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H.R. 2182—Enhanced Oversight of State and Local Economic Recovery Act (Towns, D-NY)

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2182 would allow local and state governments to purchase certain goods at discounted prices using funds provided in the American Recovery and Reinvestment Act, more commonly known as the so-called “stimulus.” Under current law, state and local governments may purchase goods related to law enforcement, fire fighting, disaster recovery, or information technology under the supply schedule of the General Services Administration (GSA). H.R. 2182 would temporarily expand this program to include any purchase that is funded through grants provided in the stimulus. An additional section of the bill would permit states and localities to use stimulus funds for auditing purposes and investigations related to waste or fraud.

Committee Action: H.R. 2182 was introduced on April 29, 2009, and referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on April 6, 2009, and the bill subsequently passed by voice vote.

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

Cost to Taxpayers: According to CBO, “enacting H.R. 2182 would increase offsetting collections and associated spending of fees charged by the General Services Administration (GSA), but the net effect on the federal budget would be negligible. The bill would have no effect on revenues.”

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: A Committee Report citing constitutional authority is not available.

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H.R. 466 – Wounded Veteran Job Security Act (*Doggett, D-TX*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 466 would prohibit discrimination and acts of reprisal against persons who receive treatment for illnesses, injuries, and disabilities incurred in or aggravated by service in the uniformed services.

Committee Action: H.R. 466 was introduced on January 13, 2009 and referred to the House Veterans Affairs Subcommittee on Economic Opportunity. On March 19, 2009, the bill was marked up and reported to the full committee by voice vote. On May 6, 2009, the full Veterans Affairs Committee marked up the bill and ordered it to be reported it out of committee, amended, by voice vote.

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

Cost to Taxpayers: No CBO score is available.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is not available.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)226-0718.

H.R. 1170 – To amend chapter 21 of title 38, United States Code, to establish a grant program to encourage the development of new assistive technologies for specially adapted housing (Boozman, R-AR)

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1170 would establish a grant program of up to \$200,000 annually to each recipient to encourage research and development of new assistive technologies for specially adapted housing for disabled veterans.

Background: Due to the increased numbers of traumatic brain injury and multiple traumas from explosions in Iraq and Afghanistan, veterans are in need of advanced technologies to help ease their transition back home. According to the committee report, research and development could provide a cost effective alternative to round the clock nursing care or institutionalization for seriously wounded veterans.

Committee Action: H.R. 1170 was introduced on February 25, 2009 and referred to the House Veterans Affairs Subcommittee on Economic Opportunity. On March 19, 2009, the bill was marked up and reported to the full committee by voice vote. On May 6, 2009, the full Veterans Affairs Committee marked up the bill and ordered it to be reported it out of committee, amended, by voice vote.

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

Cost to Taxpayers: The bill would authorize up to \$2 million per year for five years. CBO estimates that the Department of Veterans Affairs (VA) would award approximately \$1 million in grants in 2010 and \$8 million over the 2010-2014 period.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill would create a new grant program administered by the Department of Veterans Affairs.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: H.R. 1170 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The Committee finds that the Constitutional authority for H.R. 1170 is provided by Article I, section 8 of the Constitution of the United States.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)226-0718.

H.R. 1088 – Mandatory Veteran Specialist Training Act of 2009 (*Herseith Sandlin, D-SD*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1088 would provide for a one-year training period for new disabled veterans' outreach program specialists, and local veterans' employment representatives by National Veterans' Employment and Training Services Institute. Currently, employees must attend training courses within three years of being employed to help veterans with career counseling, job referrals, helping with veterans' benefits, and other services. However, there have been concerns raised over employees that were inadequately trained. As a result, this bill changes the requirement so that employees must be trained within a year of being employed.

Committee Action: H.R. 1088 was introduced on February 13, 2009 and referred to the House Veterans Affairs Subcommittee on Economic Opportunity. On March 19, 2009, the bill was marked up and reported to the full committee by voice vote. On May 6, 2009, the full Veterans Affairs Committee marked up the bill and ordered it to be reported it out of committee by voice vote.

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

Cost to Taxpayers: CBO estimates that implementing this bill would cost approximately \$3 million over the 2010-2014 period, assuming appropriation of the necessary amounts.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: H.R. 1088 does not contain any congressional

earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The committee finds that the constitutional authority for H.R. 1088 is provided by Article I, section 8 of the Constitution of the United States.

RSC Staff Contact: Natalie Farr, natalie.farr@mail.house.gov, (202)226-0718.

H.R. 1089 – Veterans Employment Rights Realignment Act of 2009 *(Herseth Sandlin, D-SD)*

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1089 would allow the Office of Special Counsel (OSC) the ability to investigate certain Uniformed Services Employment and Reemployment Rights Act (USERRA) claims related to prohibited personnel practice allegation.

Background: The Veterans Benefits Improvement Act of 2004 gave OSC authority to investigate USERRA claims through a demonstration program. However, the pilot program expired on December 31, 2007. In February 2008, hearings were held that showed OSC had done a good job in handling these USERRA claims. Veterans service organizations expressed support for continuing the demonstration project.

