



Legislative Bulletin.....April 23, 2008

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$25 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: \$0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 6

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

H.R. 5479—To designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the “Alonzo Woodruff Post Office Building” (Ehlers, R-MI)

Order of Business: H.R. 5479 is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5479 would designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the “Alonzo Woodruff Post Office Building.”

Additional Background: Alonzo Woodruff was born in Ionia, Michigan, near Detroit, in 1839. Near the end of 1861, Woodruff enlisted in the Union Army and served in the 1st U.S. Regiment of Sharpshooters. In 1864, the Union Army began advancing on Confederate soldiers near Hatcher’s Run, Virginia. During the battle of Hatcher’s Run, where nearly 1,200 Union lives and 1,700 Confederate lives were lost, Woodruff distinguished himself in battle by engaging the enemy in hand-to-hand combat while fellow Union soldiers escaped harms way. For his bravery, Woodruff was awarded the Congressional Medal of Honor in 1896. Woodruff died in 1919.

Committee Action: H.R. 5479 was introduced on February 25, 2008, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on March 13, 2008.

Cost to Taxpayers: A CBO score for H.R. 5479 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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

H.R. 5528—To designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the “Rocky Marciano Post Office Building” (Lynch, D-MA)

Order of Business: H.R. 5528 is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5528 would designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the “Rocky Marciano Post Office Building.”

Additional Background: Rocky Marciano was born on September 1, 1923, in Brockton, Massachusetts. Shortly after he was drafted into the Army in 1943, Marciano began boxing. Following his service in the Army, Marciano continued his boxing career and in 1951, with a record of 37 wins and 32 knockouts, he beat former champion Joe Louis by knockout in the eighth round. The following year, Marciano won the Heavyweight Championship of the World, beating Joe Walcott in Philadelphia. Marciano went on to defend his title six times before his retirement in 1956. Marciano died in a plane crash in 1969.

Committee Action: H.R. 5528 was introduced on March 4, 2008, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on March 13, 2008.

Cost to Taxpayers: A CBO score for H.R. 5528 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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H.R. 5483— To designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the “Private First Class David H. Sharrett II Post Office Building” (Davis, R-VA)

Order of Business: H.R. 5483 is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5483 would designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the “Private First Class David H. Sharrett II Post Office Building.”

Additional Background: Private First Class David H. Sharrett II was born on June 29, 1980, in Woodstock, Virginia, and moved to Oakton, Virginia, two years later. Sharrett played football at Oakton High School, where he made the state all-star team as a senior in 1999. In 2006, Sharrett joined the U.S. Army and completed his training at Fort Benning. Sharrett was assigned to C Troop, 1st Squadron, 32nd Cavalry Regiment, 1st Brigade Combat Team, 101st Airborne Division. On January 16, 2008, Sharrett and three other soldiers supporting Operation Iraqi Freedom came under surprise attack from small arms fire in an area of Balad, Iraq. After sustaining injuries while bravely fighting the attackers, Sharrett was helicoptered to Pallouata, Iraq, where he later died. Sharrett was 27 years old.

Committee Action: H.R. 5483 was introduced on February 25, 2008, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on March 13, 2008.

Cost to Taxpayers: A CBO score for H.R. 5483 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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H.R. 3721—To designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the “Marine Gunnery Sgt. John D. Fry Post Office Building” (Edwards, D-TX)

Order of Business: H.R. 3721 is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3721 would designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the “Marine Gunnery Sgt. John D. Fry Post Office Building.”

Additional Background: According to the Associated Press, Gunnery Sgt. John D. Fry of Lorena, Texas, was an explosive ordinance disposal technician assigned to the Second Marine Expeditionary Force at Camp Lejeune, North Carolina. On March 8, 2008, Sgt. Fry was disarming a bomb while in combat when the device detonated and killed him. According to family members, Sgt. Fry was given the option to return home after injuring his hand months before his death, but stayed in Iraq because his skills were desperately needed. Sgt. Fry was 28 years old and was survived by his wife and three children.

Committee Action: H.R. 3721 was introduced on October 2, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on December 12, 2007.

Cost to Taxpayers: A CBO score for H.R. 3721 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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H.R. 4185—To designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the “Marisol Heredia Post Office Building” (Solis, D-CA)

Order of Business: H.R. 4185 is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4185 would designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the “Marisol Heredia Post Office Building.”

Additional Background: Army Spc. Marisol Heredia, of El Monte, California, joined the U.S. Army shortly after graduating Mountain View High School in El Monte in 2005. After Heredia completed training, she served with the 15th Brigade Support Battalion, 2nd Brigade Combat Team, 1st Cavalry Division at Ft. Hood, Texas. On July 18, 2007, Heredia was badly burned in a non-combat accident while fueling a generator on a Baghdad Army base. Heredia was transported to Brooke Army Medical Center in San Antonio, Texas. While Heredia was fighting to recover from her injuries, she developed an infection and her condition quickly deteriorated. On September 7, 2007, Heredia died from the infection at the age of 19.

