



REP. TOM PRICE, M.D. (R-GA), CHAIRMAN  
 PAUL TELLER, EXECUTIVE DIRECTOR  
 424 CANNON HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515

rsc.price.house.gov ph (202) 226-9717 / fax (202) 226-1633

**Legislative Bulletin.....October 28, 2009**

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**S. 1929—Providing for additional a temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, as amended (*Sen. Landrieu, D-LA*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** S. 1929 will extend programs covered under the Small Business and Small Business Investment Acts through April 30, 2010. Both of these acts were previously extended in July and are now set to expire without reauthorization on October 31, 2009. This is the third temporary extension passed for these programs during the 111th Congress.

**Additional Information:** The Small Business Act (SBA) established the Small Business Administration to "encourage" and "develop" small business growth, and to aid minorities and other disadvantaged peoples in securing loans and learning management techniques in 1953. In 1958, Congress passed into law the Small Business Investment Act to ensure a "fair proportion" of government contracts and sales of surplus property include privately operated small businesses.

**Committee Action:** None. On October 26, 2009, the bill was introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent, received in the House and held at the desk.

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

**Cost to Taxpayers:** A CBO score of cost to tax payers is not 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. 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.

**RSC Staff Contact:** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226-9720.

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**H.R. 3633— To allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012 (*Harman, D-CA*)**

**Order of Business:** The bill is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3633 would extend the Public Safety Interoperable Communications (PSIC) grant program, which provides funding to purchase interoperable communications equipment and undertake training to use it, for an additional year through September 30, 2010. Additionally, the bill will allow the director of the National Telecommunications

and Information Administration (NTIA) to extend the performance period for grants made by the program by two years.

**Additional Information:** According to the bill's sponsor, since 2007, the PSIC program has provided nearly \$1 billion in grants to state and local governments, and the deadline to spend the funds is next year. The Department of Homeland Security, its approval of these plans was delayed until the spring of 2008 because DHS wanted to ensure they were subject to appropriate environmental reviews. The delay in approving these plans means that not all of the grant funds can be spent before next year's deadline.

The 2005 Digital Television Transition and Public Safety Act required all broadcasters to convert to digital broadcasting and cease broadcasting in analog in order to auction off spectrum and reserve bandwidth for first responders. The need for first responder bandwidth was demonstrated during the September 11<sup>th</sup> attacks in which emergency personnel were unable to communicate with each other during rescue operations due to a lack of proper interoperability equipment spectrum. The NTIA program works with DHS to provide grants to purchase equipment and provide training for public safety personnel to communicate during emergencies.

**Committee Action:** On September 23, 2009, the bill was introduced and referred to the Committee on Energy and Commerce. On October 15, 2009, the committee held a mark-up and ordered the bill to be reported by voice vote.

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

**Cost to Taxpayers:** A CBO score of cost to taxpayers is not 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. 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.

**RSC Staff Contact:** Bruce F. Miller, [bruce.miller@mail.house.gov](mailto:bruce.miller@mail.house.gov), (202)-226-9720.

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**H.Res. 787 - Expressing support for designation of October 13, 2009, as National Metastatic Breast Cancer Awareness Day (*DeLauro, D-CT*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 787 resolves that the House of Representatives:

- “Supports the designation of National Metastatic Breast Cancer Awareness Day;
- “Encourages all people in the United States to become more informed and aware of metastatic breast cancer; and
- “Respectfully requests the Clerk of the House to transmit a copy of this resolution to the Metastatic Breast Cancer Network.”

The resolution lists a number of findings, including:

- “Metastatic breast cancer refers to Stage IV breast cancer when cancer cells travel from the breast, either through the bloodstream or the lymphatic system, to other parts of the body, including the bones, liver, lungs, or brain, and continue to grow in their new location;
- “An estimated 192,370 women and 1,910 men in the United States will be diagnosed with invasive breast cancer, and 62,280 women will be diagnosed with in situ breast cancer;
- “Nearly 30 percent of women diagnosed with early stage breast cancer will develop Stage IV advanced or metastatic breast cancer;
- “In developing countries, the majority of women with breast cancer are diagnosed with advanced stage or metastatic disease;
- “The statistic that 155,000 women and men are presently living with metastatic breast cancer in the United States underscores the immediate need for increased public awareness;
- “There currently is no cure for metastatic breast cancer, and metastatic breast cancer frequently involves trying one treatment after another with the goal of extending the best quality of life as possible;
- “Scientists and researchers are conducting important research projects to achieve breakthroughs in metastatic breast cancer research;
- “Metastatic breast cancer is rarely discussed during Breast Cancer Awareness Month, however those living with the disease should never feel isolated or ignored;
- “Metastatic Breast Cancer Awareness Day emphasizes the urgent need for new, targeted breast cancer treatments that will provide a high quality of life and long life expectancy for patients by making Stage IV cancer a chronic, but not fatal disease;
- “The House of Representatives is an institution that can raise awareness in the general public and the medical community of breast cancer; and
- “October 13, 2009, would be an appropriate date to designate as National Metastatic Breast Cancer Awareness Day.”

