



Suspension 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.

This bill is expected to be considered on the floor on July 29, 2008.

SUMMARY

H.R. 6340 designates the Federal building and United States Courthouse located at 300 Quarropas Street in White Plains, New York, as the "Charles L. Brieant, Jr. Federal Building and United States Courthouse". This legislation was introduced by Representative Nita Lowey (D-NY) on June 20, 2008. The bill was referred to the House Committee on Transportation and Infrastructure, but was never considered.

H.R. 6208 designates the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the "Lance Corporal Matthew P. Pathenos Post Office Building". This legislation was introduced by Representative Todd Akin (R-MO) on June 9, 2008. The bill was referred to the House Committee on Oversight and Government Reform, but was never considered.

H.R. 6208 designates the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the "Corporal Alfred Mac Wilson Post Office". This legislation was introduced by Representative Michael Conaway (R-TX) on July 8, 2008. The bill was referred to the House Committee on Oversight and Government Reform, but was never considered.

STAFF CONTACT

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



H.R. 5170 – DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2008

FLOOR SITUATION

H.R. 5170 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 Carney (D-PA) on January 29, 2008. The House Committee on Homeland Security agreed to the bill, as amended, by voice vote on June 26, 2008.

H.R. 5170 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 5170 directs the Secretary of Homeland Security to designate officials to monitor the compliance of nine components of the Department of Homeland Security's (DHS) with privacy rights guaranteed by the Constitution and all relevant privacy laws. The components of DHS in which officers will be placed are: the Transportation Security Administration (TSA); the Bureau of Citizenship and Immigration Services; the Customs and Border Protection; the Immigration and Customs Enforcement (ICE); the Federal Emergency Management Agency (FEMA); the Coast Guard; the Directorate of Science and Technology; the Office of Intelligence and Analysis; and the Directorate for National Protection and Programs.

Under the bill, these officials would be responsible for the coordination of privacy compliance matters for the components of DHS, which include training programs, and would report directly to the Chief Privacy Officer of DHS.

BACKGROUND

Currently, the Chief Privacy Officer of DHS works with several offices within DHS to help ensure that privacy considerations are integrated into the decision making process for all components of DHS. These offices include the General Counsel's Office, the Policy Office, and the Office for Civil Rights and Civil Liberties.

Most components within DHS do not have designated on-site full time professionals dedicated to reporting on how each component's policies impact privacy matters. Of the eleven components that comprise DHS, only three have designated privacy officers. Components with a designated privacy officer produce more Privacy Impact Assessments (PIAs) than do those without. The PIAs produced by these three components account for 57 percent of all published DHS PIAs.

COST

The Congressional Budget Office estimates that, "implementing H.R. 5170 would cost about \$1 million annually."

[Full CBO cost estimate for H.R. 5107](#)

STAFF CONTACT

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



H.R. 5983 – Homeland Security Network Defense and Accountability Act of 2008

FLOOR SITUATION

H.R. 5983 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 Langevin (D-RI) on May 7, 2008. The House Committee on Homeland Security ordered the bill to be reported, as amended, by voice vote on June 26, 2008.

H.R. 5983 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

CIO Authorities: H.R. 5983 amends the Homeland Security Act of 2002 to direct the Secretary of the Department of Homeland Security (DHS) to delegate authority to DHS' Chief Information Officer (CIO) for the development, approval, implementation, integration, and oversight of DHS policies and activities relating to information management and information infrastructure.

CIO Qualifications and Responsibilities: This bill lists certain qualifications for the CIO position, including at least five years of executive leadership and management experience in IT security and also several functions, including establishing an incident response team.

Testing Protocols: H.R. 5983 directs the CIO to establish and regularly update security control testing protocols that ensure that DHS' information infrastructure is effectively protected against known attacks and exploitations.

Reviews: This legislation requires the DHS Inspector General to conduct unannounced performance and programmatic reviews of DHS' information infrastructure to determine the effectiveness of its security policies and controls. The IG must also report annually to Congress regarding these reviews.

Contracting: H.R. 5983 directs the Secretary, before entering or renewing a contract to determine that the contractor has an internal information systems security policy that complies with DHS information security requirements. The Secretary must additionally include a requirement in each contract for the contractor to develop and implement a plan to award appropriate subcontracts to small and disadvantaged businesses.

BACKGROUND

The security of federal and critical infrastructure networks is a significant national security issue. The United States faces a growing threat to its information technology (IT) systems and assets, and to the integrity of information. For example, recently Reps. Frank Wolf (R-VA) and Chris Smith (R-NJ) disclosed that their office staffs' computers had been targeted by Chinese hackers.

Although Federal agencies have shown improvement recently in the cyber security arena, they have continued to score low grades in the annual report on their compliance with the Federal Information Security Management Act (FISMA) of 2002. Most federal agencies lag behind an aggressive timetable for switching over all government desktop systems to a set of standard configurations designed to increase security. Currently, DHS operates a National Cyber Security Division (NCSD) which works collaboratively with public, private and international entities to secure cyberspace and our Nation's cyber assets

COST



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The Congressional Budget Office (CBO) estimates that implementing H.R. 5983 “would cost \$163 million over the 2009-2013 period for DHS to hire additional staff to carry out the bill’s provisions.” [Full CBO Cost Estimate](#)

STAFF CONTACT

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



H.R. 5531 – Next Generation Radiation Screening Act of 2008

FLOOR SITUATION

H.R. 5531 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 Peter King (R-NY) on March 5, 2008. The House Committee on Homeland Security ordered the bill to be reported, as amended, by voice vote on July 22, 2008.

H.R. 5531 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

This bill requires the Commissioner of Customs and Border Protection (CBP) and the Director of the Domestic Nuclear Detection Office (DNDO) to enter into an agreement regarding minimum functionality standards for Advanced Spectroscopic Portals (ASPs) used by CBP. Within 60 days of enactment, CBP and DNDO must provide Congress with their memorandum of understanding.

H.R. 5531 directs the Secretary of Homeland Security, in consultation with the National Academies, to develop metrics that demonstrate any increased operational effectiveness of deploying ASPs in Primary and Secondary Screening sites. This legislation sets out certain criteria for these metrics, including a cost-benefit analysis.

The bill authorizes the appropriation of \$40 million for fiscal year 2009 and such sums as may be necessary for subsequent years for the Securing the Cities Initiative.

BACKGROUND

This bill establishes criteria for Advanced Spectroscopic Portals. These panel-like devices are used by Customs and Border Protection to screen people, cars, trucks and containers for illicit radioactive materials at some of the more than 600 ports of entry into the United States. ASP technology offers the potential to provide increased detection capabilities, while cutting down on the number of "false alarms".

The Department of Homeland Security has deployed radiation detectors at points of entry since 2003. Such deployment is part of a larger strategy to combat the threat of nuclear terrorism within the United States. It is widely understood that the detonation of an improvised nuclear weapon or a radiological dispersion device would have catastrophic consequences for the American public and economy.

COST

The Congressional Budget Office estimates that that implementing H.R. 5983 "would cost about \$180 million over the 2009-2013 period, subject to appropriation of the authorized amounts." [Full CBO Cost Estimate](#).

STAFF CONTACT

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



H.R. 2490 – TO REQUIRE THE SECRETARY OF HOMELAND SECURITY TO CONDUCT A PILOT PROGRAM FOR THE MOBILE BIOMETRIC IDENTIFICATION IN THE MARITIME ENVIRONMENT OF ALIENS UNLAWFULLY ATTEMPTING TO ENTER THE UNITED STATES

FLOOR SITUATION

H.R. 2490 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 Gus Bilirakis (R-FL) on May 24, 2008. The House Committee on Homeland Security reported the bill, as amended, by voice vote on June 26, 2008.

H.R. 2490 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 2490 requires the Secretary of Homeland Security, acting through the U.S. Coast Guard, to generate a program that uses biometric identification tools that take fingerprint and digital photography images when identifying suspected terrorists and other persons who may potentially pose risks to border security. This program is to be operational within one year of this bills enactment. Additionally, the Secretary is to coordinate this program with other biometric identification programs within the Department of Homeland Security.

BACKGROUND

In November of 2006, the 'Biometric Identification at Sea Pilot Project' was launched by the Department of Homeland Security (DHS) to allow the Coast Guard to collect biometric information, namely fingerprints and digital photographs, from foreign persons interdicted in the Caribbean so that they may be run against criminal the terrorist databases. Such biometric information is collected using hand held scanners.

According to DHS, the project has enabled the Coast Guard to collect biometric information from over 1,100 migrants to the U.S. Of these, 257 migrants were identified as having criminal records and 72 were brought ashore for prosecution under U.S. laws.

