



Legislative Bulletin.....October 29, 2007

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Summary of the Bills Under Consideration Today

Total Number of New Government Programs: 3

Total Cost of Discretionary Authorizations: \$11 million in FY 2008 and \$202 million over the FY2008-FY2012 period

Effect on Revenue: 0

Total Change in Mandatory Spending: 0

Total New State & Local Government Mandates: 1

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 2

Number of Reported Bills that Don’t Cite Specific Clauses of Constitutional Authority: 2

H.R. 1473— Anthony DeJuan Boatwright Act (*Barrow, D-GA*)

Order of Business: H.R. 1473 is scheduled to be considered under suspension of the rules on Monday, October 29, 2007.

Summary: H.R. 1473 would require states to make regulations that require child care providers to give parents information regarding whether or not they carry liability insurance. Child care providers would be required to obtain a signature from at least one parent confirming that they had been notified as to whether the provider carried liability insurance. States would have to comply in order to receive federal funds through the Child Care and Development Block Grant Act of 1990.

Additional Background: H.R. 1473 is named for Anthony DeJuan Boatwright, a one year old boy who fell into an unattended bucket at a child care provider and has since been semi-comatose and unable to breath without the assistance of a ventilator. Since Anthony's injuries occurred, his mother has worked on the state level to require that child care providers carry liability insurance. While H.R. 1473 would not require providers to purchase and carry liability insurance, it would require them to notify parents in either event.

Committee Action: H.R. 1473 was referred to the Committee on Education and Labor on March 12, 2007, which took no further action.

Cost to Taxpayers: A CBO cost analysis for H.R. 1473 is currently unavailable, however, the bill does not authorize any 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?: The bill would stipulate that states must require child care providers to notify parents as to whether they carry liability insurance in order to receive federal funds through the Child Care and Development Block Grant Act of 1990.

Constitutional Authority: A House Report citing constitutional authority not available. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.J.Res. 58 — Expressing support for designation of the month of October 2007 as “Country Music Month” and to honor country music for its long history of supporting America's armed forces and its tremendous impact on national patriotism (Poe, R-TX)

Order of Business: H.J.Res. 58 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.J.Res. 58 would express the sense that the House of Representatives:

- “supports the designation of a ‘Country Music Month’;
- “honors country music for its long history of supporting America’s armed forces and its tremendous impact on national patriotism; and
- “requests and authorizes the President to issue a proclamation calling upon the people of the United States to observe such with appropriate ceremonies and activities.”

The resolution lists the following findings:

- “from the farms, ranches, and back roads of America comes a sound that is uniquely American; one that is about life and how that life should be lived;
- “country music is a story of family, faith, freedom, hard work, opportunity, pride, and patriotism;
- “country music embodies the spirit of America and the genuine feelings individuals experience throughout their lives such as joy and laughter, but also of sorrow and heartache;
- “country music has played an integral part in encouraging Americans to support its armed forces and their role in protecting American ideals, mainly during times of national conflict, through numerous popular patriotic song;
- “the lyrics in these patriotic songs invoke sacrifice, responsibility, determination, freedom and liberty that were present during the nation's founding; and
- “the Country Music Association celebrated its first National Country Music Month in 1964 and the month of October 2007 marks the 43rd annual observance of Country Music Month.”

Committee Action: H.J.Res. 58 was introduced on October 16, 2007, and referred to the House Committee on Education and Labor, which took no further action.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.Con.Res. 234 — Calling on the Government of the People’s Republic of
China to respect the human rights of refugees from North Korea
(Royce, R-CA)**

Order of Business: H.Con.Res. 234 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 234 would express the sense that the House of Representatives:

- “strongly encourages the Government of the People’s Republic of China to honor its obligations under the United Nations Convention relating to the Status of Refugees, done at Geneva on July 28, 1951 (189 UNTS 150), as modified by the Protocol relating to the Status of Refugees, done at New York on January 31, 1967 (606 UNTS 267), by:
 - a) “halting the forced repatriation of North Koreans who face a well-founded fear of persecution if they are returned to North Korea;
 - b) “making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing refugees with a reasonable opportunity to request asylum; and
 - c) “granting the United Nations High Commissioner for Refugees unfettered access to such refugees to determine their status and the degree of assistance to which they are entitled; and
- “recognizes the efforts of the Korean-American community for bringing attention to the plight of North Korean refugees.”