**Committee Action:** H.Res. 787 was introduced on September 30, 2009, and referred to the House Committee on Energy and Commerce, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov) (202) 226-8576

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**H.Res. 790 - Supporting the goals and ideals of a national day of remembrance on October 30, 2009, for American nuclear weapons program workers and uranium miners, millers, and haulers  
(Rep. Berkley, D-NV)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 790 resolves that the House of Representatives:

- “Supports the goals and ideals of a national day of remembrance for American nuclear weapons program workers and uranium miners, millers, and haulers; and
- “Encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to recognize a national day of remembrance for past and present workers in America's nuclear weapons program.”

The resolution lists a number of findings, including:

- “Hundreds of thousands of men and women have served this Nation in building its nuclear defense since World War II;
- “These dedicated American workers paid a high price for their service and have developed disabling or fatal illnesses as a result of exposure to beryllium, ionizing

- radiation, toxic substances, and other hazards that are unique to the production and testing of nuclear weapons;
- “These patriotic men and women deserve to be recognized for their contribution, service, and sacrifice towards the defense of our great Nation; and
  - “On May 20, 2009, the Senate passed S. Res. 151, designating a national day of remembrance on October 30, 2009, for nuclear weapons program workers.”

**Committee Action:** H.Res. 790 was introduced on October 1, 2009, and referred to the House Committee on Oversight and Government Reform, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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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## **H.Res. 568 - Recognizing the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia. (Capito, R-WV)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 568 resolves that the House of Representatives:

- “Recognizes the 150th anniversary of John Brown's raid in Harpers Ferry, West Virginia.”

The resolution lists a number of findings, including:

- “Harpers Ferry is most known for John's Brown Raid on October 16-18, 1859, who chose the town for its Federal armory and arsenal with plans to seize the town and began an uprising in the South that would end slavery;

- “John Brown and his provisional army of 21 men captured the bridge, arsenal, armory, Hall's Rifle Works, along with hostages, and slave owners John Allstadt and Lewis Washington;
- “The fighting continued and on the morning of October 18, 1859, Lt. Col. Robert E. Lee and Lt. J.E.B. Stuart ordered 90 Marines to storm the engine house and captured John Brown and his 4 remaining men after they refused to surrender; and
- “In a year when we celebrate the election of our Nation's first African-American President, Barack Obama, let us also recognize the 150th anniversary of John Brown's raid, the outbreak of America's Civil War, and the important role Harpers Ferry has played in our Nation's history.”

**Committee Action:** H.Res. 568 was introduced on June 19, 2009, and referred to the House Committee on Oversight and Government Reform, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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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## **H.Res. 783 - Recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the strength and culture of the United States. (Diaz-Balart, R-FL)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 783 resolves that the House of Representatives:

- “Recognizes Hispanic Heritage Month;
- “Celebrates the vast contributions of Hispanic-Americans to the strength and culture of the United States; and
- “Encourages the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.”

The resolution lists a number of findings, including:

- “The Bureau of the Census now lists Hispanic-Americans as the largest ethnic minority within the United States with a population of 46,900,000, comprising 15 percent of the Nation's total population;
- “According to the Bureau of the Census, 16 States have at least a half-million Hispanic residents, including Arizona, California, Colorado, Florida, Georgia, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, Virginia, and Washington; and
- “According to the Bureau of the Census, the rate of growth of Hispanic-owned businesses between 1997 and 2002 tripled to 31 percent compared with the national average of 10 percent for all businesses.”

**Committee Action:** H.Res. 783 was introduced on September 29, 2009, and referred to the House Committee on Oversight and Government Reform, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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:** Curtis Rhyne, [Curtis.Rhyne@mail.house.gov](mailto:Curtis.Rhyne@mail.house.gov), (202) 226-8576

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**H.Res. 729 – Expressing support for designation of a “National Firefighters Memorial Day” to honor and celebrate the firefighters of the United States (Poe, R-TX)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 729 resolves that the House of Representatives:

- “Urges the President to designate a day as ‘National Firefighters Memorial Day’ to commemorate Federal, State, and local firefighters killed or disabled in the line of duty; and
- “Calls upon the people of the United States to observe such a day with appropriate ceremonies and respect.”

The resolution lists a number of findings, including:

- “Firefighters are often the first to respond to an emergency, whether the emergency is a fire, transportation accident, natural disaster, act of terrorism, medical emergency, or spill of hazardous materials;
- “Firefighters tirelessly promote fire prevention and safety to protect our Nation;
- “People often do not recognize the important and dangerous work of firefighters;
- “The United States has more than 1,000,000 firefighters, 71 percent of whom are volunteer firefighters and approximately 15,000 of whom are female;
- “There are 1,600,000 fires, on average, in the United States each year;
- “Approximately 30,000 fire departments operate within the United States;
- “A fire department responds to a fire in the United States every 20 seconds;
- “Fire departments respond to nearly 2,000,000 calls in the United States each year without hesitation...”

