

Legislative Bulletin.....December 14, 2009

Contents:

- S. 303** - Reauthorizing and improving the Federal Financial Assistance Management Improvement Act of 1999
- H.Res. 779** - Recognizing and supporting the goals and ideals of National Runaway Prevention Month
- H.Res. 942** - Commending the Real Salt Lake soccer club for winning the 2009 Major League Soccer Cup
- H.Con.Res. 160** - Honoring the American Kennel Club on its 125th anniversary
- H.R. 4284** - Andean Trade Preference Extension Act

S. 303 - Federal Financial Assistance Management Improvement Act of 2009 (Senator Voinovich, R-OH)

Order of Business: The bill is scheduled to be considered on Monday, December 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: The legislation reauthorizes and amends the Federal Financial Assistance Management Improvement Act of 1999 to require the Office of Management and Budget (OMB) to establish a public Web site that allows federal grant applicants to apply for, manage, track and report on the use of grants. Specifically, the bill requires the report to provide information on grant announcements, statements of eligibility, application requirements, purpose, federal agency providers, and application deadlines.

Additionally, the bill requires the Office of Management and Budget to provide a report to Congress on the specific grant information and it's availability to the public within nine months of enactment. An updated biannual report will be provided to Congress for at least fifteen years after implementation. Finally, the bill requires the Director of the OMB to implement a strategic plan on federal financial assistance programs within 18 months of the bill's enactment.

Additional Background: Earlier this year, a GAO report was released that determined the website grants.gov effectiveness was limited by technical limitations, performance capabilities, and user problems. Grants.gov is a federal website that contains information on more than \$500 billion in grants from 1,000 programs that are administered by 26 agencies. According to CBO, the website cost about \$12 million to operate in 2008.

The Federal Financial Assistance Management Improvement Act (FFAMIA) of 1999 required federal agencies, in consultation with non-federal entities, to develop and implement plans to streamline and simplify the application, administrative and reporting procedures for federal financial assistance programs and use common applications and reporting systems for those programs. The GAO report concluded that additional work was needed to streamline the administration of federal financial assistance programs and that the momentum established pursuant to the FFAMIA needed to continue past the law's November 2007 sunset.

Committee Action: On January 22, 2009, the bill was introduced referred to the Senate Committee on Homeland Security. On February 11, 2009, the committee held a mark-up and ordered the bill reported without amendment favorably. On March 17, 2009, the bill passed the Senate without amendment by unanimous consent. On March 18, 2009, the bill was referred to the House Committee on Homeland Security, which took no further subsequent public action.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: According to CBO, implementing S. 303 would cost about \$60 million over the 2010-2014 period, assuming the availability of appropriated funds.

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?: Though the bill contains no earmarks, and no explanation in the accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: No explanation of constitutional authority is provided for S. 303 in Committee Report 111-7.

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

H.Res. 779 - Recognizing and supporting the goals and ideals of National Runaway Prevention Month. (Biggert, R-IL)

Order of Business: The resolution is scheduled to be considered on Monday, December 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 779 resolves that the House of Representatives:

- “Recognizes and supports the goals and ideals of National Runaway Prevention Month.”

The resolution lists a number of findings, including:

- “The prevalence of runaway and homelessness among youth is staggering, with studies suggesting that every year, between 1,600,000 and 2,800,000 youth live on the streets of the United States;
- “The National Network for Youth and its members advocate on behalf of runaway and homeless youth, and provide an array of community-based support to address their critical needs;
- “The National Runaway Switchboard provides crisis intervention and referrals to reconnect runaway youth to their families and link youth to local resources that provide positive alternatives to running away from home; and
- “The National Network for Youth and National Runaway Switchboard are cosponsoring National Runaway Prevention Month in November to increase public awareness of the life circumstances of youth in high-risk situations, and the need for safe, healthy, and productive alternatives, resources, and support for youth, families, and communities.”

Additional Information: According to their website, the [National Network for Youth](#) represents more than 500 public, community-based, and faith-based organizations that provide services to youth and families in the United States and its territories. They receive funding from the Juvenile Justice and Delinquency Prevention Act, the McKinney-Vento Act on homelessness, and the Workforce Investment Act.

The [National Runaway Switchboard](#) is based in Chicago, IL and provides a 24-hour anonymous crisis line to teens thinking of running from home, or who are runaways. They also provide teachers with information to pass to students about alternatives to running away from home. They are certified “Best in America,” by [Independent Charities of America](#).

Committee Action: H.Res. 779 was introduced on September 25, 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, (202) 226-8576.

H.Res. 942 - Commending the Real Salt Lake soccer club for winning the 2009 Major League Soccer Cup. (Matheson, D-UT)

Order of Business: The resolution is scheduled to be considered on Monday, December 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 942 resolves that the House of Representatives:

- “Commends the Real Salt Lake soccer club for winning the 2009 Major League Soccer Cup; and
- “Congratulates Real Salt Lake for winning the first Major League Soccer Cup in the franchise's history.

The resolution lists a number of findings, including:

- “The Real Salt Lake soccer club won the 2009 Major League Soccer Cup, defeating the Los Angeles Galaxy at Qwest Field in Seattle, Washington on November 22, 2009;
- “Head coach Jason Kreis is the youngest coach to win a Major League Soccer Cup, and coached Real Salt Lake to its second post-season appearance since joining the team in 2007; and
- “Real Salt Lake defeated the top 2 seeds in the Eastern Conference, the first-seeded Columbus Crew and the second-seeded Chicago Fire, to reach the championship game.”