The resolution lists the following findings:

- “the Government of North Korea is a dictatorial regime that commits gross human rights violations against the North Korean people;
- “the Government of North Korea attempts to exert absolute control over the lives of North Koreans through the use of deplorable systems of punishment and torture and by restricting the flow of information;
- “the Government of North Korea engages in the systematic torture, unlawful detainment, and mass murder of tens of thousands of political prisoners, defectors, and refugees, employing the world’s most brutal concentration camp system;
- “the lack of freedom, government persecution, and policies of selective starvation have driven hundreds of thousands of North Koreans to northeast China, fleeing for their lives from prison camps or political persecution;
- “the Government of the People’s Republic of China forcibly repatriates North Korean refugees and imprisons foreign aid workers who try to assist North Korean refugees inside China;
- “the International Parliamentarians Coalition for North Korean Refugees’ Human Rights, a coalition of parliamentarians from across the globe, met in Seoul, South Korea, on August 29, 2007, and called on the international community to increase its efforts to protect North Korean refugees; and
- “the Korean-American community, acting through various religious and civic organizations, including the ‘Let My People Go Campaign’, has worked to bring awareness to the plight of the hundreds of thousands North Korean refugees living in China.”

Committee Action: H.Con.Res. 234 was introduced on October 15, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill on October 23, 2007.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.Res. 573 — Recognizing and commending the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan, and for other purposes (*Moran, D-VA*)

Order of Business: H.Res. 573 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 573 would express the sense that the House of Representatives:

- “recognizes and commends the efforts of the United States public and advocacy groups to raise awareness about and help end the worsening humanitarian crisis and genocide in Darfur, Sudan;
- “supports the efforts of the various local schools, communities, and faith-based, human rights, humanitarian, and youth-led advocacy organizations that have dedicated their time and energy to help end the genocide in Darfur and to promote peace, defend human rights, and improve the lives of those affected in Sudan and Chad; and
- “urges the United States to work with its partners in the international community to implement a more robust set of multilateral measures until President El-Bashir accepts a full-scale international peacekeeping force in Darfur.”

The resolution lists a number of findings, including:

- “the violence conducted by the Sudanese-backed Janjaweed militia in Darfur, Sudan, has left nearly 2,500,000 people displaced from their homes and up to 400,000 civilians dead;
- “despite the signing of the Darfur Peace Agreement on May 5, 2006, violence, death, and destruction in Darfur continue unabated, threatening the lives of thousands of civilians, humanitarian aid workers, United Nations officials, and African Union peacekeepers
- “hundreds of United States faith-based, human rights, humanitarian and youth-led advocacy organizations have established Darfur-related campaigns since the United States declaration of genocide in 2004;

- “hundreds of State and local communities, schools, universities, and individual citizens have mobilized and organized fundraisers, campaigns, and initiatives to help end the genocide in Darfur;
- “over 600 chapters of anti-genocide high school, college and university student organizations have been established since 2004 to help end the genocide in Darfur;
- “on April 30, 2006, thousands of Americans gathered at the National Mall in Washington, D.C., to urge the United States and the international community to help end the genocide in Darfur;
- “similar public advocacy efforts in the United States to end mass human rights violations, racial discrimination, and violence in Africa have not been seen since the South African anti-apartheid movement; and
- “the United States has led the international community’s condemnation of the atrocities and violence in Darfur.”

