



Legislative Bulletin.....May 20, 2008

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 2

Total Cost of Discretionary Authorizations: \$2.7 billion 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: 2

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 6

H.R. 6081—Heroes Earnings Assistance and Relief Tax Act of 2008 (Rangel, D-NY)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: The original version of the Heroes Earnings Assistance and Relief Tax Act (H.R. 3997) was passed in the House on November 6, 2007, by a recorded vote of [410—0](#). The version on the floor under a suspension today includes modifications made since the passage of H.R. 3997. H.R. 6081 would modify tax provisions to grant tax benefits to veterans, active duty servicemen, and certain volunteers. The original House bill would have reduced revenue by \$643 million over the FY 2008 – FY 2012 period and \$2.07 billion over the FY 2008 – FY 2017 period. In order to pay for these reductions in revenue, the bill would have increased penalties on individuals and business for failure to file accurate and timely tax returns. This pay-for would have increased revenue by \$911 million over the FY 2008 – FY 2012 period and \$2.19 billion over the FY 2008 – FY 2017 period. The Joint Committee on Taxation (JCT) did not file a report for H.R. 6081.

The Senate-passed version of H.R. 3997 would have changed the overall cost of the bill by adding more benefits to members of the armed services and increasing a tax penalty on

expatriates. The following is a description of a new version of the bill that the House will consider today on the floor.

Note: The following Joint Committee on Taxation (JCT) estimates are based on estimates of similar provisions contained in H.R. 3997.

Benefits for Military and Volunteer Firefighters

Stimulus Payment Provision

- Under current law, taxpayers who have Individual Taxpayer Identification Numbers (ITINs) rather than Social Security numbers are not eligible to receive economic stimulus checks. If couples file jointly and one has an ITIN and one has a Social Security number, neither may receive a stimulus payout. H.R. 6081 would allow active duty service members to receive a check even if their spouse did not have a Social Security number.

Combat Pay for the Purposes of Earned Income Tax Credit

- Permanently extends the allowance of “combat pay” as earned income for the purposes of determining the earned income tax credit. According to the Joint Committee on Taxation (JCT), this provision will reduce revenue by \$47 million over the FY 2008 – FY 2013 period and \$83 million over the FY 2008 – FY 2017 period.

Modification of Mortgage Revenue Bonds for Veterans

- Permanently extends a provision that allows mortgage bonds to be issued to veterans regardless of the first-time homebuyer requirement (without this waiver, current law restricts using bonds to finance mortgages if the buyer had an ownership interest within the past three years). According to the JCT, this provision will reduce revenue by \$171 million over the FY 2008 – FY 2013 period and \$826 million over the FY 2008 – FY 2017 period.
- Increases the annual limit on qualified veterans’ mortgage bonds that can be issued in Alaska, Oregon, and Wisconsin from \$25 million to \$100 million. According to the JCT, this provision will reduce revenue by \$69 million over the FY 2008 – FY 2013 period and \$297 million over the FY 2008 – FY 2017 period.

Survivor and Disability Payments with Respect to Qualified Military Service

- Requires retirement plans from civilian jobs to treat the day prior to the date of a service member’s death as the date which they had resumed employment and been terminated. This section allows deceased service members and their families to receive benefits that are contingent on termination of employment as a result of death to trigger benefits. According to the JCT, this provision will reduce revenue by \$1 million over the FY 2008 – FY 2013 period and \$2 million over the FY 2008 – FY 2017 period.

Treatment of Differential Military Pay as Wages

- Amends federal tax withholding laws to treat differential pay (pay that is voluntarily paid by an employer to an employee while they serve in the armed forces) as wage compensation and permit wage withholdings from differential payments for retirement

plans. According to the JCT, this provision will reduce revenue by \$4 million over the FY 2008 – FY 2013 period and \$8 million over the FY 2008 – FY 2017 period.

Exclusion from Income for Volunteer Firefighters and Medical Responders

- Excludes reductions or rebates of taxes by state and local governments, given to volunteer firefighters or emergency medical responders in exchange for their services, as taxable income through December 31, 2015. According to the JCT, this provision will reduce revenue by \$122 million over the FY 2008 – FY 2012 period and \$565 million over the FY 2008 – FY 2017 period.

