this section to be paid according to Davis-Bacon Act requirements.

BACKGROUND

Amtrak, also known as the National Passenger Railroad Corporation, was created by Congress in 1970 to provide passenger rail service between cities. Amtrak currently operates a nationwide rail network that serves more than 500 destinations in 46 states on 21,000 miles of routes and employs nearly 19,000 employees.

In 1997, the Amtrak Reform and Accountability Act (P.L. 105-134) authorized Amtrak through December 2002 and required Amtrak to operate without federal assistance after 2002. Although the authorization has expired, Amtrak continues to operate in a deficit, and Congress has provided funding assistance each year. Amtrak earned \$2.15 billion in revenue and incurred costs of \$3.18 billion during fiscal year 2007. In fiscal year 2008, Congress appropriated \$1.325 billion for grants to Amtrak, as well as \$30 million for state matching grants for passenger rail capital improvements. President George W. Bush requested \$900 million for Amtrak for fiscal year 2009.

According to Amtrak, more than 25.8 million passengers rode their trains during fiscal year 2007. The three most utilized Amtrak routes during fiscal year 2007 were the Boston to New York City to Washington, DC, portion of the Northeast Corridor which carried more than 10 million passengers in fiscal



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year 2007; the Surfliner Service which carried more than 2.7 million passengers in Southern California; and the Capitol Corridor Service which carried more than 1.45 million passengers in Northern California.

COST

According to the Congressional Budget Office (CBO), implementing the legislation “would cost \$12.4 billion over the 2009-2013 period.” [Full CBO Cost Estimate](#)

STAFF CONTACT

For questions or further information contact Adam Hepburn at (202) 226-2302.



H.R. 4049 – MONEY SERVICE BUSINESS ACT OF 2007

FLOOR SITUATION

H.R. 4049 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 Maloney (D-NY) on November 1, 2007. The House Committee on Financial Services agreed to the bill, as amended, by voice vote on June 24, 2008.

H.R. 4049 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

According to a Department of Treasury final rule, Money Services Businesses (MSBs) include businesses such as check cashers, currency exchanges, electronic bill payment services, money transmitters, and currency dealers. The Treasury Department operates the Financial Crimes Enforcement Network (FinCEN) to combat money laundering, terrorist financing, and various other financial crimes. MSBs are frequently exploited by criminals wishing to engage in these types of financial crimes. FinCEN was established in 2004 within Treasury's Office of Terrorism and Financial Intelligence after the passage of the USA Patriot Act (P.L. 107-86), and in wake of the September 11, 2001 terrorist attacks.

According to current federal guidelines, insured depository institutions must conduct reviews of the compliance programs of their own MSB customers. H.R. 4049 is intended to remedy a situation in which banks are reluctant to offer banking and account services to Money-Service Businesses (MSBs) because they are unwilling to assume either the job of on-site examinations to ensure that the MSB has an adequate program to protect against the laundering of money and the financing of terror, or the liability of offering account services without doing such due-diligence.

BACKGROUND

The bill provides that money services businesses (MSBs) may self-certify their compliance with anti-money and counter-terrorism regulations when establishing accounts with federally insured depository institutions. MSBs must certify that they are in compliance with federal banking law and registered as such. Additionally, the MSB must certify that it maintains an anti-money laundering program as required by federal law, be licensed or registered as an MSB by each State in which it operates, and meet such other regulations as the Treasury Secretary formulates to assure strong anti-crime regimes.

The MSB certification requirements under this bill also extend to agents of money transmitting businesses. In addition to the certification requirements for MSBs, agents of MSBs must provide that they are contract bound agents of an MSB, will comply with all applicable laws, and will notify any federally insured depository institution of any material changes to their relationship with the MSB to which they are a contracted agent.

The legislation states that Federally insured depository institutions are not subject to any increased liability for the failure of any MSB or agent to comply with the laws or regulations if they self-certify, but does not relieve banks from any other due-diligence requirements for anti-crime measures. Additionally, the bill includes civil and criminal penalties for the misrepresentation of these certifications by an MSB or their agent.

COST

The Congressional Budget Office estimates "that enacting the bill would have no significant impact on spending subject to appropriation." [Full CBO cost estimate for H.R. 4049](#)

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



H.Res. 1202 – Supporting the goals and ideals of a National Guard Youth Challenge Day

FLOOR SITUATION

H.Res. 1202 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 Tom Davis (R-VA) on May 15, 2008. The Committee on Oversight and Government Reform ordered the resolution to be reported by voice vote on July 16, 2008.