[DHS 'Biometric Identification at Sea Pilot Project' report](#)

COST

The Congressional Budget Office estimates that implementing H.R. 2940 would "have no effect on the federal budget because the agency has already carried out pilot projects using biometric identification and is adopting the technique for its homeland security activities."

[Full CBO cost estimate for H.R. 2940](#)

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H.R. 6193 – Improving Public Access to Documents Act of 2008

FLOOR SITUATION

H.R. 6193 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 Jane Harman (D-CA) on June 5, 2008. The House Committee on Homeland Security ordered the bill to be reported, as amended, by voice vote on June 26, 2008.

H.R. 6193 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Controlled Unclassified Information: H.R. 6193 amends the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to develop policies and programs to implement the controlled unclassified information (CUI) framework.

Note: The controlled unclassified information framework refers to the President's May 7, 2008 Memorandum for the Heads of Executive Departments Regarding Designation and Sharing of controlled unclassified information.

The Secretary must coordinate with the National Archives and Records Administration as well as consult with various relevant parties. Within a year of enactment, the Secretary must create a standard format for intelligence products that are designated as controlled unclassified information.

The bill creates an ongoing auditing mechanism to periodically assess whether these CUI policies are being complied with and to describe any problems with the administration of CUI. The Secretary must also create a public listing of documents designated as CUI, as well as a process through which the public may seek to remove such a designation.

Training: This bill requires the Secretary to provide annual training to DHS employees and contractors regarding CUI policies and the consequences of improperly designating information as CUI.

Detailee Program: H.R. 6193 requires the Secretary to implement a DHS Detailee program to detail personnel to the U.S. National Archives and Records Administration for one year. The purpose of this program is to provide training and education to DHS personnel on CUI policies and procedures and laws governing such information.

Technology: The bill requires the Department of Homeland Security to assess technologies that may allow DHS to track the designation and sharing of CUI, as well as to develop a plan to implement such technologies.

BACKGROUND

Controlled Unclassified Information (CUI) is a designation that refers to unclassified homeland security information, law enforcement information relating to terrorism, and other information defined in the Implementing Recommendations of the 9/11 Commission Act of 2007 that does not meet the standards of National Security Classification under Executive Order 12958. There is some concern that unnecessary proliferation of information designated as CUI may interfere with important homeland security information sharing among Federal agencies and with State and local partners, as well as limits public access to information.

In a May 2008 memorandum to Executive Departments, President Bush adopted "controlled unclassified information" (CUI) to be the single categorical designation for sensitive but unclassified information



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throughout the executive branch and provided a certain framework for designating, marking, safeguarding, and disseminating CUI.

[President's May 7, 2008 Memorandum regarding CUI](#)

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6193 would cost "less than \$500,000 a year, assuming the availability of appropriated funds." [Full CBO Cost Estimate](#)

STAFF CONTACT

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



H.R. 4806 – Reducing Over-Classification Act of 2007

FLOOR SITUATION

H.R. 4806 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 Jane Harman (D-CA) on December 18, 2007. The House Committee on Homeland Security ordered the bill to be reported by voice vote, as amended, on July 24, 2008.

H.R. 4806 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Over-classification Procedures: H.R. 4806 amends the Homeland Security Act of 2002 to create an Over-Classification Prevention Program. This bill directs the Secretary of Homeland Security to develop policies and programs to prevent the over-classification of homeland security, terrorism, and WMD information that must be disseminated to prevent and respond to acts of terrorism. These policies and programs must protect the information privacy rights and legal rights of U.S. persons according to current law.

Auditing Mechanism: This bill requires the DHS Inspector General to maintain an auditing mechanism to assess whether these policies are being complied with and to recommend improvements to the system. The DHS IG must report annually to Congress on its findings. The Secretary must additionally institute a series of penalties for employees and contractors who repeatedly fail to comply with the over-classification prevention procedures.

Classification Tracking: H.R. 4806 directs the DHS Secretary to develop a program in which the classification activities of DHS employees and contractors with classification authority can be monitored to ensure compliance with the aforementioned regulations. The Secretary must also train and educate Department employees and contractors about proper classification procedures and the consequences of over-classification.

Detailee Program: The Secretary shall implement a DHS detailee program to detail personnel to the National Archives and Records Administration for one year, for the purpose of training and providing educational benefit for the assigned personnel so that they may better understand the policies, procedures and laws governing original classification authorities, as well as to bolster the ability of the National Archives and Records Administration to conduct its oversight authorities over the Department of Homeland Security. This program will sunset on December 31, 2012.

BACKGROUND

Among its recommendations in response to the attacks of September 11, 2001, the 9/11 Commission found a need to eliminate the over-classification of intelligence information by the Federal Government. The Commissioners found in their report that pseudo- and over-classification may interfere with the sharing of critical intelligence information between the Federal government and State, local, and tribal partners regarding homeland security efforts.

According to the Information Security Oversight Office at the National Archives, the number of new classification actions almost doubled from eight million in 2001 to 14 million in 2005. During this same period, the quantity of declassified pages dropped from 100 million in 2001 to 29 million in 2005. Some agencies were found to be withdrawing archived records from public access and reclassifying them.



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COST

The Congressional Budget Office (CBO) estimates that the cost of implementing H.R. 4806 “would be less than \$500,000 a year, assuming the availability of appropriated funds.”

[Full CBO Cost Estimate](#)

STAFF CONTACT

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



H.R. 3815 – HOMELAND SECURITY OPEN SOURCE INFORMATION ENHANCEMENT ACT OF 2008

FLOOR SITUATION

H.R. 3815 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 Ed Perlmutter (D-CO) on October 10, 2007. The House Committee on Homeland Security reported the bill, as amended, by voice vote on June 26, 2008.

H.R. 3815 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 3815 requires the Secretary of Homeland Security to establish a publicly available information system that will publish (in written and electronic on-line format) reports and other analytical products analyzing news and developments related to foreign terrorist organizations, and threats that may pose to homeland security. Other information to be included in these reports are recommendations on how to identify terrorist tactics and activity patterns. This unclassified information is to be shared with State, local, and tribal governments, as well as with emergency responders so that they may allocate financial resources related to terrorism prevention and take appropriate anti-terrorism safety measures.

The legislation requires the Secretary to ensure that the manner in which information for this program is collected does not violate any rights to privacy guaranteed by the Constitution and relevant laws. Additionally, the Inspector General of DHS is to perform an audit of the use of any information made available and evaluate the effectiveness of the Department of Homeland Security (DHS) in compliance with existing programs requiring federal transparency and information sharing.

H.R. 3815 authorizes sums as may be necessary to carry out this program.

BACKGROUND

The internet makes vast amounts of information on nearly any topic publicly available. While much of this information is used for innocent informational and commercial purposes, it may also be used by individual terrorists and organizations to attack U.S. interests at home and abroad.

The DHS is responsible for assessing the vulnerabilities of the U.S. and coordinating with State, local, and tribal governments, as well as with emergency services and private entities to help ensure that they are continually able to appropriately respond to current threats posed by terrorist organizations.

DHS runs a publically available advisory system, which uses a color coded chart that constantly evaluates the threat level posed to the U.S. homeland. The program also provides information and threat assessments when specific threats are made against individual sectors of government or geographic regions. [DHS Information Sharing](#)

COST

The Congressional Budget Office estimated that enacting H.R. 3815 “would not affect direct spending or revenues.” [Full CBO cost estimate for H.R. 3815](#)

STAFF CONTACT

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H.R. 6098 – Personnel Reimbursement for Intelligence Cooperation and Enhancement Act (PRICE of Homeland Security Act)

FLOOR SITUATION

H.R. 6098 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 Reichert (R-WA) on April 16, 2008. The bill was reported as amended by voice vote from the Committee on Homeland Security on July 10, 2008.

H.R. 6098 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6098 clarifies that Department of Homeland Security grant funding can be used to pay for intelligence analysts at state and local fusion centers. In addition, it allows grant recipients to use up to 50 percent of the grant award to pay for personnel and operational costs.

BACKGROUND

Following the terrorist attacks of September 11, 2001, many state and local governments created fusion centers to help the federal government prevent future acts of terrorism. According to the Department of Homeland Security, there are 58 fusion centers around the country and DHS has provided more than \$254 million from fiscal year 2004-2007 to state and local governments to support the centers.