Special Time Limitation to File Claims for Refunds Relating to Disability Determinations

- Extends the period of time that military personnel who receive disability determinations from the VA may file claims for credits or refunds. Currently, a taxpayer must file claims for credit or refund within three years of filing the refund or two years of paying the tax. This section extends that time for individuals who receive disability determinations until one year after the date of the determination. According to the JCT, this provision will reduce revenue by \$5 million over the FY 2008 – FY 2013 period and \$10 million over the FY 2008 – FY 2017 period.

Penalty Free Retirement Plan Withdrawals for Active Duty Reservists

- Permanently extends a provision that allows active duty reservists to make penalty free withdrawals from their retirement plans. According to the JCT, this provision will increase revenue by \$1 million over the FY 2008 – FY 2013 period and reduce revenue by \$6 million over the FY 2008 – FY 2017 period.

Permanent Extension of Disclosure Authority

- Permanently extends a provision that allows the disclosure of certain tax information to the Department of Veterans' Affairs (VA) for the purpose of determining eligibility for its pension and health-care programs. According to the JCT, this provision will increase revenue by \$43 million over the FY 2008 – FY 2013 period and \$164 million over the FY 2008 – FY 2017 period.

Contributions of Military Death Gratuities

- Allows recipients of military death gratuities to invest benefits from the gratuity into Roth IRAs or educational savings accounts regardless of annual contribution limits. According to the JCT, this provision will reduce revenue by \$1 million over the FY 2008 – FY 2013 period and \$4 million over the FY 2008 – FY 2017 period.

Suspension of Five Year Test for Peace Corps Volunteers

- Allows Peace Corps volunteers to suspend the “five-year test” for excluding gains on the sale of a principle residence from taxes. Under current law, taxpayers may exclude up to \$250,000 (\$500,000 for joint filers) in gains on the sale of their principle residence if they have lived in the residence for two of the last five years (the “five-year test”). This section would allow a Peace Corps volunteer to suspend the test requirement for up to ten years if they are absent from the residence due to their service obligations. According to

the JCT, this provision will reduce revenue by \$1 million over the FY 2008 – FY 2017 period.

Improvements in Supplemental Security Income (SSI)

Equitable Treatment of Military Families under SSI

- Reclassifies military cash allowances as earned income. Under current law, most military payments other than basic pay are treated as “unearned income.” Every dollar of unearned income after \$20 reduces SSI program benefits by \$1. Thus, this section would increase SSI program benefits available to families of service members. According to the JCT, this provision will reduce revenue by \$11 million over the FY 2008 – FY 2013 period and \$26 million over the FY 2008 – FY 2017 period.

Removal of Penalties for Blind Veterans under SSI

- Prohibits consideration of state annuity payments made to blind veterans when determining SSI benefits. Under current law, state annuity payments made to blind veterans are regarded as unearned income and reduce SSI benefits. According to the JCT, this provision will reduce revenue by \$1 million over the FY 2008 – FY 2013 period and \$3 million over the FY 2008 – FY 2017 period.

Exclusion of Benefits for AmeriCorps Volunteers under SSI

- Prohibits consideration of benefits or allowances made to AmeriCorps volunteers when determining SSI benefits. A JCT revenue estimate is not currently available for this section.

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Provisions that Raise Revenue

Increase the Minimum Penalty for Failure to File

- Increases the penalty for failure to file a tax return within 60 days of the due date from \$100 to \$250. Under current law, the penalty is the lesser of \$100 or 100% of the tax owed. According to the JCT, this provision will increase revenue by \$132 million over the FY 2008 – FY 2013 period and \$296 million over the FY 2008 – FY 2017 period.