Committee Action: H.Res. 573 was introduced on July 25, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill on October 23, 2007.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.Res. 726 — Calling on the President of the United States and the international community to take immediate steps to respond to and prevent acts of rape and sexual violence against women and girls in Darfur, Sudan, eastern Chad and the Central African Republic
(DeLauro, D-CT)

Order of Business: H.Res. 726 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 726 would express the sense that the House of Representatives:

- “calls upon the President of the United States to develop within the United States Department of State and the United States Agency for International Development a Women and Girls of Darfur Initiative to improve assistance to victims and potential victims of rape and sexual violence in Darfur, Sudan, eastern Chad and the Central African Republic by:

- a) “offering specialized grants to non-governmental organizations, operating within IDP and refugee camps in Sudan, Chad and the Central African Republic that can provide all necessary comprehensive and quality health care services and medical supplies, psychological and social counseling, and legal advice to Darfuri victims of rape and sexual violence;
 - b) “providing treatment for the prevention of sexually transmitted diseases, including antiretroviral drugs to prevent HIV infections, and specialized care for rape victims already infected with HIV/AIDS and other sexually transmitted diseases;
 - c) “meeting the psychological, social and educational needs of victimized women, girls, children born as a result of rape, their family and the community in order to limit the stigmatization associated with rape; and
 - d) “providing financial, technical and other forms of assistance to support women’s peace initiatives;
- “calls upon the Secretary General of the United Nations, the permanent members of the United Nations Security Council, the African Union, the European Union, the Arab League and other nations to immediately take steps to:
 - a) “ensure that a fully funded and fully equipped UNAMID is deployed to Darfur;
 - b) “mandate that UNAMID employ all necessary measures to protect women and girls from acts of rape and sexual violence both outside and within Darfuri refugee and IDP camps;
 - c) “provide sufficient resources and training to UNAMID troops and police to ensure a capability to properly respond to acts of rape and sexual violence;
 - d) “provide for firewood patrols and other safeguarding measures to protect women and girls leaving refugee and IDP camps; and
 - e) “include an adequate number of female troops and police in UNAMID to properly manage incidents of rape and sexual violence;
- “calls on the United Nations Security Council to immediately:
 - a) “find the Government of Sudan in noncompliance with Security Council Resolution 1325;
 - b) “call on the Government of Sudan to provide full legal protections to victims of rape and sexual violence and to bring to justice individuals responsible for such crimes; and
 - c) “adopt under Chapter VII of the United Nations Charter a Security Council Resolution calling on the Government of Sudan to respect all related Security Council Resolutions, including Security Council Resolution 1593, enforce the arrest warrants for Ahmad Muhammad Harun and Ali Muhammad Al Abd-Al-Raham, and further recognize the systematic rape of women and girls in Darfur as crimes against humanity and war crimes.”

The resolution lists a number of findings, including:

- “it is estimated that between 250,000 and 500,000 women and girls were raped during the genocide in Rwanda;
- “since 2003, mass rape committed by members of the Sudanese armed forces and affiliated militias with the support of the Government of Sudan has been a central component of the Government of Sudan's violence and ethnic cleansing in Darfur;
- “on April 27, 2007, the International Criminal Court, acting under the authority provided in Security Council Resolution 1593, issued arrest warrants for Sudan’s Humanitarian Affairs Minister Ahmad Muhammad Harun and Janjaweed Colonel Ali Muhammad Al Abd-Al-Raham seeking their arrest for 51 counts including 6 counts involving rape;
- “under Sudanese law victims of rape have virtually no legal recourse and may in fact be charged with the crime of zina, or sexual intercourse outside of marriage, punishable by one hundred lashes if the victim is unmarried and death by stoning if she is married; and
- “on August 20, 2007, the United Nations High Commissioner for Human Rights, reported on attacks, abductions and systematic rapes of women by the Sudanese armed forces and associated militias occurring in Darfur, as well as the resulting pregnancies, ‘grave health risks,’ and ‘psychological trauma’ and declared that these acts may constitute war crimes.”