Congress previously passed a provision in the Implementing Recommendations from the 9/11 Commission Act of 2007 (P.L. 110-53) that was intended to give states and localities the flexibility to use grant funding to pay for new and existing intelligence analysts at fusion centers. However, the Federal Emergency Management Agency (FEMA) limited the period that grant funds could be used to pay the salary and benefits for a specific intelligence analyst to three years. Congress' original intent for the provision included in P.L. 110-53 was to allow for the continued use of funds to fund analysts regardless of their date of hire or time in service.

[DHS State and Local Fusion Center](#)

COST

According to the Congressional Budget Office, "CBO estimates that implementing H.R. 6098 would have no significant cost over the next five years. Enacting this legislation would not affect direct spending or revenues." ([CBO Cost Estimate](#))

STAFF CONTACT

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H.R. 6388 – The Government Accountability Office Improvement Act of 2008

FLOOR SITUATION

H.R. 6388 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 Henry Waxman (D-CA) on June 26, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by voice vote on July 16, 2008.

H.R. 6388 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6388 authorizes the Comptroller General to obtain certain agency records and to administer oaths to witnesses. The bill clarifies that the Federal Food, Drug, and Cosmetic Act does not supersede the authority of the Comptroller General to obtain information involving any method or process which may otherwise be entitled to trade secret protection.

The bill establishes two new reporting requirements. The Comptroller General must report to Congress annually regarding the overall degree of cooperation exhibited by Federal agencies and staff in making personnel available for interviews, in providing written answers to questions, in submitting to an oath authorized by the Comptroller General, in granting access to records, in providing timely comments to draft reports, and in adopting report recommendations. H.R. 6388 also requires that the Comptroller General to report to Congress when an agency does not respond to a request for information, interviews, or adopting recommendations.

BACKGROUND

The Government Accountability Office (GAO) is the audit, evaluation, and investigative arm of the United States Congress. The GAO was established as the General Accounting Office by the Budget and Accounting Act of 1921 (P.L. 67-13). The GAO is headed by the Comptroller General of the United States. The Comptroller General (currently Gene Dodaro) is appointed by the President, with the consent of the Senate, for a 15-year term. GAO employs a workforce of approximately 3,100 individuals.

This bill clarifies that GAO is authorized to obtain information and to pursue civil actions if federal agencies improperly withhold federal records from GAO. Previously, a Federal agency had contested GAO's request for certain information by citing a statute of the Federal Food, Drug, and Cosmetic Act regarding the protection of trade secret information.

ADDITIONAL VIEWS

Ranking Member Tom Davis (R-VA): "While it still is not clear we need section 4 [GAO's right to trade secret and other sensitive information] at all, the amendment adopted by the Committee gives me a sufficient level of comfort that information containing trade secrets and other confidential commercial data to which GAO has access will be protected against improper disclosure." ([Additional Views, House Report 110-771](#))

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6388 "would have no significant effect on the federal budget." [Full CBO Cost Estimate](#)

STAFF CONTACT

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



H.R. 6576 – Reducing Information Control Designations Act

FLOOR SITUATION

H.R. 6576 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 Henry Waxman (D-CA) on July 23, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by voice vote on July 23, 2008.

H.R. 6576 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6576 directs Federal agencies to limit their use of "information control designations" on information that is unclassified. This bill addresses all types of information uses across the Federal government.

The bill requires the Archivist of the United States to set regulations for the use of information control designations. These regulations would include certain methods to ensure that compliance with the bill does not undermine national security or privacy rights. H.R. 6576 also includes remedies for Federal employees and the public to challenge the use of such designations.

H.R. 6576 directs Federal agencies Inspectors General (IGs) to periodically audit information with the control designations to assess their uses. This bill requires disclosure of the name or other personal identifier of the individual restricting access to the information. Information control designations would also not be considered in Freedom of Information Act determinations under this provision.

BACKGROUND

There are currently over 100 information control designations used by the Federal government. Controlled Unclassified Information (CUI) is one common designation that refers to unclassified homeland security information, law enforcement information relating to terrorism, and other information defined in the Implementing Recommendations of the 9/11 Commission Act of 2007 that does not meet the standards of National Security Classification under Executive Order 12958. There is some concern that the excessive use of information control designations may interfere with important homeland security information sharing among Federal agencies and with State and local partners, as well as limits public access to information.

In a May 2008 memorandum to Executive Departments, the President Bush adopted "controlled unclassified information" (CUI) to be the single categorical designation for sensitive but unclassified information throughout the executive branch and provided a certain framework for designating, marking, safeguarding, and disseminating CUI. This memorandum aimed to resolve the issue of multiple pseudo-classifications by creating a single designation and consistent procedures.

[President's May 7, 2008 Memorandum regarding CUI](#)

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 6576 as of July 28, 2008.

STAFF CONTACT

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



H.R. 6073 – To provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically

FLOOR SITUATION

H.R. 6073 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 Virginia Foxx (R-NC) on May 15, 2008. The House Committee on Oversight and Government Reform ordered the bill to be reported, as amended, by voice vote on July 16, 2008.

H.R. 6073 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

The bill requires the Office of Personnel Management (OPM) to provide Federal employees that receive their pay through electronic transfer with the option to also receive their pay stubs electronically.

BACKGROUND

The Federal government employs around 2.7 million civilian personnel, as of September 2007. About 333,000 of these employees work in the Washington, D.C. metro area. Currently, many Federal employees are paid by electronic funds transfer, or "direct deposit". However, oftentimes these employees receive their pay stubs in paper form via mail.

According to the United States Office of Personnel Management (OPM), all Federal employees currently have this option. OPM is the Federal agency that manages the civil service of the federal government. OPM was founded in 1979 and has about 4,000 employees. The Director of OPM is Linda Springer.

[U.S. Office of Personnel Management](#)

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6073 would have no impact on the Federal budget. [Full CBO Cost Estimate](#)

STAFF CONTACT

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



H.R. 6113 – Paperwork Assistance Act

FLOOR SITUATION

H.R. 6113 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 Nancy Boyda (D-KS) on May 21, 2008. The bill was reported as amended by voice vote from the Committee on Oversight and Government Reform on July 10, 2008.

H.R. 6113 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6113 amends the Paperwork Reduction Act of 1980 and requires Federal agencies requesting information from the public to include contact information, including a website and a telephone number, by which an individual can obtain a specific contact person responsible for answering questions about the information collection.

BACKGROUND

Congress enacted the Paperwork Reduction Act of 1980 (P.L. 96-511) in December 1980. The bill aimed to reduce the burden of government reporting requirements on the general public. Congress has passed several amendments to this act to continue to help the general public comply with government regulations.

COST

According to the Congressional Budget Office, "CBO estimates that implementing H.R. 6113 would have no significant impact on the federal budget. Although the legislation could affect agencies not funded through annual appropriations (such as the Tennessee Valley Authority or the U.S. Postal Service), CBO estimates that any net increase in spending by those agencies would not be significant." ([CBO Cost Estimate](#))

STAFF CONTACT

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H.Res. 1143 – Supporting the Goals and Ideals of the Apple Crunch and the Nation’s Domestic Apple Industry

FLOOR SITUATION

H.Res. 1143 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 Todd Platts (R-PA) on April 23, 2008. The resolution reported by voice vote from the Committee on Oversight and Government Reform on July 16, 2008.

H.Res. 1143 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1143 resolves that the House of Representatives supports the goals and ideals of National Apple Month and the Apple Crunch.

BACKGROUND

National Apple Month takes place during the month of October and was originally started as National Apple Week in 1904. The Apple Crunch will be celebrated on October 29, 2008, and is designed to encourage children and adults to include the apple as a regular part of their diet. Apples have long been included as part of a healthy diet on the United States Department of Agriculture’s (USDA) food pyramid.

According to the USDA, the United States produced of 4.2 million tons of apples from July 2007 to June 2008 and is the third largest exporter of apples to countries around the world.

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H.Res. 194 – Apologizing for the enslavement and racial segregation of African-Americans

FLOOR SITUATION

H.Res. 194 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 Steve Cohen (D-TN) on February 27, 2007. It was referred to the Committee on the Judiciary, but was never considered.

H.Res. 194 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 194 resolves that the House of Representatives:

- Acknowledges the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow;
- Apologizes to African-Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow; and
- Expresses its commitment to rectify the lingering consequences of the misdeeds committed against African-Americans under slavery and Jim Crow and to stop the occurrence of human rights violations in the future.

BACKGROUND

Between 1619 and 1865 millions of persons of African descent were enslaved in the thirteen American colonies, and later in the United States. These individuals were forced to work primarily in the agricultural industries of Southern states, but were also fairly common in Northern states where they performed other varied tasks. Slavery was abolished in the United States in 1865 with the passage of the 13th Amendment to the U.S. Constitution.