Penalty for Failure to File S Corporation Returns

- Creates new penalties on S corporations (corporations that are exempt from federal income tax other than tax on certain capital gains and passive income) that fail to file a timely and accurate tax return. An increased penalty of \$100 per month for each shareholder would be assessed for up to 12 months and could be levied on any S corporation that fails to submit all the required information on a return. According to the JCT, this provision will increase revenue by \$413 million over the FY 2008 – FY 2013 period and \$964 million over the FY 2008 – FY 2017 period.

Increase in Information Return Penalties

- Increases penalties on businesses for failure to file correct information returns, such as 1099 forms, which include information regarding amounts paid to employees and interest paid to shareholders. This section increases the penalties for businesses that correct the

Increased Penalties on Expatriates

- The Senate amendment would require that, for taxation purposes, the property of any U.S. citizen who renounces their citizenship be treated like it was sold at market value the day prior to the renouncement. According to the JCT, this provision will increase revenue by \$764 million over the FY 2008 – FY 2017 period.

Committee Action: H.R. 6081 was introduced on May 16, 2008, and referred to the House Committee on Ways and Means, which took no official action.

Administration Position: The Administration’s position is not currently available.

Cost to Taxpayers: A CBO or JCT score for H.R. 6081 was not available at press time.

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: A Committee Report citing constitutional authority was not available.

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

H.Res. 1185—Expressing the sense of the House of Representatives that Congress should recognize the important contributions of Americans who serve as foster parents and, in doing so, unselfishly open their homes and family lives to children in need (*McDermott, D-WA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res.1185 would express the sense of the House that:

- “All Americans should work together to strengthen families and reduce the need of foster care placement for children; and
- “Congress should continue its commitment to providing critical assistance to children and families involved in the foster care system through the title IV program in the Social Security Act and other programs that are designed to help children reunite with their parents or find a loving and permanent home when they cannot return to their biological parents.”

The resolution lists a number of findings, including:

- “The Nation’s foster care system provides a sanctuary for children who are unable to live safely in their homes;
- “In 2006, some 799,000 children spent at least 24 hours in foster care and, on any given day, roughly 510,000 children were in the Nation’s foster care system;
- “The primary goal of foster care is to ensure the safety and well-being of children while working to expeditiously provide children with a permanent, safe, and loving home;
- “Via reunification with parents, adoption, or legal guardianship, some 289,000 children left foster care in 2006 for a permanent home;
- “303,000 children entered foster care in 2006;
- “More than 43 percent of the children that entered foster care in 2005 were age 5 and younger;
- “In 2005, roughly 60 percent of the children who left foster care for a permanent adoptive family were adopted by their foster parents and another 25 percent were adopted by relatives; and
- “It would be appropriate to designate the month of May 2008 as National Foster Care Month.”

Committee Action: H.Res.1185 was introduced on May 5, 2008, and referred to the House Committee on Ways and Means, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

**H.Res. 1208—Expressing the sense of the House of Representatives that youth who age out of foster care should be given special care and attention
(Lewis, D-GA)**

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1208 would express the sense `that the House:

- “Supports former foster care youth as they overcome many emotional, physical, and social obstacles in the pursuit of healthy, independent, and fulfilling lives;
- “Recognizes former foster care youth organizations for their dedication to reforming and improving the foster care system;
- “Appreciates individuals, mentors, and social workers who provide assistance to former foster care youth beyond resources available through Federal, State, and local services; and
- “Encourages reviews of Federal and State programs conducted under title IV of the Social Security Act that would improve services to help former foster care youth succeed in their transition to adulthood and independence.”

The resolution lists a number of findings, including:

- “2,000,000 Americans spend time in foster care;
- “Every year, more than 24,000 youth turn age 18 while in foster care;
- “The safekeeping of most youth who age out of foster care is the responsibility of the State governments, which receive Federal funding to assist them in doing so;
- “Family reunification, kinship care, and adoption are the preferred solutions for children who are placed in foster care; and
- “Congress created a new Independent Living initiative in 1986, and expanded the program by passing the Chaffee Foster Care Independence Act in 1999 to assist youth who are emancipated while in foster care.”