Committee Action: H.Res. 726 was introduced on October 10, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill, as amended, on October 23, 2007.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.Res. 740— Condemning in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007 (*Jackson-Lee, D-TX*)

Order of Business: H.Res. 740 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 740 would express the sense that the House of Representatives:

- “condemns in the strongest terms the attacks on African Union peacekeepers that occurred in Haskanita, Darfur, Sudan, on September 29, 2007;

- “expresses its condolences to the people and Governments of Nigeria, Mali, Senegal, and Botswana, the families and friends of those individuals who were killed or missing in the attacks, and expresses its sympathies to those individuals who have been injured;
- “expresses the solidarity of the people and Government of the United States with the African Union and the African Union peacekeepers as they recover from these cowardly and inhuman attacks;
- “expresses its readiness to support efforts to bring to justice those individuals responsible for the attacks and efforts to detect, pursue, disrupt, and dismantle the networks that plan and carry out such attacks;
- “expresses its support for the people of Darfur, Sudan, in their continued struggle against extremism and violence and support for their efforts to secure a permanent peace, justice, and return to their restored villages and homes; and
- “encourage all parties involved in the conflict to commit to negotiate a final and binding peace agreement at the peace talks scheduled for October 27, 2007, in Tripoli, Libya.”

The resolution lists a number of findings, including:

- “on September 29, 2007, an estimated 1,000 members of a heavily-armed Darfur rebel group overran a small base in Haskanita, Darfur, Sudan, occupied by the African Union Mission in Sudan (AMIS), brutally killing 10 peacekeepers--seven Nigerian peacekeepers and three other soldiers from Mali, Senegal, and Botswana--and wounding seven peacekeepers, with 50 soldiers missing;
- “in an assault described by the African Union commander as ‘deliberate and sustained’, the rebel group broke into the AMIS base in 30 vehicles with heavy artillery and mortars and battled for hours until AMIS forces ran out of ammunition;
- “the attacks were the worst attacks on AMIS peacekeepers since the deployment of the peacekeepers to Sudan in July 2004;
- “the attacks have been openly condemned by the United States Government, the African Union, the international community, and civilized people everywhere;
- “the Government of Sudan has not publicly spoken out against or condemned the attacks; and
- “the attacks occurred amid international peace efforts to deploy a hybrid African Union-United Nations peacekeeping force to Darfur, Sudan, and convene peace talks scheduled for October 27, 2007, in Tripoli, Libya.”

Committee Action: H.Res. 740 was introduced on October 15, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill, as amended, on October 23, 2007.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.Res. 747 — Recognizing the religious and historical significance of the festival of Diwali (Wilson, R-SC)

Order of Business: H.Res. 747 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 747 would express the sense that the House of Representatives:

- “during this time of celebration, in order to demonstrate support for Indian Americans and the Indian Diaspora throughout the world, recognizes Diwali as an important festival;
- “acknowledges the international religious and historical importance of the festival of Diwali;
- “recognizes and appreciates the religious diversity in both India and the United States and throughout the world;
- “acknowledges and supports the new relationship of collaboration and dialogue in international efforts between the United States and India; and
- “in observance of and out of respect for the start of Diwali, the festival of lights, acknowledges the onset of Diwali and expresses its deepest respect to Indian Americans and the Indian Diaspora throughout the world on this significant occasion.”

The resolution lists a number of findings, including:

- “Diwali, a festival of great significance to Indian Americans and the people of India, is celebrated annually by Hindus, Sikhs, Buddhists, and Jains throughout the United States and the world;
- “there are more than 2,000,000 Hindus, Sikhs, Buddhists, and Jains in the United States;
- “the word ‘Diwali’ is a shortened version of the Sanskrit term ‘Deepavali’, which means ‘a row of lamps’;
- “Diwali is a festival of lights, during which celebrants light small oil lamps, place them around the home, and pray for health, knowledge, and peace;
- “celebrants of Diwali believe that the rows of lamps symbolize the light within the individual that rids the soul of the darkness of ignorance;
- “Diwali, falling on the last day of the last month in the lunar calendar, is celebrated as a day of thanksgiving and the beginning of the new year for many Hindus;
- “for Hindus, Diwali is a celebration of the victory of good over evil; and
- “for Sikhs, Diwali is feted as the day that the sixth founding Sikh Guru, or revered teacher, Guru Hargobind ji, was released from captivity from the ruling Mughal Emperor.”