Jim Crow laws refer to a legal system enacted in Southern and Border States between about 1876 and 1965. These laws mandated segregation in various public facilities, imposing a supposedly "separate but equal" status for blacks and other non-white racial groups. This system led to inferior treatment and accommodations. Some examples of Jim Crow laws are the segregation of public schools, and public transportation, as well as the segregation of restrooms and restaurants for whites and blacks. The majority of Jim Crow laws were overturned by the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

STAFF CONTACT

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



H.Res. 1357 – Recognizing the significance of the 20th anniversary of the signing of the Civil Liberties Act of 1988 by President Ronald Reagan and the greatness of America in her ability to admit and remedy past mistakes

FLOOR SITUATION

H.Res. 1357 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 Doris Matsui (D-CA) on July 17, 2008. The resolution was referred to the Committee on the Judiciary, but was never considered.

H.Res. 1357 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1357 resolves that the House of Representatives:

- Reaffirms our Nation's commitment to equal justice under the law for all people in celebration of the 20th anniversary of the Civil Liberties Act of 1988; and
- Continues to support the congressional goal embodied in the Civil Liberties Act of 1988 that all persons living under protection of the United States Constitution have a right to enjoy freedom and equality without the constraint of prejudice and discrimination or the lack of due process.

BACKGROUND

President Franklin Delano Roosevelt signed Executive Order 9066 on February 19, 1942. This Executive Order authorized the internment of approximately 120,000 Japanese-Americans and legal resident aliens in confinement sites during World War II, without due process. No Japanese-American confined during this period was ever convicted of treason, espionage, or sabotage against the United States. During the war, many Japanese-Americans served in the U.S. military in units such as the 100th Infantry Battalion and the Army Air Corps.

On August 10, 1988, President Reagan signed into law the Civil Liberties Act of 1988. This bipartisan legislation acknowledged the “fundamental injustices” of the Japanese-American internment and apologized on behalf of the United States for this action. Signing the bill, President Reagan remarked, “Here we admit a wrong. Here we affirm our commitment as a Nation to equal justice under the law.”

STAFF CONTACT

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



H.R. 6083 – To authorize funding for the National Advocacy Center

FLOOR SITUATION

H.R. 6083 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 John Spratt (D-SC) on May 19, 2008. The House Committee on the Judiciary ordered the bill to be reported, as amended, by voice vote on July 16, 2008.

H.R. 6083 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6083 authorizes the Attorney General to award a grant to a national non-profit organization to conduct a training program for State and local prosecutors, as well as to improve the professional skills of State and local prosecutors. The Attorney General is also authorized to provide a grantee with assistance to carry out comprehensive continuing legal education programs.

The bill authorizes \$6.5 million for each of the fiscal years 2009 – 2012 for the purposes of this Act.

BACKGROUND

The National Advocacy Center (NAC) is operated by the Department of Justice, and is located in Columbia, South Carolina on the campus of the University of South Carolina. The NAC was built to train federal, state, and local prosecutors and litigators in advocacy skills and management of legal operations. It is estimated that more than 10,000 prosecutors and other lawyers will train annually at the NAC.

There are three training organizations currently located at the NAC. Programs for federal government personnel are provided by the Office of Legal Education of the Executive Office for U.S. Attorneys and by the National Bankruptcy Training Institute. Programs for state and local prosecutors are provided by the National District Attorneys Association. The National Advocacy Center contains 262,000 square feet of classroom and conference space. The facilities at the NAC include ten full-size courtrooms equipped with state-of-the-art audio technology for training.

COST

The Congressional Budget Office (CBO) estimates that “implementing the legislation would cost \$26 million over the 2009-2013 period.” [Full CBO Estimate](#)

STAFF CONTACT

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



S. 3295 – A BILL 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

S. 3295 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 July 21, 2008. The bill passed the Senate on July 22, 2008, by unanimous consent. The legislation was referred to the House Committee on the Judiciary, but was never considered.

S. 3295 is expected to be considered on the floor of the House on July 29, 2008.

**Note: H.R. 6362, the House companion bill to S. 3295, was previously scheduled in the House on July 22, 2008, but was removed from the schedule prior to consideration.*

SUMMARY

S. 3295 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 S. 3295 as of July 28, 2008.

STAFF CONTACT

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



H.Res. 1324 – Requesting that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in National Night Out, which occurs the first Tuesday of August each year, including by supporting local efforts and community watch groups and by supporting local officials, to promote community safety and help provide homeland security

FLOOR SITUATION

H.Res. 1324 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 Bart Stupak (D-MI) on July 8, 2008. The resolution was referred to the House Committee on the Judiciary, but was never considered.

H.Res. 1324 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1324 resolves that the House of Representatives:

- Supports the goals and ideals of National Night Out; and
- Requests that the President--
 - issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for National Night Out;
 - focus appropriate attention on neighborhood crime prevention, community policing, and reduction of school crime by delivering speeches, convening meetings, and directing the Administration to make crime reduction an important priority; and
 - coordinate the efforts of the Federal Emergency Management Agency, the USA Freedom Corps, the Citizen Corps, the National Senior Service Corps, and AmeriCorps to participate in National Night Out by supporting local efforts and neighborhood watches and by supporting local officials, including law enforcement personnel, to provide homeland security and combat terrorism in the United States.

BACKGROUND

The 25th Annual National Night Out event will be held on August 5, 2008. National Night Out, sponsored by the National Association of Town Watch, is a crime and drug prevention event. The event aims to raise crime and drug prevention awareness, generate support for local anticrime programs, and strengthen neighborhood police-community partnerships. National Night Out often brings together law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials for the event.

Last year, over 35 million people in the United States participated in the annual event. This year, National Night Out will be supporting the Department of Homeland Security's "Ready Campaign" by distributing materials and educating the public on how to prepare for and respond to major emergencies or terrorist attacks.

STAFF CONTACT

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



S. 3294 – UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2008

FLOOR SITUATION

S. 3294 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 July 21, 2008. The Senate passed the bill on July 21, 2008, by unanimous consent. The bill was referred to the House Committee on the Judiciary, but was never considered.

S. 3294 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

S. 3294 amends the Sentencing Reform Act of 1984 to extend the United States Parole Commission for an additional three years.

Note: Under current law, the Commission will expire in November 2008.

BACKGROUND

The United States Parole Commission (USPC) is part of the Department of Justice. The USPC is responsible for granting or denying parole requests to those inmates under its jurisdiction. The Commission also supervises those individuals who are paroled. The USPC has jurisdiction over incarcerated individuals serving time for certain Federal crimes, D.C. Code offenses, Military Code offenses, and individuals serving sentences in the United States for foreign crimes. The Chairman of the USPC is Edward Reilly, Jr.

The first Board of Parole had three members and was established by legislation in 1950 as an independent board. Further legislation was eventually passed in 1950, placing the Board under the Department of Justice. Congress passed the Parole Commission and Reorganization Act, effective May 1976. Under this provision, the Board was re-titled the United States Parole Commission.

[Department of Justice - United States Parole Commission](#)

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for S. 3294 as of July 25, 2008.

STAFF CONTACT

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



H.R. 6295 – TO AMEND TITLE 18, UNITED STATES CODE, TO PROHIBIT OPERATION BY ANY MEANS OR EMBARKING IN ANY SUBMERSIBLE OR SEMI-SUBMERSIBLE VESSEL THAT IS WITHOUT NATIONALITY AND THAT IS NAVIGATING OR HAS NAVIGATED INTO, THROUGH OR FROM WATERS BEYOND THE OUTER LIMIT OF THE TERRITORIAL SEA OF A SINGLE COUNTRY OR A LATERAL LIMIT OF THAT COUNTRY'S TERRITORIAL SEA WITH AN ADJACENT COUNTRY, AND FOR OTHER PURPOSES

FLOOR SITUATION

H.R. 6295 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 Daniel Lungren (R-CA) on June 18, 2008. The bill was referred to the House Committee on the Judiciary, but was never considered.

H.R. 6295 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6295 prohibits the intentional operation of a submersible or semi-submersible water vessel that is without identifiable nationality and is navigating into, through, or from waters in an adjacent country's territorial seas.

According to the bill, a vessel's identity can be claimed with documents carried on board the vessel, verbal identification, or by flying a country's flag or ensign. The bill makes such an act, or conspiring to commit such an act, punishable by no more than 20 years of imprisonment.

BACKGROUND

The Coast Guard estimated that over a four month span in early 2008, an estimated 122 tons of cocaine valued at nearly \$2.7 billion was successfully delivered to the U.S. by self-propelled semi-submersible vessels whose nationality could not be identified.