Committee Action: H.Res.1208 and was introduced on May 19, 2008, and referred to the House Committee on Ways and Means, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

H.Res. 1054—Honoring the service and achievements of women in the Armed Forces and female veterans (*Davis, D-GA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1054 would express the sense that the House:

- “Honors and recognizes the service and achievements of current and former female members of the Armed Forces;
- “Encourages all people in the United States to recognize the service and achievements of women in the military and female veterans on Memorial Day;
- “Encourages all people in the United States to learn about the history of service and achievements of women in the military; and
- “Supports groups that raise awareness about the service and achievements of women in the military and female veterans through exhibitions, museums, statues, and other programs and activities.”

The resolution lists a number of findings, including:

- “Women have historically been an important part of all United States war efforts, voluntarily serving in every military conflict in United States history since the Revolutionary War;
- “34,000 women served in World War I, 400,000 served in World War II, 120,000 served in the Korean War, over 7,000 served in the Vietnam War, and more than 41,000 served in the first Gulf War;
- “More than 185,000 women have been deployed in support of Operation Enduring Freedom, Operation Iraqi Freedom, and other missions since 2001;
- “Over 350 service women have given their lives for our Nation in combat zones since World War I, and more than 85 have been held as prisoners of war;
- “Almost 350,000 women serving in the Armed Forces make up almost 15 percent of active duty personnel and over 17 percent of the National Guard reserve forces;
- “Women are now playing an increasingly important role in America’s military forces; and
- “The women of America’s military, past and present, have served their nation in times of peace and war, at great personal sacrifice for both themselves and their families.”

Committee Action: H.Res.1054 was introduced on May 5, 2008, and referred to the House Committee on Armed Services, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

**H.Res. 986—Recognizing the courage and sacrifice of those members of the United States Armed Forces who were held as prisoners of war during the Vietnam conflict and calling for a full accounting of the 1,729 members of the Armed Forces who remain unaccounted for from the Vietnam conflict
(Boehner, R-OH)**

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 986 would express the sense that the House:

- “Expresses its deepest gratitude for, and calls upon all Americans to reflect upon and to show their gratitude for, the courage and sacrifice of the brave members of the United States Armed Forces, including Samuel R. Johnson of Texas, who were held as prisoners of war during the Vietnam conflict;
- “Urges States and localities to honor the courage and sacrifice of those prisoners of war with appropriate ceremonies and activities;
- “Acting on behalf of all Americans, will not forget the 1,729 members of the United States Armed Forces who remain unaccounted for from the Vietnam conflict and will continue to press for a full accounting of all of these members; and
- “Honors all of the members of the United States Armed Forces who have fought and died in the defense of freedom.”

The resolution lists a number of findings, including:

- “The courage and sacrifice of those members of the United States Armed Forces who were held as prisoners of war during the Vietnam conflict and calling for a full accounting of the 1,729 members of the Armed Forces who remain unaccounted for from the Vietnam conflict.
- “Recent world events have brought Americans closer together, while reinvigorating our patriotism, reminding us of our precious liberties and freedoms, and giving us a greater appreciation for the men and women of the United States Armed Forces who defend our homeland every day;
- “The honor and valor of past and present members of the United States Armed Forces inspire many young people to serve their country;
- “Participation by the United States Armed Forces in combat operations in Southeast Asia during the Vietnam conflict resulted in more than 700 American military personnel being taken prisoner by enemy forces;
- “American military personnel who were taken prisoner were held in numerous prisoner of war facilities, the most notorious of which was Hoa Lo Prison in downtown Hanoi, Vietnam, which was dubbed by prisoners held there as the ‘Hanoi Hilton’;
- “On January 23, 1973, the United States and North Vietnam jointly announced the terms of a cease-fire agreement, which included the release of prisoners of war;
- “The American military personnel who were prisoners of war during the Vietnam conflict truly represent the best of America;

- “The 35th anniversary of Operation Homecoming begins on February 12, 2008, and ends on April 1, 2008;
- “The world acknowledges that the words inscribed by an American prisoner of war in a Hanoi Hilton cell, ‘Freedom has a taste to those who fight and die for it that the protected will never know’, are bitterly true and eternally appreciated; and
- “The Nation owes a debt of gratitude to these patriots and their families for their courage, heroism, and exemplary service.”