Committee Action: H.R. 4185 was introduced on November 11, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by voice vote on March 13, 2008.

Cost to Taxpayers: A CBO score for H.R. 4185 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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 was not available. Such a report is not required because the bill is being considered under a suspension of the rules.

Constitutional Authority: Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post roads.

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H.Res. 1016—Expressing the condolences of the House of Representatives on the death of William F. Buckley, Jr. (Feeney, R-FL)

Order of Business: H.Res. 1016 is scheduled to be considered on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1016 would express the sense that the House:

- “Honors and thanks William F. Buckley, Jr., for all he did to advance a conservative vision for America and a capitalist, democratic vision for the world;
- “Expresses its profound sorrow at the death of William F. Buckley, Jr.; and
- “Expresses its condolences to the family, friends, and colleagues of William F. Buckley, Jr.’

The resolution lists a number of findings, including:

- “William F. Buckley, Jr., was an American hero and the intellectual leader of the conservative movement for five decades;
- “William F. Buckley, Jr., led in a manner that earned the respect and friendship even of his adversaries;
- “William F. Buckley, Jr., founded National Review in November 1955 to provide a respectable and reasoned conservative voice in American public policy and political debates; and, in the first issue of that publication, he stated that the magazine was intended to respond to the rise of socialism and collectivism in America and ‘stands athwart history, yelling Stop’;
- “William F. Buckley, Jr.’s consistent efforts facilitated the rise of Senator Barry M. Goldwater and, ultimately, the presidency of Ronald W. Reagan;
- “William F. Buckley, Jr.’s ideas and advocacy were instrumental in the defeat of collectivism at home and in the Soviet Union; and
- “William F. Buckley, Jr., refined and articulated a modern conservative theory that promoted maximum individual freedom.”

Committee Action: H.Res. 1016 was introduced on March 4, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill, as amended, by voice vote on March 13, 2008.

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.

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

H.R. 3033—Contractors and Federal Spending Accountability Act (Maloney, D-NY)

Order of Business: The bill is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3033 would require the General Services Administration (GSA) to establish and maintain a database that contains information on the “integrity” and “performance” of federal contract and grant recipients. The database, which would be made publicly available, would have to contain every federal grant or contract recipient and the amount of federal funds each has received. In addition, it would include any information regarding civil, criminal, and administrative proceedings against federal contractors or grant recipients.

H.R. 3033 would also require the federal government to issue debarment notices to any federal contractor or grant recipient that has been ruled against or convicted of two similar offenses in three years.

The bill would require new grant or contract applicants to disclose any information regarding civil, criminal, and administrative proceedings against federal contractors or grant recipients. The bill would require the Interagency Committee on Debarment and Suspension (ISDC), to participate in the creation of the database and aid agencies carrying out the requirements of the Act. Finally, the bill would require a report to Congress regarding the development of the database and recommending action to improve the database.

Additional Background: According to [House Report 110-596](#), “This legislation seeks to strengthen the government’s capability to more comprehensively review a contractor’s record of performance and integrity, so that the government can better assess responsibility and risk in the contract award process.” In order to accomplish this goal, the bill would establish a database that includes every criminal, civil, and administrative action that has been concluded by a state or federal government against a contractor or grant recipient.

In the additional views included in [House Report 110-596](#), Committee on Oversight and Government Reform Ranking Member Tom Davis (R-VA) expressed a concern that H.R. 3033 may unnecessarily create a “blacklist” of contractors and grant applicants that have had criminal or civil proceedings against them that are in no way related to the contract or grant they are applying for. In addition, Rep. Davis stated concerns with portions of the bill that automatically initiate debarment proceedings on contractors and grant recipients even though there is already an established debarment procedure that is designed to remove individuals who are intentionally trying to game the system. According to Rep. Davis, “I fail to see how this bill will improve our acquisition system. I fail to see how it will improve our ability to get the best value goods and services we need at fair and reasonable prices.”

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 3033 may unnecessarily punish superior contractors and grant applicants by creating a public list of any civil, criminal, or administrative proceedings that have been concluded against them, regardless of its relevance to their grant or contract.

In addition, some conservatives may be concerned that H.R. 3033 may bar certain businesses or individuals from obtaining federal contracts or grants by automatically initiating debarment proceedings on contractors that have two or more concluded judgments. Some conservatives may be concerned that businesses and individuals that provide quality services to the government may be automatically barred from participation because of completely unrelated civil or criminal judgments.