Under current law, federally punishable maritime offenses include the transportation of explosive, chemical, or nuclear weapons; the transportation of terrorists; and the transportation of drugs into the U.S. Under H.R. 6295, failure to provide national identification would be added as a punishable offense under federal law.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6295 as of July 29, 2008.

STAFF CONTACT

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



H.R. 6445 – VETERANS’ HEALTH CARE POLICY ENHANCEMENT ACT OF 2008

FLOOR SITUATION

H.R. 6445 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 Don Cazayoux (D-LA) on July 9, 2008. The bill was ordered to be reported as amended by the Committee on Veterans’ Affairs on July 16, 2008.

H.R. 6445 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Veterans’ Copayments: The bill exempts veterans who are catastrophically disabled from being required to make copayments for hospital care or nursing home care.

Counseling for Family Members of Veterans: The bill repeals the requirement that mental health services for family members of veterans receiving treatment from the Department of Veterans Affairs must be initiated during the veterans’ hospitalization.

Pain Management Policy: H.R. 6445 requires the Secretary of Veterans Affairs to develop and implement a comprehensive policy on the management of pain experienced by veterans enrolled in the VA health system by October 1, 2008.

Consolidated Patient Accounting Centers: The bill requires the Secretary to establish no more than seven consolidated patient accounting centers. The centers will be responsible for reengineering and standardizing revenue cycle activities for all health care services furnished to veterans for non-service-connected medical conditions.

**Note: This provision is identical to the text of the Veterans’ Revenue Enhancement Act (H.R. 6366), which was introduced by Ranking Member Steve Buyer (R-IN).*

BACKGROUND

The Veterans’ Health Administration is responsible for operating the nation’s largest integrated health care system. The VHA is a direct health care service provider for more than 7.8 million veterans. The VHA operates 155 medical centers, 135 nursing homes, 717 clinics, 45 residential rehabilitation treatment programs, and 209 Vet Centers.

The Consolidated Patient Accounting Center was established as a demonstration project in 2005. It has enhanced VA revenues by more than \$12.5 million in fiscal year 2007.

COST

A Congressional Budget Office cost estimate is not available for this legislation.

STAFF CONTACT

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



H.R. 1527 – Rural Veterans Access to Care Act

FLOOR SITUATION

H.R. 1527 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 Jerry Moran (R-KS) on March 14, 2007. The House Committee on Veterans' Affairs ordered the bill to be reported, as amended, by voice vote on July 16, 2008.

H.R. 1527 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 1527 requires the Department of Veterans Affairs to conduct a 3-year pilot project to allow highly rural veterans enrolled in VA health care to receive covered services through non-VA providers. The bill defines a highly rural veteran as one who resides 60 miles from VA primary care services, 120 miles from the nearest VA facility providing acute hospital care, or more than 240 miles from the nearest VA facility providing tertiary care (specialized consultative care).

This bill requires the Department to develop the functional capability to exchange medical information between VA and participating non-VA providers.

H.R. 1527 requires the Department to submit an annual report to Congress that includes an assessment of the program cost, volume, quality, patient satisfaction; and benefit to veterans, as well as any recommendations for continuation, extension, or for making the program permanent.

BACKGROUND

Because they often live far from VA healthcare facilities, rural veterans have experienced difficulty obtaining medical care. The VA medical system was realigned in the 1990s to concentrate specialized care facilities in urban areas. In addition, federal community health centers in rural areas often do not accept VA payments. A 2004 Veterans Affairs Department study indicated that rural veterans tend to have more serious and costly health problems than their urban counterparts.

The Veterans Health Administration (VHA) is the medical agency of the Department of Veterans Affairs that implements the medical assistance program of the VA through the administration and operation of numerous VA outpatient clinics, hospitals, medical centers and other healthcare facilities. In 2007, there were 7.8 million veterans enrolled in the VA healthcare system. The VA operates 153 medical centers across the country, and over 700 community-based outpatient clinics. The Department of Veterans Affairs employs some 263,000 personnel.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for H.R. 1527 as of July 28, 2008.

STAFF CONTACT

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



H.R. 2192 – To amend title 38, United States Code, to establish an Ombudsman within the Department of Veterans Affairs

FLOOR SITUATION

H.R. 2192 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 Hodes (D-NH) on May 7, 2007. The House Committee on Veterans Affairs ordered the bill to be reported, as amended, by voice vote on July 16, 2008.

H.R. 2192 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 2192 establishes an Office of the Ombudsman at the Veterans Health Administration (VHA). The bill requires the Secretary of Veterans Affairs to appoint a Director who will report directly to the Secretary. The Director will be responsible for overseeing the efforts of patient advocates in the Administration and for helping to coordinate assistance for veterans who require aid from the Administration.

The Director would be required to appoint three regional administrators to support patient advocacy and resolve appeals from patients at VHA facilities. The Director must also establish a board to hear appeals referred by any regional administrator and to outline steps for resolving those issues raised in appeal.

BACKGROUND

Over 30,000 American military personnel have been wounded in operations in Iraq and Afghanistan. Due to improved battlefield medicine, soldiers who might have died in past conflicts are now surviving, though with often serious disabilities. Such injuries often require long-term health care from the Veterans Affairs Department (VA) beyond the servicemember's discharge from service. In 2007, various Administration reports highlighted the need to improve case management for servicemembers and veterans in the military health system and in the VA.

An Ombudsman is generally an official charged with representing the interests of the public by investigating and addressing complaints reported by citizens, in this case veterans. In the United States, it has been noted that Members of Congress often perform the unofficial function of an Ombudsman at the Federal level. Members of Congress and Senators often interface with Executive agencies (like the VA) on behalf of their constituents. This informal job has become increasingly time-consuming. This practice has been criticized on the grounds that it interferes with a Representative's primary duty – to legislate.

COST

The Congressional Budget Office (CBO) estimates that implementing the bill "would cost \$3 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. 4255 – United States Olympic Committee Paralympic Program Act of 2008

FLOOR SITUATION

H.R. 4255 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 Bob Filner (D-CA) on December 4, 2007. The bill was reported from the Committee on Veterans' Affairs as amended on July 24, 2008, by voice vote.

H.R. 4255 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Grant: H.R. 4255 authorizes the Secretary of the Department of Veterans' Affairs to provide a grant to the United States Olympic Committee (USOC) to plan, develop, manage, and implement the Paralympic Program for disabled veterans and disabled members of the Armed Forces and allows the Secretary to conduct oversight of the use of grant funds by the USOC.

Authorization Level: The bill authorizes \$8 million annually for this program.

Office of National Veterans Sports Programs and Special Events: The bill establishes this new office within the Department of Veterans' Affairs. The Director of this office is responsible for establishing, carrying out, or providing sponsorship for events in which disabled members of the Armed Forces and disabled veterans participate.

Monthly Assistance Allowance: It also allows for a monthly assistance allowance to be paid to a veteran with a disability invited by the USOC to compete for a slot on, or selected for, the Paralympic Team. The bill authorizes \$2 million each year for this provision.

BACKGROUND

In November 2005, the USOC and the Department of Veterans Affairs signed a Memorandum of Understanding to increase the number of disabled veterans participating in sports and to encourage them to try out for the U.S. Paralympic Team.

The USOC Paralympic Military Program introduces servicemen and women who have sustained physical injuries to adaptive sports techniques and opportunities through the Paralympic Military Sports Camps and community based programs. Elite athletes live and train at the U.S. Olympic Training Centers as part of the Veterans Paralympic Performance Program (VP3).

The 2008 Paralympic Games will be held in Beijing on September 6-17, 2008.

[List of U.S. Military athletes competing in the 2008 Paralympic Games](#)

COST

A Congressional Budget Office cost estimate is not available for this legislation.

STAFF CONTACT

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



H.R. 6225 – INJUNCTIVE RELIEF FOR VETERANS ACT OF 2008

FLOOR SITUATION

H.R. 6225 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 Stephanie Herseth Sandlin (D-SD) on June 10, 2008. The House Committee on Veteran's Affairs agreed to the bill, as amended, by voice vote on July 16, 2008.

H.R. 6225 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Tuition, Enrollment, and Loan Relief for Students Called to Military Duty

H.R. 6225 requires that institutions of higher education: 1) refund the tuition of service members who have been called to military service and have not receive academic credit; 2) allow these service members to reenroll at their school with the same academic status prior to their official notice of military service as well as extending the time period during which they may reenroll after returning from service; and 3) cap student loan interest payments at six percent while the student is fulfilling military service duties.