Committee Action: H.Res. 986 was introduced on February 14, 2008, and referred to the House Committee on Armed Services Subcommittee on Military Personnel, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

H.Res. 961—Commending the Alaska Army National Guard for its service to the State of Alaska and the citizens of the United States (Young, R-AK)

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 961 would express the sense that the House:

- “Commends the 3rd Battalion, 297th Infantry of the Alaska Army National Guard upon its completion of deployment and brave service to the Commonwealth of Alaska and the citizens of the United States; and
- “Directs the Clerk of the House of Representatives to transmit a copy of this resolution to the Adjutant General of the Alaska National Guard for appropriate display.”

The resolution lists a number of findings, including:

- “The 297th Infantry and the scout group of the Alaska Army National Guard deployment of almost 600 Alaskans was the largest deployment of the Alaska National Guard since World War II;
- “The Alaskans of the 3rd Battalion, 297th Infantry came from 80 different communities across Alaska;
- “The 3rd Battalion, 297th Infantry included 75 soldiers from New York, Mississippi, Illinois, Georgia and Puerto Rico;

- “The 586 soldiers of the 3rd Battalion, 297th Infantry were mobilized in July of 2006 and deployed to Camp Shelby, Mississippi;
- “The 3rd Battalion, 297th Infantry was deployed to Camp Virginia, Camp Navstar and Camp Buehring in Northern Kuwait;
- “The 3rd Battalion, 297th Infantry courageously performed route and perimeter security missions, mounted combat patrols and inspections and searches of vehicles going into Iraq from Kuwait, among other assignments;
- “The 3rd Battalion, 297th Infantry has performed admirably and courageously; gaining the gratitude and respect of Alaskans and all Americans; and
- “Members of the 3rd Battalion, 297th Infantry received 3 Bronze Stars, 12 Meritorious Service Medals, 142 Army commendations and more than 200 Army Achievement Medals for their outstanding service.”

Committee Action: H.Res. 961 was introduced on February 6, 2008, and referred to the House Committee on Armed Services Subcommittee on Military Personnel, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

**H.Con.Res. 32—Honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia
(Miller, R-FL)**

Order of Business: The resolution is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 32 would express the sense that the House:

- “Recognizes the service and sacrifice of the 19 members of the United States Air Force who died in that attack;
- “Calls upon every American to pause and pay tribute to those brave airmen;
- “Extends its continued sympathies to the families of those who died; and
- “Assures the members of the Armed Forces serving anywhere in the world that their well-being and interests will at all times be given the highest priority.”

The resolution lists a number of findings, including:

- “June 25, 2007, marks the 11th anniversary of the terrorist bombing of the Khobar Towers United States military housing compound in Dhahran, Saudi Arabia, on June 25, 1996;
- “19 members of the United States Air Force were killed in the bombing and 300 other Americans were injured;
- “The families of these brave airmen still mourn their loss;
- “Three months after that terrorist bombing, on September 24, 1996, the House of Representatives agreed to House Concurrent Resolution 200 of the 104th Congress, honoring the victims of that terrorist bombing;
- “On the fifth anniversary of that terrorist bombing, on June 25, 2001, the House of Representatives agreed to House Concurrent Resolution 161 of the 107th Congress, which was concurred in by the Senate on July 12, 2002, further honoring the victims of that bombing;
- “On June 27, 2005, the House of Representatives agreed to House Concurrent Resolution 188 of the 109th Congress, further honoring the victims of that terrorist bombing;
- “Those guilty of carrying out the attack have yet to be brought to justice; and
- “Terrorism remains a constant and ever-present threat around the world.”

Committee Action: H.Con.Res. 32 was introduced on January 12, 2008, and referred to the House Committee on Armed Services Subcommittee on Military Personnel, which took no official action.

Cost to Taxpayers: The resolution does not authorize expenditures.