H.Res. 1202 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Res. 1202 resolves that the House of Representatives:

- Supports the goals and ideals of a National Guard Youth Challenge Day; and
- Calls upon the people of the United States to observe such a day with appropriate ceremonies and respect.

BACKGROUND

The National Guard Youth Challenge Program is a preventive program for at-risk high school dropouts between the ages of 16 and 18. The program focuses on citizenship, attaining a GED or high school diploma, and job skills training. The program is co-educational and lasts for 17 months. The National Guard Youth Challenge Program incorporates some military training techniques, and is free of charge.

The National Guard Youth Challenge Program was established by Congress in 1993 as part of that year's Defense authorization bill. The program currently operates in 29 states and Puerto Rico, and is administered by the non-profit National Guard Youth Challenge Foundation.

It is estimated that 1.2 million American youth drop out of high school annually. Approximately 30 percent of these dropouts are unemployed and about 24 percent receive welfare. In addition, high school dropouts make up 67 percent of the prison population in the United States.

STAFF CONTACT

For questions or further information contact Adam Hepburn at (202) 226-2302.



H.Res. 1139 – Recognizing the 100th anniversary of the Pearl Harbor Naval Shipyard and congratulating the men and women who provide exceptional service to our military and keep our Pacific Fleet "fit to fight"

FLOOR SITUATION

H.Res. 1139 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 Neil Abercrombie (D-HI) on April 23, 2008. The resolution was referred to the Committee on Armed Services, but was never considered.

H.Res. 1139 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Res. 1139 resolves that the House of Representatives recognizes the 100th anniversary of Pearl Harbor Naval Shipyard and congratulates the men and women who provide exceptional service to our military and keep our Pacific Fleet 'fit to fight'.

BACKGROUND

The Pearl Harbor Naval Shipyard is Hawaii's regional maintenance center for the U.S. Navy. In 1908, Congress created the Pearl Harbor Navy Yard and authorized \$3 million for its construction. The shipyard was rebuilt after the Japanese attack on Pearl Harbor on Dec. 7, 1941. The attack on Pearl Harbor killed 2,345 U.S. military personnel and 57 civilians. This attack initiated American involvement in World War II

The current mission of the shipyard is on-time delivery of high-quality submarine and surface ship maintenance, as well as second to none standards for safety, security, and environmental protection. The Commander of the Pearl Harbor Naval Shipyard is Captain Gregory R. Thomas.

The Pearl Harbor Naval Shipyard has supported our nation's defense in conflicts in Korea, Vietnam, the Cold War, Operations Desert Storm and Desert Shield, as well as Operations Iraqi and Enduring Freedom. Today, the shipyard is active in keeping the Navy engaged in the Global War on Terror.

[Pearl Harbor Naval Shipyard](#)

STAFF CONTACT

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H.RES. 1128 – Expressing support of the goals and ideals of National Carriage Driving Month

FLOOR SITUATION

H.Res. 1128 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 David Davis (R-TN) on April 22, 2008. The resolution was ordered reported by the Committee on Oversight and Government Reform by voice vote on July 16, 2008.

H.Res. 1128 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Res. 1128 resolves that the House of Representatives:

- Expresses support for National Carriage Driving Month, along with its goals and ideals; and
- Encourages supporters, historical organizations, and educational entities to observe the month and collaborate on efforts to further protect, preserve, and appreciate carriages as part of our Nation's history.

BACKGROUND

Carriages, four wheeled (usually horse-drawn) vehicles employed in private passenger transportation, were some of the first vehicles with a suspension system. Horse drawn closed carriages first gained popularity in Europe during the 16th century, when developments in spring technology made rides safer and more comfortable for passengers. Prior to that point, carriage springs were not highly developed and travelers tended to ride horses directly instead of using carriages.

Animal drawn vehicles, such as the carriage, left their mark on American history by facilitating the exploration and settlement of the American frontier. In the 1890s, as automobiles were invented, carriage-driving, or "coaching" developed into an upper-class sport in the United States and Europe. Today, variants on this carriage driving live on as competitive equestrian sport, cultural celebrations of American history, and in communities that resist modern conveniences.