Committee Action: H.Res. 747 was introduced on October 16, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill on October 23, 2007.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.Con.Res. 230 — Supporting the observance of Breast Cancer Awareness Month, and for other purposes (Brown-Waite, R-FL)

Order of Business: H.Con.Res. 230 is scheduled to be considered on Monday, October 29, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 230 would express the sense that the House of Representatives:

- “supports the observance of Breast Cancer Awareness Month in order to provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms;
- “salutes the more than 2.4 million breast cancer survivors in the United States and the efforts of victims, volunteers, and professionals who combat breast cancer each day;
- “recognizes and applauds the national and community organizations for their work in promoting awareness about breast cancer, providing information, and offering treatment to its sufferers; and
- “urges organizations and health practitioners to use this opportunity to promote awareness about breast cancer, to support monthly self-examinations, and to encourage annual mammograms.”

The resolution lists a number of findings, including:

- “every 3 minutes a woman is diagnosed with breast cancer;
- “another 180,510 new cases of breast cancer are expected to be diagnosed in the United States in 2007;
- “breast cancer is the leading cause of death among women between the ages of 45 and 54;
- “1 out of every 8 women who live to the age of 85 will develop breast cancer in her lifetime;
- “the survival rate of women who have breast cancer is 98.1 percent when detected in the early stages;
- “mammograms and monthly breast self-examinations are the key components of early detection; and

- “observing a Breast Cancer Awareness Month would provide a special opportunity to offer education on the importance of monthly breast self-examinations and annual mammograms.”

Committee Action: H.Con.Res. 230 was introduced on October 10, 2007, and referred to the Energy and Commerce Committee, which took no official action.

Cost to Taxpayers: The resolution authorizes no expenditure.

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.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; 202-226-9717.

H.R. 3224 — Dam Rehabilitation and Repair Act of 2007 (*Salazar, D-CO*)

Order of Business: H.R. 3224 is scheduled to be considered under suspension of the rules on Monday, October 29, 2007.

Summary: H.R. 3224 would authorize \$201 million over the FY 2008 – FY 2012 period for the director of the Federal Emergency Management Agency (FEMA) to create a grant program to fund the repair and rehabilitation of “deficient dams.”

The bill would define a “deficient dam” as one that fails to meet minimum dam safety standards of the state and poses an unacceptable risk to the public. The bill would require the director to enter into grant agreements with individual states and determine the terms of the grants and the projects. The federal funds may be used to pay for up to 65 percent of any dam repair project; state funds would have to be used for the remainder.

H.R. 3224 would **require grant-funded construction to comply with Davis-Bacon prevailing wage standards.**

The bill would authorize funds as follows:

- \$10 million for FY 2008
- \$15 million for FY 2009
- \$25 million for FY 2010
- \$50 million for FY 2011
- \$100 million for FY 2012

Additional Background: According to [House Report 110-386](#), there are currently some 80,000 dams in the United States, of which, 10,000 are considered to have a “high hazard potential”. The term “high hazard potential” means that the failure of the dam could result in a considerable

loss of human life or significant amount of damage to private property. The vast majority of these dams (some 95 percent) are owned by private individuals, corporations, or state and local governments, though funds from this legislation would only be available to states.

Committee Action: H.R. 3224 was referred to the Committee on Transportation and Infrastructure on July 30, 2007. The bill was referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management, which held a mark-up and referred the bill to the full committee by voice vote one day later. The following day, H.R. 3224 was reported by the full committee, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 3224 would authorize \$10 million in FY 2008 and \$201 million over the FY 2008 – FY 2012 period, subject to appropriation of funds. The CBO cost analysis for H.R. 3224 estimates that the bill would result in \$51 million in outlays between FY 2008 – FY 2012.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill would create a new grant program to give state governments federal funds to repair deficient dams.