Committee Action: H.R. 1089 was introduced on February 13, 2009 and referred to the House Veterans Affairs Subcommittee on Economic Opportunity. On March 19, 2009, the bill was marked up and reported to the full committee by voice vote. On May 6, 2009, the full Veterans Affairs Committee marked up the bill and ordered it to be reported it out of committee by voice vote.

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

Cost to Taxpayers: CBO estimates that the Office of Special Counsel (OSC) would spend an additional \$14 million over the 2010-2014 period to implement its new responsibilities. Enacting the bill would have no effect on revenues or direct spending.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: H.R. 1089 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

Constitutional Authority: The Committee finds that the Constitutional authority for H.R. 1089 is provided by Article I, Section 8 of the Constitution of the United States.

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H.Res. 360 – Urging all Americans and people of all nationalities to visit the national cemeteries, memorials, and markers on Memorial Day (Roe, R-TN)

Order of Business: H.Res. 360 is scheduled to be considered on Tuesday, May 19, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 360 resolves that the House of Representatives:

- “Strongly urges Americans and people of all nationalities to visit national cemeteries, memorials, and markers on Memorial Day, where the spirit of American generosity, sacrifice, and courage are displayed and commemorated.”

The resolution lists a number of findings including:

- “The United States has fought in wars outside and inside of its borders to restore freedom and human dignity;
- “The United States has spent its national treasure and shed its blood in fighting those wars;
- “The National Cemetery Administration of the Department of Veterans Affairs maintains 128 national cemeteries that serve as the final resting place for nearly 3,000,000 veterans and their dependents;
- “Each year, millions of Americans visit the national cemeteries, memorials, and markers;
- “Overseas sites annually recognize Memorial Day with speeches, a reading of the Memorial Day Proclamation, wreath laying ceremonies, military bands and units, and the decoration of each grave site with the flag of the United States and that of the host country; and
- “These splendid commemorative sites inspire patriotism, evoke gratitude, and teach history.”

Committee Action: H.Res. 360 was introduced on April 23, 2009 and referred to the House Veterans Affairs Committee, which took no official action.

Cost to Taxpayers: The resolution authorizes no additional expenditures.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

RSC Staff Contact: Natalie Farr; natalie.farr@mail.house.gov 202-226-0718.

H.Con.Res. 120— Supporting the goals and ideals of National Women’s Health Week, and for other purposes (*Hinchey, D-NY*)

Order of Business: H. Con. Res. 120 is scheduled to be considered on Tuesday, May 19, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H. Con. Res. 120 would express the sense that the House of Representatives:

- “Recognizes the importance of preventing diseases that commonly affect women;
- “Supports the goals and ideals of National Women’s Health Week;
- “Calls on the people of the United States to use National Women’s Health Week as an opportunity to learn about the health issues women face;
- “Calls on the women of the United States to observe National Women’s Check-Up Day by receiving preventative screenings from their health care providers; and
- “Recognizes the importance of federally funded programs that provide research and collect data on common diseases in women.”

The resolution lists a number of findings, including:

- “Women of all backgrounds have the power to greatly reduce their risk of common diseases through preventative measures, such as engaging in regular physical activity, eating a nutritious diet, and visiting a healthcare provider to receive regular check-ups and preventative screenings;
- “Significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African-American women, Asian/Pacific Islander women, Latinas, and American Indian/Alaskan Native women;
- “Healthy habits should begin at a young age;
- “Preventative care saves Federal dollars designated for health care;
- “It is imperative to educate women and girls about key female health issues;

- “It is recognized that offices of women’s health within the Department of Health and Human Services, the Food and Drug Administration, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the National Institutes of Health, and the Agency for Healthcare Research and Quality are vital in providing critical services that support women’s health research, education, and other necessary services that benefit women of all ages, races, and ethnicities;
- “The annual National Women’s Health Week begins on Mother’s Day and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women’s health issues; and
- “In 2008, the week of May 10 through May 16 is designated National Women’s Health Week.”

Committee Action: H. Con. Res. 120 was introduced on April 17, 2008, and referred to the House Committee on Energy and Commerce, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? No.

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H.R. 1676—Prevent All Cigarette Trafficking (PACT) Act (*Weiner, D-NY*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 19, 2008, under a motion to suspend the rules and pass the bill. It is similar to a bill that passed the House in the 110th Congress by a vote of [379-12](#).

Summary: H.R. 1676 would establish new requirements and standards for tobacco distributors that ship cigarettes or smokeless tobacco directly to customers. The bill would require any such tobacco seller to comply with any applicable state, local, or tribal laws regarding the sale of tobacco and imposition of taxes. Under the bill tobacco sellers would also be required to clearly label any package contain cigarettes or smokeless tobacco for sale. The bill would make it illegal for the U.S. Postal Service (U.S.P.S.) to ship any tobacco product for sale without a clear label. The bill would also make it illegal to ship a package containing more than ten pounds of tobacco product directly to a consumer. H.R. 1676 would allow businesses to ship tobacco to other businesses via the U.S.P.S.