STAFF CONTACT

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H.CON.RES. 364 – RECOGNIZING THE SIGNIFICANCE OF NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH

FLOOR SITUATION

H.Con.Res. 364 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 Barbara Lee (D-CA) on May 22, 2008. The resolution was referred to the House Committee on Oversight and Government Reform, but was never considered.

H.Con.Res. 364 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Con.Res. 364 resolves that the House of Representatives:

- Supports the goals and ideals of Caribbean-American Heritage Month;
- Encourages the people of the United States to observe Caribbean-American Heritage Month with appropriate ceremonies, celebrations, and activities; and
- Affirms that--
 - The contributions of Caribbean-Americans are a significant part of the history, progress, and heritage of the United States; and
 - The ethnic and racial diversity of the United States enriches and strengthens the Nation.

BACKGROUND

There are currently over ten million Caribbean-Americans in the U.S. Prominent Caribbean-Americans include first U.S. Secretary of the Treasury Alexander Hamilton and Secretary of State Colin Powell. On June 5, 2006, President Bush issued a proclamation designating June as National Caribbean Heritage Month.

Among the events that were held this past June 2008 in celebration of Caribbean-American heritage were a Caribbean film festival, literature festival, National Caribbean-American Legislative Conference, and a Caribbean-American Legislative Forum.

STAFF CONTACT

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H.Res. 1311 – Expressing support for the designation of National GEAR UP Day

FLOOR SITUATION

H.Res. 1311 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 Chaka Fattah (D-PA) on June 26, 2008. The Committee on Oversight and Government Reform ordered the resolution to be reported by voice vote on July 16, 2008.

H.Res. 1311 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.Res. 1311 resolves that the House of Representatives expresses support for the designation of a National GEAR UP Day.

BACKGROUND

The Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) was established by Congress in 1998. GEAR UP is a Department of Education program which uses discretionary grants to increase the number of low-income students who are prepared to enter and succeed in postsecondary education. GEAR UP provides six-year grants to states and partnerships to provide services at high-poverty middle and high schools. GEAR UP funds are also used to provide college scholarships to low-income students.

GEAR UP currently assists 640,000 students in 46 States, as well as the District of Columbia and Puerto Rico. The program was funded at \$303 million for fiscal year 2007. The grants are made available to colleges, local education agencies, State education agencies, and partnerships involving businesses, community organizations, and religious groups.

[Gaining Early Awareness and Readiness for Undergraduate Programs \(GEAR UP\)](#)

STAFF CONTACT

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Suspension Naming a United States Federal Building

FLOOR SITUATION

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

This bill is expected to be considered on the floor on July 22, 2008.

SUMMARY

H.R. 6226 designates the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the "Stan Lundine Post Office Building". This legislation was introduced by Representative Brian Higgins (D-NY) 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.

STAFF CONTACT

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H.R. 5235 – RONALD REAGAN CENTENNIAL COMMISSION ACT

FLOOR SITUATION

H.R. 5235 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 Elton Gallegly (R-CA) on February 6, 2008. The resolution was referred to the House Committee on Oversight and Government Reform, but was never considered.

H.R. 5235 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.R. 5235 establishes the 'Ronald Reagan Centennial Commission.' The Commission will plan, prepare, and carry out activities to honor and commemorate the 100th anniversary of the birth of President Reagan. The Commission is also to provide assistance and advice to other Federal, State, and local governmental agencies, as well as civic groups that plan to carry out activities to mark the occasion.

The Commission is to be composed of 16 members, which must include: the U.S. Archivist; the Secretary of the Interior; three members appointed by the President; six members appointed by the Board of Trustees of the Ronald Reagan Library and Foundation from among individuals who have biographical knowledge of the life of President Reagan; the Chief Justice of the Supreme Court; two Members of the House of Representatives (appointed by the Speaker and the minority leader); two senators (appointed by the majority leader and the minority leader). Members of the Commission serve for life terms and without compensation.

The Commission may appoint and compensate an executive director as well as a staff charged with implementing the Commission's plans for the celebration. The bill also allows for the Commission to accept volunteers to assist in the project, and allows the Secretary of the Interior and the Archivist to provide assistance to the Commission on a reimbursable basis.

Among the powers of the Commission are holding hearings to prepare for the celebration, contracting with government and private entities as well as soliciting, accepting, and using gifts of money, services, and donations of real and personal property for the 100th anniversary celebration.