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

Constitutional Authority: According to [House Report 110-386](#), the Committee on Transportation finds authority in Article 1, Section 8, but does not cite a specific clause. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 3247 — Hurricanes Katrina and Rita Recovery Facilitation Act of 2007 (Del. Norton, D-DC)

Order of Business: H.R. 3247 is scheduled to be considered under suspension of the rules on Monday, October 29, 2007.

Summary: H.R. 3247 would authorize FEMA to provide varied forms of assistance to victims of Hurricane Katrina using funds from the \$43.5 billion that has already been appropriated to FEMA’s Disaster Relief Fund for Hurricanes.

H.R. 3247 would let FEMA fund up to 90 percent of public infrastructure repair projects that relocated buildings and infrastructure facilities. Under current regulations FEMA may fund 100 percent of repair and replacement projects if the building or structure remains in the same location, however, federal funds may only be used for 75 percent of the cost if the buildings are relocated.

H.R. 3247 would also authorize the director of FEMA to provide new forms of assistance to Katrina victims in the Gulf Coast. The bill would allow FEMA to engage in programs that assist in re-burials of human remains, provide temporary housing (most likely trailers) to volunteer personnel, and authorizes reimbursement payments for facilities that housed Katrina victims following the storm.

H.R. 3247 would also increase the minimum cost for FEMA to apply simplified procedures for small projects that can be begin quickly (as soon as a cost estimate is done) from \$55,000 to \$110,000.

Committee Action: H.R. 3247 was referred to the Committee on Transportation and Infrastructure on July 31, 2007. The bill was referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management, which held a mark-up and referred the bill to the full committee by voice vote on August 1, 2007. The following day, H.R. 3224 was reported by the full committee, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 3247 would have no significant effect on the federal budget because the funds for Hurricane Victims have already been appropriated.

Does the Bill Expand the Size and Scope of the Federal Government?: H.R. 3247 expands the types of assistance that FEMA can offer to Hurricane Victims in the Gulf Coast.

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

Constitutional Authority: According to [House Report 110-387](#), the Committee on Transportation finds authority in Article 1, Section 8, but does not cite a specific clause. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2671 — To designate the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the “C. Clyde Atkins United States Courthouse” (Ros-Lehtinen, R-FL)

Order of Business: The bill is scheduled for consideration on Monday, October 29, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2671 would designate the facility of the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the “C. Clyde Atkins United States Courthouse”.

Additional Background: According to [House Report 110 – 326](#), C. Clyde Atkins was born in Washington, DC, in 1914 and moved with his family to Miami, Florida, in 1921. Atkins graduated from the University of Florida Law School in 1936 and practiced privately for 25 years. In 1966, Atkins was nominated to serve as a U.S. District Court Judge for the Southern District of Florida. Following his confirmation, Atkins served the court for over 30 years, serving as Chief Judge from 1977 to 1982. Atkins continued to serve as a judge on the court until his death in 1999.

Committee Action: H.R. 2671 was introduced on June 12, 2007, and was referred to the Committee on Transportation and Infrastructure, which held a mark-up and reported the bill, amended, by voice vote on August 2, 2007.

Cost to Taxpayers: According to CBO, H.R. 2671 would have no significant impact on the federal budget and would not affect direct spending or 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.

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

RSC Staff Contact: Sarah Makin; sarah.makin@mail.house.gov; 202-226-0718.

H.R. 2728 — To designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the “Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station” (Issa, R-CA)

Order of Business: The bill is scheduled for consideration on Monday, October 29, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2728 would designate station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the “Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station”

Additional Background: According to [House Report 110-327](#), Theodore L. Newton and George F. Azrak were working as border patrol agents in Southern California when they were both murdered by drug smugglers in 1967. The two patrol men confronted four smuggles carrying over 800 hundred pounds of marijuana when they were overpowered, kidnapped, and taken to a remote cabin and murdered. The Newton-Azrak Award for Heroism, the highest honor that can be given to a border patrol agent, is named for the two slain patrolmen.

Committee Action: H.R. 2728 was introduced on June 14, 2007, and was referred to the Committee on Transportation and Infrastructure, which held a mark-up and reported the bill by voice vote on August 2, 2007.