**Committee Action:** H.Res. 729 was introduced on September 10, 2009, and referred to the House Committee on Oversight and Government Reform which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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](mailto:Natalie.farr@mail.house.gov) (202) 226-0718

**H.Res. 831 - Supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of**

**adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children (Brown-Waite, R-FL)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 831 resolves that the House of Representatives:

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

The resolution lists a number of findings, including:

- “There are nearly 500,000 children in the foster care system in the United States, approximately 130,000 of whom are waiting for families to adopt them;
- “Nearly 54 percent of the children in foster care are age 10 or younger;
- “The average length of time a child spends in foster care is more than 2 years;
- “For many foster children, the wait for a permanent, adoptive, ‘forever’ family in which they are loved, nurtured, comforted, and protected seems endless;
- “The number of youth who ‘age out’ of the foster care system by reaching adulthood without being placed in a permanent home has increased by more than 60 percent since 1998, as nearly 28,000 foster youth ‘aged out’ of foster care during 2007; and
- “Every day loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption”

**Committee Action:** H.Res. 854 was introduced on October 14, 2009, and referred to the House Committee on Ways and Means, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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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## **H.R. 3632 - Federal Judiciary Administrative Improvements Act of 2009 (*Johnson, D-GA*)**

**Order of Business:** The resolution is scheduled to be considered on Wednesday, October 28, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3632 contains administrative changes to the Federal Judiciary. The changes were developed by the U.S. Judicial Conference, the leadership division of the Federal Judiciary.

Some of the provisions of the bill include:

- Striking duplicative language that achieves the same goal regarding the authorization of senior judge participation in the selection of magistrates and minimum work thresholds for senior judges;
- Eliminates the references to divisions and counties in the statutory description of the Judicial District of North Dakota;
- Reduces cost-of-living and retirement coverage inequities between “term” judges (i.e. bankruptcy judges and magistrates) and territorial judges;
- Changes the annual leave limit for judicial branch executives;
- Authorizes the Federal Judicial Center to pay four division directors a higher salary than they are currently eligible for;
- Clarifies that federal pretrial services officers can provide juveniles with the same services that they do for adults; and
- Extends the deadline for state and federal judges and the Justice Department to file their wiretap orders.

**Committee Action:** H.R. 3632 was introduced on September 23, 2009, and referred to the House Committee on Judiciary, which took no public action.

**Cost to Taxpayers:** A CBO score is not 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 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](mailto:natalie.farr@mail.house.gov), (202) 226-0718

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**H.Con.Res. 177 - Raising the awareness of the need for crime prevention in communities across the country and expressing support for designation of October 1, 2009, through October 3, 2009, as "Celebrate Safe Communities" Week, and October as "Crime Prevention Month" (Reichert, R-WA)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, October 27, 2009, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 177 resolves that the House of Representatives:

- “Supports the designation of `Celebrate Safe Communities' Week;
- “Supports `Crime Prevention Month';
- “Commends the efforts of the thousands of local law enforcement agencies and their countless community partners educating and engaging residents of all ages in the fight against crime;
- “Asks communities across the country to consider how `Celebrate Safe Communities' can help them highlight local successes in the fight against crime;
- “Encourages the National Sheriffs' Association and the National Crime Prevention Council to continue to promote through `Celebrate Safe Communities' and year-round, individual and collective action, in collaboration with law enforcement and other supporting local agencies, to reduce crime and build safer communities throughout the United States; and
- “Encourages government agencies, civic groups, schools, businesses, and youth organizations to educate the public, showcase their accomplishments, and explore new partnerships during `Crime Prevention Month'.”

The resolution lists a number of findings, including:

- “Communities across the country face localized increases in violence and other crime;
- “The National Sheriffs' Association (NSA) and the National Crime Prevention Council (NCPC) are leading national resources providing community safety and crime prevention tools tested and valued by local law enforcement agencies and communities nationwide;
- “The NSA and the NCPC have joined together to create the ‘Celebrate Safe Communities’ (CSC) initiative in partnership with the Bureau of Justice Assistance, Office of Justice Programs, Department of Justice;
- “‘Celebrate Safe Communities’ will enhance the public awareness of vital crime prevention and safety messages and motivate people in the United States of all ages to learn what they can do to stay safe from crime; and
- “The week of October 1, 2009, through October 3, 2009, would be an appropriate week to designate as ‘Celebrate Safe Communities’ Week.”

**Committee Action:** H.Con.Res. 177 was introduced on July 31, 2009, and referred to the House Committee on the Judiciary, and the Subcommittee on Crime, Terrorism, and Homeland Security, which took no public action.

**Cost to Taxpayers:** The resolution authorizes no 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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