Committee Action: H.R. 3033 was introduced on July 12, 2007, and referred to the Committee on Oversight and Government Reform’s Subcommittee on Government Management, Organization, and Procurement. On March 11, 2008, a subcommittee mark-up was held and the bill was reported, as amended, by voice vote. The Committee on Oversight and Government Reform held a mark-up and reported the amended bill by voice vote on March 13, 2008.

Cost to Taxpayers: According to CBO, H.R. 4881 would authorize \$5 million in FY 2009 and \$20 million over the FY 2009 through FY 2013 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? [House Report 110-596](#) states that, “H.R. 3033 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.”

Constitutional Authority: Committee on Oversight and Government Reform, in [House Report 110-596](#), cites constitutional authority in Article I, Section 8, Clause 18 (the “necessary and proper” clause), but fails to cite a specific “foregoing power” to which this clause refers.

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

H.R. 5712—Close the Contractor Fraud Loophole Act (Welch, D-VT)

Order of Business: The bill is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5712 would require timely notification by federal contractors of violations of criminal law or overpayments in connection to the award or performance of contracts. The bill would apply to all federal contracts over \$5,000,000 and more than 120 days in duration. H.R. 5712 would apply to contracts both inside and outside the U.S. Federal Acquisition Regulations (FAR) published last year exempted overseas contracts from fraud reporting requirements.

Committee Action: H.R. 5712 was introduced on April 3, 2008, and referred to the Committee on Oversight and Government Reform’s Subcommittee on Government Management, Organization, and Procurement. On April 16, 2008, the full committee ordered H.R. 5712 to be reported to the House, as amended, by voice vote.

Cost to Taxpayers: According to CBO, H.R. 5712 would have would have no significant impact on the federal budget.

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? [Committee Report 110-599](#), which presumably contains an earmark statement, was not available at press time.

Constitutional Authority: A committee report citing constitutional authority was unavailable at press time.

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

H.R. 3928—Government Contractor Accountability Act (Murphy, D-CT)

Order of Business: The bill is scheduled for consideration on Wednesday, April 23, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3928 would require contractors that make more than \$25 million annually from federal contracts and earn more than 80 percent of their income from federal contracts to disclose the names and salaries of the contractor’s principal executive officer, principal financial officer, three other most highly compensated officers, as well as the firm’s directors.

Additional Information: H.R. 3928 is drafted to address concerns regarding one private contacting company specifically. According to [House Report 110-594](#), “Although the government spends billions of dollars on private contractors, the American taxpayer and Congress know very little about the management practices, financial statements, and employment policies of these firms. Of these contractors, Blackwater USA has received particular attention and scrutiny. At a hearing before the House Committee on Oversight and Government Reform, Blackwater CEO Erik Prince refused to provide Congress with details of Blackwater’s profits or his personal compensation.” H.R. 3928 would force private contractors to disclose their internal financial information.

In additional views included in [House Report 110-594](#), Committee on Oversight and Government Reform Ranking Member Tom Davis (R-VA) stated that information regarding

salaries of contracted companies is already available to government acquisition officials. Rep. Davis asserts that “H.R. 3928 serves only one purpose: to embarrass Blackwater USA because the Chief Executive Officer of that privately held company performing under fixed-price government contracts refused to disclose his salary during a hearing on security contracting.”

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 3928 is solely intended to reprimand one particular company, Blackwater USA, because its CEO refused to disclose his salary to Congress during a hearing. In addition, some conservatives may be concerned that Blackwater USA is contracted by the U.S. government to protect high-value American officials in the most dangerous areas overseas and has come to the aid of U.S. military forces on numerous occasions. To read some examples of such life-saving operations, go to this webpage: http://www.blackwaterusa.com/press_releases/default.asp.

Committee Action: H.R. 3928 was introduced on October 23, 2007, and referred to the Committee on Oversight and Government Reform’s Subcommittee on Government Management, Organization, and Procurement. On March 11, 2008, a subcommittee mark-up was held and the bill was reported to the full committee, as amended, by voice vote. The Committee on Oversight and Government Reform held a mark-up and reported the amended bill by voice vote on March 13, 2008.

Cost to Taxpayers: According to CBO, H.R. 3928 would cost \$2 million in FY 2009 and about \$5 million over the FY 2009 through FY 2013 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? [House Report 110-594](#), states that, “H.R. 3928 does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.”

Constitutional Authority: The Committee on Oversight and Government Reform, in [House Report 110-594](#), cites constitutional authority in Article I, Section 8, Clause 18 (the “necessary and proper” clause), but fails to cite a specific “foregoing power” to which this clause refers.

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