Committee Action: H.Res. 942 was introduced on December 2, 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, (202) 226-8576.

H.Con.Res 160 – Honoring the American Kennel Club on its 125th anniversary (*Price, D-NC*)

Order of Business: The resolution is scheduled to be considered on Monday, December 14, 2009, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 160 resolves that the House of Representatives (the Senate concurring) that:

- “Congress honors the American Kennel Club for its service to dog owners and the United States public, and congratulates the American Kennel Club on the occasion of its 125th anniversary.”

The resolution lists a number of findings, including:

- “The American Kennel Club (AKC), headquartered in New York City, with an operations center in Raleigh, North Carolina, was founded in 1884, operates the world's largest registry of purebred dogs and is the Nation's leading not-for-profit organization devoted to the advancement, study, responsible breeding, care, and ownership of dogs;
- “In 2008, the American Kennel Club sanctioned or regulated 22,630 sporting events that included breed conformation, agility, obedience, earthdog, herding, field trial, retrieving, pointing, tracking, and coonhound events;
- “The American Kennel Club founded and supports the AKC Humane Fund, which promotes the joy and value of responsible pet ownership by supporting breed rescue activities, educating adults and children about responsible dog ownership, and assisting human-services organizations that permit domestic abuse victims access to shelters with their pets;
- “The American Kennel Club created and supports the Canine Health Foundation (CHF), which funds research projects focusing on the genetics of disease, the canine genome map, and clinical studies, and has donated over \$22,000,000 to the CHF since 1995; and
- “The American Kennel Club has reunited more than 340,000 lost pets and their owners through the AKC Companion Animal Recovery (CAR) program.”

Committee Action: H.Con.Res. 160 was introduced on June 26, 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, (202) 226-8576.

H.R. 4284 - To extend the Generalized System of Preferences and the Andean Trade Preference Act, and for other Purposes (*Rangel, D-NY*)

Order of Business: The bill is scheduled to be considered on Monday, December 14, 2009, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4284 would extend the Andean Trade Preference Act (ATPA) and the Generalized System of Preferences (GSP) for one year, through December 31, 2010. Under current law, the provisions are set to expire on December 31, 2009.

The ATPA agreement provides for duty-free treatment of certain goods and services for Ecuador, Colombia, and Peru. The bill also requires a report to Congress on the ATPA by June 30, 2010, as opposed to current law, which requires this report by April 30, 2011. This replaces the current statutory reporting requirements on Ecuador, which were required due to rising issues of concern relating to Ecuador's eligibility for the ATPA.

The Generalized System of Preferences (GSP) is a program that promotes economic growth in developing countries by providing preferential duty-free entry for goods and products from 131 countries.

The bill would also increase the estimated tax payments that certain corporations must remit to the federal government. It would increase the payment due for the third quarter of calendar-year 2014 by 1.5 percentage points. The payment due for the fourth quarter of calendar-year 2014 would be reduced accordingly. This provision is merely a revenue

timing shift, a gimmick used to comply with the House's PAYGO rule, yet would have real-world implications, as it forces certain companies to pay more of their tax payments earlier. Given the time value of money, earlier payments harm the bottom line of employers.

***The Chamber of Commerce has indicated that they support this bill and may include any vote on the bill in their annual *How They Voted* scorecard.**

Additional Background: The ATPA was passed in 1991, and extended and expanded in 2002 under the Andean Trade Promotion and Drug Eradication Act, ([click here](#) to read the 2001 RSC Legislative Bulletin). A similar extension if the ATPA passed the House by voice vote on February 27, 2008. It was signed into law on February 29, 2009.

While the original ATPA extended trade preferences to Peru, Colombia, Bolivia, and Ecuador, preferences were suspended for Bolivia in December 2008 due to their lack of effort on counternarcotics. This bill maintains that suspension.

The U.S. Trade Representative's April 2009 report states that the ATPA has been achieving its objective to "promote broad-based economic development, diversification of exports, consolidation of democracy, and to defeat the scourge of drug trafficking by providing sustainable economic alternatives to drug-crop production in Bolivia, Colombia, Ecuador, and Peru." The same report asserts that the four countries provided a market of \$21.5 billion for U.S. exports.

According to a recent [Heritage Foundation report](#) on the extension of GSP and ATPA "Imports under the GSP boost U.S. manufacturing competitiveness and job creation and provide American businesses with low-cost sources for raw materials and unfinished goods."

Potential Conservative Concerns: While the bill promotes a free trade agenda by extending the programs, some conservatives may be concerned that the extension is only for one year, and that Congress still has not addressed the Colombia Free Trade Agreement, which many conservatives support.

Committee Action: H.R. 4284 was introduced on December 11, 2009, and referred to the Committee on Ways and Means, which took no further public action.

Cost to Taxpayers: While no CBO score was available at press time, according to a CBO report from the 110th Congress, last year's extension (H.R. 5264) would reduce revenues from customs duties by \$82 million in FY 2008 and \$119 million over the FY 2008—FY 2009 period.

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 designating compliance with clause 9 of rule XXI is unavailable.

Constitutional Authority: A committee report citing Constitutional authority is unavailable. 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: Natalie Farr; natalie.farr@mail.house.gov; 202-226-0718.