Termination or Suspension of Certain Service Contracts by Servicemembers

H.R. 6225 provides that Servicemembers called to military deployment lasting longer than 90 days or required to permanently change their station to a location not supported by their current contract, may choose to suspend or terminate certain service contracts that they are party to without paying service or termination fees. These service contracts include those for cell phone, home internet, and home cable services, as well as for utility contracts.

Under the bill, service providers may charge nominal fees for equipment remaining in the possession of the Servicemembers during their deployment, with payment of such fees deferrable to after the Servicemembers return and for a time as long as their deployment. Additionally, Servicemembers suspending or terminating a service must notify provider(s) in writing and with a copy of their official military orders. Individuals violating these provisions will be fined \$5,000 and organizations will be fined \$10,000.

Residency of Military Personnel and Their Spouse

H.R. 6225 provides that military Servicemembers and their spouses who have been relocated from their home state in compliance with military orders do not have to change their state of residency and may retain their original voting and tax jurisdiction.

Injunctive Relief for Service Members Against State and Private Employers

H.R. 6225 requires courts to grant equitable injunctive relief to veterans who file claims against state and private employers for alleged violations of the Uniformed Servicemembers Employment and Reemployment Rights Act (USERRA).

BACKGROUND

According to the Department of Labor, USERRA prohibits discriminatory rehiring practices on the part of private or state employers against full-time Servicemembers and reservists upon returning from military service or a military related obligation.

USERRA was signed into law in October 1994 and applies to individuals who perform voluntary and involuntary service in the U.S. Army, Navy, Marines, Air Force, Coast Guard, and Public Health Service commissioned corps, as well as any reserve components of each.



According to the Department of Defense, 94 percent of those enlisted in the armed forces have high school diplomas and 90 percent have some college experience. Of military officers, 95 percent have undergraduate or advanced degrees. The U.S. Military offers service members college-level degrees and classes at military installations around the world and on-line. These in-service programs have tuition assistance programs that pay 75 percent of tuition costs. Members can also use the G.I. Bill to cover certain costs associated with off-duty college and technical courses.

COST

CBO estimates that implementing H.R. 6225 would not have a significant effect on the federal budget.

Additionally, CBO estimates that private sector mandates contained in H.R. 6225 would total \$136 million in 2008.

[Full CBO cost estimate for H.R. 6225](#)

STAFF CONTACT

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



H.R. 6221 – Veteran-Owned Small Business Protection and Clarification Act of 2008

FLOOR SITUATION

H.R. 6221 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 John Boozman (R-AR) on June 10, 2008. The House Committee on Veteran's Affairs agreed to the bill, as amended, on July 16, 2008.

H.R. 6221 is expected to be considered on the floor of the House today.

SUMMARY

Veteran's Small Business

H.R. 6221 requires each contract that the Secretary of Veterans Affairs (VA) entered into for the acquisition of goods and services after June 1, 2007, include a provision requiring that parties comply with federal requirements concerning the contracting goals and preferences for small businesses owned and controlled by veterans with service related disabilities.

On-Campus Workstudy Pilot Program

The Secretary is directed to conduct a five-year pilot project to test the feasibility of expanding the scope of veteran workstudy programs under which veterans may receive an additional educational assistance allowance. The types of workstudy positions affected by H.R. 6221 include on-campus employment, such as research or lab assistants, cafeteria cashiers, or admissions office assistants.

The bill authorizes \$10 million to carry out this program for fiscal years 2009-2013.

Military Occupational Specialty Transition Program

The bill directs the Secretary to create a job training program for honorably discharged veterans: 1) whose military occupational specialty at the time of discharge has limited transferability to the civilian job market; 2) who are not otherwise eligible for educational training services; 3) who have not acquired a marketable skill since discharge; or 4) been unemployed for at least 90 of the 180 days preceding their application to this program or their maximum hourly rate of pay during the preceding 180 day period is not more than 150 percent of the federal minimum wage.

The Secretary is to enter into apprenticeship programs with employers to provide qualifying veterans with on-the-job training. The VA will pay eligible veterans in apprentice programs 50 percent of the wages paid by their employer, but not more than \$20,000 annually or \$1,666.67 per month. These payments are only to be made for the first year of the veteran's participation in the program. Employers are to submit quarterly reports on the performance of participating veterans as well as certification of wages paid to the VA. The Secretary is to report on this program to Congress annually.

The bill authorizes \$60 million for this section for fiscal years 2009-2018.

BACKGROUND

Pursuant to current Federal law, the Department of Veterans Affairs and its contractors must comply with certain contracting goals and preferences for small business concerns owned or controlled by veterans. In 2004, President Bush also issued an [Executive Order](#) encouraging heads of Executive agencies to establish a goal that not less than 3 percent of their Federal contracting be awarded to service disabled veterans. Service-disabled veterans are those U.S. military personnel who received injuries as a result of their military service.



The Small Business Administration operates an Office of Veterans Business Development which is responsible for liaising with the Veterans business community, acting as an Ombudsman for Veterans in Small Business Administration programs, providing business training, counseling and assistance, and for overseeing the Federal procurement programs for Veteran and Service-Disabled Veteran-Owned small businesses.

Over 24.8 million Americans are military veterans. Of these veterans, 2.2 million are disabled by disease or injury.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6221 as of July 29, 2008.

STAFF CONTACT

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



H.R. 674 – TO AMEND TITLE 38, UNITED STATES CODE, TO REPEAL THE PROVISION OF LAW REQUIRING TERMINATION OF THE ADVISORY COMMITTEE ON MINORITY VETERANS AS OF DECEMBER 31, 2009

FLOOR SITUATION

H.R. 674 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 Luis Gutierrez (D-IL) on January 24, 2007. The House Committee on Veterans' Affairs agreed to the bill by voice vote on July 16, 2008.

H.R. 674 is expected to be considered on the floor of the House on July 29, 2008.

BACKGROUND

The Advisory Committee on Minority Veterans (ACMV) was established under the Veterans' Benefit Improvement Act of 1994 (P.L. 103-446). The ACMV consists of veterans who represent the needs and concerns of different minority groups of veterans. Responsibilities of the ACMV include advising the Secretary of Veterans' Affairs and Congress on the Department of Veterans' Affairs administration of healthcare benefits and services offered to minority veterans, and providing annual reports to Congress outlining how to better address these needs.

SUMMARY

H.R. 674 repeals the provision of the Veterans' Benefit Improvement Act which requires the termination of the ACMV on December 31, 2009. Under the bill, the ACMV is extended indefinitely.

COST

The Congressional Budget Office estimates that "implementing H.R. 674 would result in discretionary outlays of about \$1 million over the 2010-2013 period," and that enacting H.R. 674 would "not affect direct spending or revenues."

[Full CBO Cost estimate for H.R. 674](#)

STAFF CONTACT

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



H.R. 5892 – VETERANS DISABILITY BENEFITS CLAIMS MODERNIZATION ACT OF 2008

FLOOR SITUATION

H.R. 5892 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 John Hall (D-NY) on April 24, 2008. The House Committee on Veterans' Affairs agreed to the bill by voice vote on April 30, 2008.

H.R. 5892 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Combat Definition

The bill clarifies the current definition of 'combat with the enemy' to include active service during combat operations during a period of war, or as being engaged in combat against a hostile force during a period of hostilities.

Veterans' Affairs Office of Survivor Relations

H.R. 5892 directs the Secretary of Veterans' Affairs to establish an Office of Survivor Relations within the Veterans' Benefits Administration. The Office is to provide the necessary assistance and benefit services that the Department of Veterans' Affairs (VA) offers to the surviving relatives of deceased veterans and service members. The Director of this Office is to act as the primary advisor to the Secretary on all matters pertaining to policies, legislation, programs, issues, and initiatives affecting the survivors of veterans and service members.

The bill also allows eligible survivors to become substitute claimants for a veteran's pending benefits upon their death. The survivor would be able to continue the veteran's claim and continue to submit evidence on behalf of the claim for up to one year after the death of the veteran. The bill would only allow for one accrued claim by a now deceased veteran to be pursued at a time. This provision would be effective upon enactment of H.R. 5892.

Studies Required

The bill requires the Secretary to conduct several studies. These include a study analyzing how adjustments made to the Veterans Affairs Schedule for Rating Disabilities (VASRD) may affect the quality of life and loss of earnings capacity of veterans. The study is to be completed within 190 days of the enactment of H.R. 5892.

The Secretary is to establish an 18 member advisory panel to act as the Secretary's advisor on making revisions and readjustments to the VASRD. The panel is to make annual reports available to the Secretary on recommendations including an assessment of the needs of veterans with respect to disability compensation and a report on how the VA is meeting these needs.