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

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

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

H.R. 2790—To amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health (*Hare, D-IL*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2790 would establish a Director of Physician Assistant Services at the Veterans Health Department (VHD) of the Department of Veterans Affairs (VA). The Director would report on all matters relating to education, training, employment, and utilization of physician assistants in the VHD. The Director would be a full-time employee and would report to the VA’s Under Secretary for Health.

Additional Information: Physicians Assistants (PAs) are medically trained and certified workers who perform routine clinical tasks under the supervision of a credentialed physician. According to the Bureau of Labor Statistics (BLS), PAs “take medical histories, examine and treat patients, order and interpret laboratory tests and x rays, and make diagnoses. They also treat minor injuries, by suturing, splinting, and casting. PAs record progress notes, instruct and counsel patients, and order or carry out therapy. In 48 States and the District of Columbia, physician assistants may prescribe some medications. In some establishments, a PA is responsible for managerial duties, such as ordering medical supplies or equipment and supervising technicians and assistants.”

According to [House Report 110-642](#), the Department of Veterans Affairs (VA) is the nation’s single largest employer of PAs. Today, the VA employs 1,600 PAs, up 34% from 2000. Currently, PAs are overseen by a PA advisor who works part-time in the field to determine how PAs may be best utilized in different VA facilities. The Committee on Veterans’ Affairs contends that, while PA advisors have increased the efficiency and consistency with which PAs are used in VA hospitals, “there continues to be inconsistencies in the way PAs are used across the system.” H.R. 2790 would establish a full time position within the VA’s main offices to coordinate PA efforts around the country in consultation with the head of the VA.

Committee Action: H.R. 2790 was introduced on June 20, 2007, and referred to the Committee on Veterans’ Affairs’ Subcommittee on Health. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported, as amended, by voice vote.

Cost to Taxpayers: According to CBO score for H.R. 2790 would cost the VA less than \$500,000 over the FY 2009 through FY 2013 to pay for the salary and travel expenses of the new a Director of Physician Assistant Services.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it creates a new management-level position at the VA.

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? According to the Committee on Veterans’ Affairs’ in [House Report 110-642](#), H.R. 2790 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-642](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 3681—Veterans Benefits Awareness Act of 2008 (Boozman, R-AR)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3681 would authorize Secretary of Veterans Affairs to purchase advertising in national media to promote awareness of benefit programs for veterans. National advertising would be authorized to promote programs that assist homeless veterans, support veteran-owned small businesses, provide employment to veterans, provide healthcare to veterans, and offer veterans education, training, compensation or vocational rehabilitation.

Additional Information: According to [House Report 110-644](#), the purpose of H.R. 3681 is to provide clear legislative authority for the Department of Veterans Affairs (VA) to spend funds on national advertising if the ads are used to promote veterans' benefits. Clarity in the issue is, according to the House Committee on Veterans' Affairs, necessary because of a clause in public law that prohibits the use of appropriated funds for "publicity or propaganda." Specifically, the continuing resolution through which the VA is funded (the Consolidated Appropriations Act of 2008) states:

No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

Through there is no specific restriction against advertising to promote veterans' benefits in public law, the Committee seeks to clarify that current provisions against propaganda shall not impede the VA's ability to advertise its benefits programs nationally.

Committee Action: H.R. 3681 was introduced on September 27, 2007, and referred to the Committee on Veterans' Affairs' Subcommittee on Economic Opportunity. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported, as amended, by voice vote.

Cost to Taxpayers: According to CBO, "VA reports that it currently has authority to advertise in the national media but uses it rarely. Therefore, CBO estimates that implementing H.R. 3681 would have no effect 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? According to the Committee on Veterans' Affairs' in [House Report 110-644](#), H.R. 3681 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-644](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 3819—Veterans Emergency Care Fairness Act of 2007 (*Space, D-OH*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3819 would require the Department of Veterans Affairs (VA) to pay for veterans enrolled in VA health care that receive emergency treatment at non-VA hospitals until they are safely transferred to a VA hospital or until the VA accepts their transfer. H.R. 3819 would also require the VA to reimburse veterans with service-related disabilities (or other disabilities that are aggravated by service-related ailments) for emergency care that they pay for out of pocket at a non-VA hospital.