H.R. 1676 would prohibit the delivery of tobacco products to consumers whose age has not been verified. The bill would require direct delivery tobacco sellers to establish a method for taking tobacco orders and shipping tobacco to customers so as to verify the

name, age and address of the customer. The bill would require that the tobacco sellers keep information regarding their customers for four years and would grant the Department of Justice (DOJ) the authority to review the records.

The bill would require every direct delivery seller of tobacco products to register with the DOJ. The agency would be required to maintain a list of all registered direct sellers as well as a list of sellers that have failed to register. Sellers that have been placed on the list denoting that they have failed to register would be notified by the DOJ. A direct delivery tobacco seller would be allowed to appeal their inclusion on the list and the bill would require the DOJ to remove a seller from the non-compliance list if they have been incorrectly included.

Finally, H.R. 1676 would establish new penalties for failure to comply with the bill's provisions. Sellers would be subject to fines of up to 2% of their total tobacco sales. Violations of the bill's stipulations would also be considered felonies, and violators would be subject to fines of up to \$10,000 if they are repeatedly found to be in violation.

Additional Background: Under current law, tobacco sellers that ship products directly to consumers must submit monthly tax reports to state tax collection agencies in states where they do business. However, the findings listed in the bill indicate that there is concern that direct delivery tobacco sales have been used to get around paying local, state, and federal taxes that are associated with the sale of tobacco products. In addition, the bill states that "Hezbollah, Hamas, al Qaeda, and other terrorist organizations have profited from trafficking in illegal cigarettes or counterfeit cigarette tax stamps" and that "terrorist involvement in illicit cigarette trafficking will continue to grow because of the large profits such organizations can earn." According to a Government Accountability Office (GAO) report cited by the Senate Committee on the Judiciary, terrorists often raise funds "through illicit trade in myriad commodities, such as drugs, weapons, cigarettes, and systems, such as charities."

In an effort to require all direct delivery tobacco sellers to comply with local, state, and federal taxes, H.R. 1676 would establish new requirements and regulations regarding the shipping of tobacco products to consumers. As the rate of taxes on tobacco has grown over the past decade, the findings in the bill point out that the number of Internet vendors that sell tobacco products in the U.S. jumped from 40 in 2000 to over 500 in 2005. As the number of online vendors has increased, traditional tobacco sellers have expressed their concern that their market is being under cut by illicit, overseas sellers. There have also been concerns raised that under age customers are utilizing direct delivery tobacco sellers because they are not old enough to purchase cigarettes and the current age reporting and verification requirements are not well documented.

Committee Action: H.R. 1676 was introduced on March 23, 2009, and referred to the Committee on the Judiciary, which held a mark-up and reported the bill, as amended, by voice vote on April 28, 2009.

Cost to Taxpayers: While no CBO score is available for H.R. 1676, according to CBO, H.R. 4081 from the 110th Congress would authorize \$18 million in FY 2009 and \$124

million over the FY 2009 through FY 2013 period to fund increased regulatory and enforcement efforts.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the bill would create new regulations regarding the sale and transportation of tobacco products.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes. According to CBO's report from last year's bill, "H.R. 1676 would impose new requirements related to certain sales of tobacco products by private and tribal entities and preempt certain state, local, and tribal laws. According to ATFE and industry sources, most of the entities affected by the requirements already perform many of the duties that would be imposed by this bill, and CBO estimates that the additional requirements would impose minimal costs."

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits? A committee report regarding compliance with House Rules regarding earmarks and limited tax benefits or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is not available.

RSC Staff Contact: Natalie Farr; natalie.farr@mail.house.gov 202-226-0718.

H.Res. 426 – Honoring police officers and law enforcement professionals during Police Week (*McNerney, D-CA*)

Order of Business: H.Res. 426 is scheduled to be considered on Tuesday, May 19, 2009 under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 426 resolves that the House of Representatives:

- “Police Week provides an opportunity to honor police officers and law enforcement personnel for their selfless acts of bravery;
- “Police officers and law enforcement personnel risk their lives daily to protect Americans;
- “Police officers and law enforcement personnel who have made the ultimate sacrifice should be remembered and honored;
- “The House of Representatives honors police officers for their efforts to create safer and more secure communities; and
- “The House of Representatives expresses its strong support for the Nation's police officers and law enforcement personnel.”

The resolution lists a new of findings including:

- “President John F. Kennedy signed a proclamation declaring May 15th as Peace Officers Memorial Day to honor law enforcement officers killed in the line of duty, and to designate the calendar week in which May 15th occurs as Police Week;
- “Police officers protect communities across our Nation;
- “Police officers selflessly put their lives on the line to keep Americans safe;
- “Police officers perform a variety of duties to pursue justice and maintain public safety;
- “In just the last decade, hundreds of police officers were killed in the line of duty, and in just the first four months of 2009 more than 40 officers around the country have made the ultimate sacrifice; and
- “Police officers and law enforcement personnel have been adversely affected by the current economic situation, yet continue to serve bravely.”

Committee Action: H.Res. 426 was introduced on May 12, 2009 and referred to the House Judiciary Committee, which took no official action.

Cost to Taxpayers: The resolution authorizes no additional expenditures.

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

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee reporting citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. However, the resolution does not contain any earmarks.

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

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