Additionally, the bill requires the Secretary to submit to Congress a proposed plan and timeline (not to exceed three years) for suggested readjustments to the VASRD. This proposal must be made taking into account current medical and technological concepts, practices, and standards.

VA Employee Work Credit and Performance Improvement

The legislation also requires the Secretary to conduct a study on the employee work credit system of the employees of the VA's Veterans Benefit Administration. The study is to focus on improving the quality, performance, and accuracy of claims for benefits made, and how it plans on implementing an improved system for measuring work production within 180 days of enactment.



BACKGROUND

According to the VA, there were over 24 million veterans in America in 2007, with over 3.58 million veterans and survivors receiving compensation and benefits under programs administered by the VA for 2006. This included more than 2.7 million veterans receiving service-related disability benefits and over 325 thousand surviving relatives receiving service connected benefits.

According to the Army, the VASRD is used by both the VA and the Department of Defense (DOD) as a guide for evaluating all diseases and injuries that are encountered by veterans as a result of, or incident to service in the military. It is used by the DOD to rate an individuals ability to continue active duty in the military and by the VA as a system to rate the employability of injured veterans by civilian employers.

The VA currently offers a range of benefits to the surviving spouse, dependent children and parents of deceased veteran's military service members. Benefits available for surviving spouses include a death pension, home loan guarantees, bereavement counseling, educational assistance, as well as certain medical and veteran burial benefits.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 5892 as of July 28, 2008.

STAFF CONTACT

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



H.RES. 1332 – RECOGNIZING THE IMPORTANCE OF CONNECTING FOSTER YOUTH TO THE WORKFORCE THROUGH INTERNSHIP PROGRAMS, AND ENCOURAGING EMPLOYERS TO INCREASE EMPLOYMENT OF FORMER FOSTER YOUTH

FLOOR SITUATION

H.Res. 1332 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 Dennis Cardoza (D-CA) on July 10, 2008. The resolution was referred to the House Committee on Education and Labor, but was never considered.

H.Res. 1332 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1332 resolves that the House of Representatives:

- Recognizes the importance of connecting foster youth to the workforce through internship programs, such as the Orphan Foundation of America's InternAmerica program, that provide foster youth the foundation upon which to build their careers and to be successful members of the work force; and
- Encourages employers of all sectors and Federal, State, and local governmental agencies to increase employment of the young men and women who have been discharged from foster care in the United States.

BACKGROUND

Since its founding in 1994, the Orphan Foundation of America (OFA) has offered foster youths opportunities to obtain summer internships in Washington D.C. through its InternAmerica program. These internships are usually in Congressional member offices, and provide these foster youths with the opportunity to develop professional skills in a real-world setting.

This past June, the OFA selected 22 college students to participate in the program. The students internships lasted from May 20 –June 12, and included weekly professional development and leadership workshops.

[OFA – InternAmerica website](#)

STAFF CONTACT

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



H.RES. 1288 – SUPPORTING THE GOALS AND IDEALS OF NATIONAL CAMPUS SAFETY AWARENESS MONTH

FLOOR SITUATION

H.Res. 1288 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 Joe Sestak (D-PA) on June 19, 2008. The resolution was referred to the House Committee on Education and Labor, but was never considered.

H.Res. 1288 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1288 resolves that the House of Representatives:

- Supports the goals and ideals of National Campus Safety Awareness Month; and
- Encourages colleges and universities throughout the United States to provide campus safety and other crime awareness and prevention programs to all students throughout the year.

BACKGROUND

According to a report required under the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistic Act (P.L. 89-329), between 2004 and 2006, 37 homicides, 8,114 forcible-sex offenses, 8,923 aggravated assaults, and 3,071 cases of arson were reported on college and university campuses in the U.S. Additionally, about one-fifth of female students are victims of a completed or attempted rape during their college years. These rapes and attempts are usually committed by someone familiar to the victim, and less than 5 percent of these incidents are reported to authorities.

The non-profit group, Security On Campus, has designated September as National Campus Safety Awareness Month and offers educational programs each September on topics such as sexual assault, stalking, hazing, and alcohol and drug abuse at U.S. colleges and universities nationwide.

[Security On Campus, Inc.](#)

STAFF CONTACT

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



H.Res. 901 – Congratulating University of Florida Quarterback Timothy "Tim" Tebow for winning the Heisman Trophy and honoring both his athletic and academic achievements

FLOOR SITUATION

H.Res. 901 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 Ander Crenshaw (R-FL) on December 19, 2007. The resolution was referred to the Committee on Education and Labor, but was never considered.

H.Res. 901 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 901 resolves that the House of Representatives:

- Commends Tim Tebow for his academic and athletic accomplishments;
- Recognizes Tim Tebow's character and compassion toward his fellow human beings;
- Congratulates Tim Tebow for his historic winning of the 2007 Heisman Trophy; and
- Directs the Clerk of the House of Representatives to transmit a copy of this resolution to University of Florida President J. Bernard Machen and Head Football Coach Urban Meyer for appropriate display.

BACKGROUND

Tim Tebow is the quarterback for the University of Florida Gators, and led the Gators to the 2006 NCAA football championship. In the 2007 season, Tim Tebow and the Gators achieved a 9-3 record in the highly competitive Southeastern Conference (SEC). The team led the SEC in both scoring and total yardage gained. Tebow put up impressive individual statistics as well, including throwing for 29 touchdowns, and running for another 22 touchdowns – setting a new SEC record.

On December 8, 2007, Tebow won the coveted Heisman Trophy, becoming the first and only sophomore to do so. The Heisman Trophy, named after former player and coach John Heisman, is awarded annually to the most outstanding college football player.

Tebow was born on August 14, 1987, in the Phillipines to parents Bob and Pam Tebow. Tim Tebow maintains a 3.77 grade point average at the University of Florida. Tebow played quarterback for Nease High School in Ponte Vedra Beach, Florida, where he became a Division I-A recruit and ranked among the top quarterback prospects in the nation as a senior.

STAFF CONTACT

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



H.Res. 1151 – Congratulating the University of Tennessee women's basketball team for winning the 2008 National Collegiate Athletic Association Division I Women's Basketball Championship

FLOOR SITUATION

H.Res. 1151 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 John Duncan, Jr. (R-TN) on April 24, 2008. The resolution was referred to the Committee on Education and Labor, but was never considered.

H.Res. 1151 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.Res. 1151 resolves that the House of Representatives:

- Congratulates the University of Tennessee women's basketball team for being champions on and off the court, and for their victory in the 2008 National Collegiate Athletic Association (NCAA) Division I Women's Basketball Championship;
- Recognizes the significant achievements of the players, coaches, students, alumni, and support staff whose dedication and hard work helped the University of Tennessee Lady Vols win the NCAA championship; and
- Respectfully requests the Clerk of the House of Representatives to transmit copies of this resolution to the following for appropriate display--
 - Dr. John D. Petersen, President of the University of Tennessee;
 - Dr. Jan Simek, Interim Chancellor of the University of Tennessee, Knoxville;
 - Joan Cronan, Women's Athletics Director; and
 - Pat Summitt, Women's Basketball Head Coach.

BACKGROUND

In April of 2008, the University of Tennessee's Lady Vols won their eighth NCAA Basketball Championship. Their 64-48 victory over Stanford not only made them NCAA Champions but also the first team to become repeat champions since 2004. Throughout their school's history, the Lady Vols have played 123 NCAA Play-Off games since 1982 and boast a 104-19 record.

Helping the Lady Vols to their victories is Head Coach Pat Summitt. Coach Summitt has coached for 34 consecutive seasons, leading her team to 14 SEC Championships, 16 NCAA Final Fours, and 8 NCAA Championships. Along with facilitating her team to success, she has individually claimed seven SEC Coach of the Year awards, seven NCAA Coach of the Year awards, and the esteemed, Naismith Coach of the Century in 2000.

The University of Tennessee was established in 1794, and is located in Knoxville, Tennessee.

STAFF CONTACT

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



H.R. 6560 – To establish an earned import allowance program under Public Law 109-53, and for other purposes

FLOOR SITUATION

H.R. 6560 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 Charles Rangel (D-NY) on July 22, 2008. The bill was referred to the Committee on Ways and Means, but was never considered.

H.R. 6560 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

H.R. 6560 amends the Dominican Republic-Central American-United States Free Trade Agreement Implementation Act to require the Secretary of Commerce to establish a "2 for 1" textile and apparel allowance program. Under this provision, when textile producers purchase a certain quantity of U.S. fabric for apparel production in the Dominican Republic, they will receive a credit. This credit may then be used to ship a corresponding quantity of eligible apparel (pants and other bottoms), containing fabric sourced from a third-country that ordinarily would not receive duty-free treatment, from the Dominican Republic to the United States duty-free.