The Commission is to report to the President and Congress annually on all revenues and expenditures, and include a list of all gifts given to the commission valued at more than \$2,500 as well as the name of the donor. A final report to the President and Congress, detailing a summary of event and a final accounting of receipts and expenditures, must be submitted by April 30, 2011. The Commission must terminate after it submits its final report, but no later than May 30, 2011.

H.R. 5235 authorizes \$1 million for fiscal years 2009-2011, with no more than \$500,000 to be spent in any single fiscal year.

BACKGROUND

Ronald Reagan, the fortieth President of the United States, was born in 1911 in Illinois. Reagan moved to California in 1937 and became an actor and eventually the president of the Screen Actors Guild. Reagan was elected Governor of California in 1967 and served two terms. In 1980, Ronald Reagan defeated Jimmy Carter to become the 40th President of the U.S. He received 489 electoral votes compared to Carter's 49.

During his two terms as President of the United States, Reagan promoted individual freedom and expanded the military. President Reagan also cut taxes and implemented supply-side economic policies.



LEGISLATIVE DIGEST

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Reagan appointed the first female to the Supreme Court - Sandra Day O'Connor. Presiding over the Cold War, President Reagan revived the B-1 bomber program and produced the MX "Peacekeeper" missile. Reagan also strongly advocated for the Strategic Defense Initiative, also known as "Star Wars". President Reagan is famously remembered for dubbing the Soviet Union the "Evil Empire" and correctly predicting it would be consigned to the "ash heap of history." In 1987, President Reagan spoke at the Berlin Wall and challenged Gorbachev to "tear down this wall!"

Ronald Reagan died in California on June 5, 2004, after a lengthy battle with Alzheimer's Disease. President Reagan, "the Great Communicator", is survived by his wife Nancy and their children.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 5235 as of July 21, 2008.

STAFF CONTACT

For questions or further information contact Justin Hanson at (202) 226-2302.



H.R. 6545 – TO REQUIRE THE DIRECTOR OF NATIONAL INTELLIGENCE TO CONDUCT A NATIONAL INTELLIGENCE ASSESSMENT ON NATIONAL SECURITY AND ENERGY SECURITY ISSUES

FLOOR SITUATION

H.R. 6545 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 Donald Cazayoux (D-LA) on July 17, 2008. The resolution was referred to the House Committee on Intelligence, but was never considered.

H.R. 6545 is expected to be considered on the floor of the House on July 22, 2008.

****Note: H.R. 6545 is identical to the Republican Motion to Recommit H.R. 5959, offered July 16, 2008, and H.R. 6510, which was introduced by Rep. Peter Hoekstra (R-MI) on July 16, 2008.*

SUMMARY

H.R. 6545 requires the Director of National Intelligence, by January 1, 2009, to submit to Congress a national intelligence assessment on national security and energy security issues related to current energy costs.

This assessment is to include:

- The short- and long-term outlook for prices, supply and demand for key forms of energy;
- The plans and intentions of key energy producing and exporting nations with respect to energy production and supply;
- The national security implications of rapidly escalating energy costs;
- The national security implications of the potential use of energy resources as leverage against potential adversaries of the U.S., such as Iran and Venezuela;
- The national security implications of increases in funding to current or potential adversaries of the United States as a result of increased energy prices;
- An assessment of the likelihood that increased energy prices will directly or indirectly increase financial support for terrorist organizations;
- The national security implications of extreme fluctuations in energy prices; and
- The national security implications of continued dependence on international energy supplies.

BACKGROUND

Approximately 80 percent of the world's oil reserves are controlled by government or national oil companies, with a number of these countries unfriendly towards the U.S. Current estimates showing a total of \$2.3 trillion being transferred to energy-consuming nations to energy-producing nations. The U.S. currently receives 60 percent of its energy from foreign producers.

According to a 2005 CRS report, the Department of Defense (DOD) used approximately 125 million barrels of oil in 2005, making the DOD the largest single consumer of fuel in the U.S. and highlighting the cost of energy as it relates to U.S. national security. According to the American Automobile Association (AAA), the national average for a barrel of crude oil on July 21, 2008, is \$130.75.

COST

The Congressional Budget Office did not have a cost estimate for H.R. 6545 available as of July 21, 2008.

STAFF CONTACT

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