Cost to Taxpayers: According to CBO estimates, H.R. 2728 would have no significant impact on the federal budget and would not affect direct spending or 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.

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

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**H.R. 3877 — To require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States
(Matheson, D-UT)**

Order of Business: H.R. 3877 is expected to be considered on Monday, October 29, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 3877 would require the Director of the National Institute of Standards and Technology (Director) to establish an initiative to promote research, development, and demonstration of miner tracking and communications systems and promote the establishment of standards regarding underground communications to protect miners in the United States.

H.R. 3877 authorizes a mine communications and tracking research and development program. This program will have the availability of grants to accelerate the development of “next generation” mine communications and tracking technology systems. Requires that the Director works with federal agencies and industry to evaluate areas of research and development that will be most promising in protecting miner safety.

H.R. 3877 requires that the Director of the program should focus on the following communications and tracking system characteristics:

- Systems that are likely to work in emergency situations;
- Systems that work in coal mines, with special attention paid to deep underground coal mines;
- Systems that provide coverage throughout all areas of the mine;
- Hybrid systems that use both wireless and infrastructure based systems;
- Functionality for 2-way and voice communications;
- Systems that serve emergency and routine communications needs; and
- The ability to work with existing legacy systems and to be quickly integrated.

H.R. 3877 sets standards for underground communications strategies. The bill requires that the Director must work with industry and federal agencies to develop “consensus industry standards and standard reference materials for wireless communications in underground mines.”

H.R. 3877 authorizes such sums as are necessary for carrying out this Act for fiscal years 2009 and 2010 (these costs are to be derived from amounts authorized under section 3001 of the America COMPETES Act).

H.R. 3877 also lists the following findings:

- “The failure of miner tracking and communications devices or lack thereof in mines severely hampers rescue efforts in the event of emergencies;
- “Mines, particularly underground mines, have properties that present unique technical challenges for the integration of currently available tracking and communications systems. These properties include the lack of a clear path or open air which is required for radio signals and WiFi. Additionally, because coal is an absorptive material, less than 10 percent of the radio spectrum that is used above ground can be used underground. A fraction of that (only about 1 percent) radio spectrum is actually allocated for commercial communications purposes. As a consequence, the availability of miner communication equipment is severely limited;
- “Research and experience have shown that communications and tracking systems may not work equally well in every mine or in every emergency situation, and therefore several different systems may be necessary for development and integration;
- “Because of the serious challenges of the mine environment and the limited market provided by the mining industry, much needed technology has not yet been developed by the private sector or is not commercially available in the United States;
- “Furthermore, due to the regulatory structure of the industry and the lengthy approval process for mine tracking and communications systems, research must be accelerated so that next generation technology can be quickly and efficiently integrated into mines to protect the safety of miners;
- “The National Institute of Standards and Technology is well positioned to help accelerate the development of mining tracking and communications technology. The National Institute of Standards and Technology has a long history of working in conjunction with industry to invest in longer-term, high-risk research which yields national benefits far beyond private payoff. Further, the National Institute of Standards and Technology builds partnerships with industry to leverage existing research and development to drive next generation technology;
- “The National Institute of Standards and Technology is well-positioned to draft mining communications standards given the extensive work that the organization has done in the field of emergency communications to develop standards and technologies for interoperable wireless telecommunications and information systems;
- “In developing such standards, the National Institute of Standards and Technology should work in cooperation with the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration to build on existing technology and knowledge regarding mine communications systems.”

Committee Action: H.R. 3877 was introduced on October 17, 2007, and referred to the Committee on Science and Technology. On October 24, 2007, the full committee held a mark-up and reported the bill, as amended, by voice vote.

Cost to Taxpayers: According to the CBO estimate, implementing H.R. 3877 would cost about \$1 million over FY 2008-2012, subject to appropriation of the amounts authorized to be appropriated to NIST in the America COMPETES Act.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, H.R. 3877 creates a new program within NIST.

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 earmark compliance is unavailable.

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

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