Note: Fabrics covered in this program include woven fabric of cotton formed in the United States and certified by the producer as being suitable for use in the manufacture of apparel items such as trousers, bib and brace overalls, breeches and shorts, skirts and divided skirts or pants.

This program will be in effect for a period of 10 years. H.R. 6560 requires the U.S. International Trade Commission to annually review the program to evaluate its effectiveness and suggest improvements, as well as to report to Congress on such a review.

This bill also extends the existing provisions of the Generalized System of Preferences program for one year (until December 2009) without making any changes to the program. H.R. 6560 additionally provides additional market access for apparel imports from AGOA (Africa) beneficiary countries by removing the "abundant supply" provisions, which limit the use non-AGOA produced fabric, including denim.

H.R. 6560 grants Mauritius "least-developed country" status under AGOA – allowing Mauritius to use third-country fabric in apparel exported duty-free to the United States. Finally, the bill requires the U.S. International Trade Commission and the GAO to recommend potential changes to U.S. preference programs that would encourage increased production of value-added apparel inputs, such as fabric, in Africa.

BACKGROUND

In 2004, the United States, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic signed the Dominican Republic-Central America-United States Free Trade Agreement. The U.S. Senate approved the free trade deal on June 30, 2005. The governments of the Dominican Republic, El Salvador, Guatemala, Nicaragua, Honduras, and Costa Rica have also ratified the agreement. These countries account for the second-largest U.S. export market in Latin America, purchasing about \$15 billion of American goods per year.

The United States is a major textile exporter, sending \$12.4 billion worth of textiles overseas in 2005 – a 5% rate of growth over the previous year. However, over the past several decades, textile and apparel manufacturing has been shifting to developing countries, with textiles and apparel accounting for large portions of their exports to industrially developed countries like the U.S. As of August 2006, 610,000 Americans were employed in the textile industry.



ADDITIONAL VIEWS

Ranking Member Jim McCrery (R-LA): "This important expansion of the U.S.-CAFTA-DR fair trade agreement, fully supported by the U.S. textile industry, is an opportunity to expand U.S. manufactured exports to the region and demonstrates how these agreements can benefit U.S. workers... This legislation will provide another opportunity to grow U.S. textile exports and add to the U.S. trade surplus with the CAFTA-DR region." [Press Release, July 22, 2008](#)

COST

The Congressional Budget Office (CBO) has estimates that implementing H.R. 6560 will cost \$56 million.

STAFF CONTACT

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



H.R. 6580 – Hubbard Act

FLOOR SITUATION

H.R. 6580 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 Ron Kind (D-WI) on July 23, 2008. The bill was referred to the Committees on Armed Services, Veterans' Affairs, Ways and Means, and Oversight and Government Reform, but was not considered.

H.R. 6580 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

Continued Payments for Individuals who Receive a Sole Survivorship Discharge: H.R. 6580 ensures that if a member of the Armed Services receives a sole survivorship discharge they will not have to repay any unearned portion of any bonus, incentive pay, or similar benefits to the Secretary. In addition, the Secretary may grant an exception to the requirement to terminate payment of any unpaid amounts of a bonus or incentive pay if they determine that the termination of the payment would be contrary to personnel policy, would be against equity and good conscience, or would be contrary to the best interests of the United States.

Separation Pay: The bill allows members of the Armed Forces with less than six years of active service who receive a sole survivorship discharge to receive separation pay based on the years of active service prior to the discharge.

Benefits: H.R. 6580 provides transitional health care and commissary and exchange benefits for service members who receive a sole survivorship discharge. In addition, it ensures they have access to veterans' benefits, including housing loan benefits and education and training benefits. The bill also gives these veterans preference-eligible status.

Funeral Trusts: The bill repeals the maximum dollar limit on contributions to funeral trusts.

**Note: The current limit is \$8,800.*

Effective Date: The bill will be retroactively effective for any service member who was granted a sole survivorship discharge after September 11, 2001.

BACKGROUND

Under current law, members of the military who involuntarily separate from the military are provided a variety of Federal benefits. However, individuals who voluntarily separate from the military under sole survivorship do not qualify for these benefits. Sole survivors are defined as a member of the Armed Forces who is the only surviving child in a family in which the mother or father, or one or more siblings died or were severely injured while in service through no fault of their own.

The Hubbard Act is named for Jason Hubbard, an Army veteran of the Iraq War and a sole survivor who lost his two brothers in Iraq. Jason and Nathan Hubbard joined the Army six months after their brother Jared was killed by a road side bomb in Iraq in November 2004. Last August, Nathan Hubbard was killed in a helicopter crash south of Kirkuk, Iraq, while Jason Hubbard looked on from an accompanying aircraft. Jason Hubbard voluntarily separated from the military under the sole survivorship policy, but was denied veteran's benefits and was asked to repay his enlistment bonus. The Secretary of the Army intervened on his behalf to ensure he had access to his health care and did not have to repay his bonus.

COST



LEGISLATIVE DIGEST

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According to the Congressional Budget Office, Based on information from the Department of Defense (DoD), CBO estimates that implementing H.R. 6580 would allow about 20 servicemembers a year to receive those enhanced benefits and thus would incur a discretionary cost totaling about \$1 million over the 2009-2013 period, assuming the availability of appropriated funds. In addition, enacting H.R. 6580 would increase direct spending in several ways, with cumulative costs of about \$1 million over the 2009-2018 period... Enacting H.R. 6580 also would increase revenues, more than offsetting the direct spending costs cited above. The Joint Committee on Taxation (JCT) estimates that a provision relating to funeral trusts would increase revenues by \$6 million over the 2009-2018 period... CBO and JCT estimate that, on net, the effects of H.R. 6580 on direct spending and revenues would lower deficits (or increase surpluses) by about \$5 million over the 2009-2018 period." ([CBO Cost Estimate](#))

STAFF CONTACT

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



H.R. 6309 – Lead-Safe Housing for Kids Act of 2008

FLOOR SITUATION

H.R. 6309 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 Keith Ellison (D-MN) on June 19, 2008. The bill was ordered to be reported, as amended, by voice vote of the House Committee on Financial Services on June 24, 2008.

H.R. 6309 is expected to be considered on the floor of the House on July 29, 2008.

SUMMARY

This bill amends the Residential Lead-Based Paint Hazard Reduction Act (P.L. 102-550) to require the Department of Housing and Urban Development (HUD) to issue regulations that 10 micrograms per deciliter will be the new environmental intervention blood lead level for children under the age of six, which is a reduction from 20 micrograms per deciliter in the original statute. H.R. 6309 also permits lead hazard screening of toys and materials in a child's environment to be conducted by an appropriate agency.

H.R. 6309 requires the Secretary of HUD to report to Congress within 90 days on the status of a HUD program known as the Big Buy program, as well as other voluntary programs related to lead assessments of pre-1978 assisted housing. This report must include descriptions of these programs, timelines for their completion, financial reporting, and a description of enforcement actions against housing owners for non-compliance with the Residential Lead-Based Paint Hazard Reduction Act (P.L. 102-550).

The bill authorizes such sums as may be appropriated for fiscal year 2009 to carry out the Act. H.R. 6309 does not require any new costs for compliance on the part of housing owners, public housing agencies or other parties, unless the Secretary of Housing and Urban Development makes such amounts available to those parties for compliance costs.

BACKGROUND

The Residential Lead-Based Paint Hazard Reduction Act (P.L. 102-550) was enacted in 1992 and established Department of Housing and Urban Development (HUD) regulations for the evaluation of lead hazards. HUD subsequently established an "environmental intervention blood lead level" of 20 micrograms per deciliter for a single test. The environmental intervention blood lead level is the level at which property owners and managers must take certain steps, such as reporting the incident to health agencies and providing notices to residents. The Centers for Disease Control recommends that public health actions be initiated for children under the age of six with blood lead levels over 10 micrograms per deciliter.

Children under the age of six are at a high risk of lead poisoning because of their high growth rate and tendency to put items in their mouths. Lead-based paint and lead dust found in deteriorating buildings is a major source of lead exposure for children in the United States. Lead poisoning is known to cause behavioral problems, learning disabilities, and in rarer instances seizures, coma, and death.

In 1978, lead-based paint was banned for use in housing. Nonetheless, about 24 million homes in the U.S. still contain leaded paint and lead-contaminated dust.

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 6309 would "cost \$21 million over the 2009-2013 period, assuming appropriation of the necessary amounts."



LEGISLATIVE DIGEST

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[Full CBO Cost Estimate](#)

STAFF CONTACT

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