H.R. 3819 would define “emergency treatment” as a situation where a prudent layperson “could reasonably expect that a delay in seeking medical attention would be hazardous to life or health.”

Under current law, the VA is only obligated to pay for a veteran’s emergency treatment in a non-VA hospital if the VA is the payer of last resort and if the veteran could not be transferred to a VA hospital because of emergency circumstances. Therefore, under H.R. 3819, veterans would receive VA payment for care in a non-VA hospital for the duration of the time after they were stabilized, but before they were either transferred to a VA hospital or discharged.

Additional Information: According to [House Report 110-638](#), during a Joint House and Senate Committee on Veterans’ Affairs meeting in Ohio, on May 29, 2007, witnesses testified that veterans were not being reimbursed for medical emergencies at non-VA hospitals for a number of reasons. The Committee states that delays in VA transfer approvals and lack of space in VA hospitals around the country resulted in veterans staying in non-VA hospitals after medical emergencies had ended. Thus, some veterans who had entered non-VA hospitals for emergency medical care (which is supposed to be paid by the VA) were forced to pay for care beyond their emergency because they could not be transferred to a VA hospital due to circumstances beyond their control. H.R. 3819 attempts to address the situation by requiring the VA to pay for veterans’ emergency care until such time as they could be transferred or until the VA accepts their transfer—whichever is first.

Committee Action: H.R. 3819 was introduced on October 10, 2007, and referred to the Committee on Veterans’ Affairs’ Subcommittee on Health. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, H.R. 3819 would cost the VA \$323 million over the FY 2009 through FY 2013 period (subject to appropriation) to pay for additional medical costs for “emergency care certain veterans receive at non-VA medical facilities.”

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? According to the Committee on Veterans’ Affairs’ in [House Report 110-638](#), H.R. 3681 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-638](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 3889—To amend title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a longitudinal study of the vocational rehabilitation programs administered by the Secretary (Boozman, R-AR)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3889 would require the Department of Veterans Affairs (VA) to conduct a 20 year longitudinal study of the VA’s vocational rehabilitation and education programs. The bill would require the Secretary of the VA to study a statistically valid sample of individuals who begin the vocational rehabilitation program in 2009, 2011, and 2014, respectively. The study would include data that the Secretary determines is necessary to assess the long-term vocational outcomes of participants in the program.

In addition, H.R. 3889 would require that the study include the following information;

- “The number of individuals participating in vocational rehabilitation programs under this chapter who suspended participation in such a program during the year covered by the report.
- “The average number of months such individuals served on active duty.
- “The distribution of disability rating of such individuals.
- “The types of other benefits administered by the Secretary received by such individuals.
- “The types of social security benefits received by such individuals.
- “Any unemployment benefits received by such individuals.
- “The average number of months such individuals were employed during the year covered by the report.

- “The average annual starting and ending salaries such individuals who were employed during the year covered by the report.
- “The number of such individuals enrolled in an institution of higher learning, as that term is defined in section 3452(f) of this title.
- “The average number of academic credit hours, degrees, and certificates obtained by such individuals during the year covered by the report.
- “The average number of visits such individuals made to Department medical facilities during the year covered by the report.
- “The average number of visits such individuals made to non-Department medical facilities during the year covered by the report.
- “The average annual income of such individuals.
- “The average total household income of such individuals for the year covered by the report.
- “The percentage of such individuals who own their principal residences.
- “The average number of dependents of each such veteran.”

Additional Information: The VA’s vocational rehabilitation and education programs are designed to help service-disabled veterans get back to work and regain independent living skills as quickly as possible. The program provides training, employment assistance, independent living services and financial assistance and tuition. According to [House Report 110-640](#), the study required by H.R. 3889 would supply the VA with long-term, quantitative analysis regarding the effectiveness of the current program.

Committee Action: H.R. 3889 was introduced on October 18, 2007, and referred to the Committee on Veterans’ Affairs’ Subcommittee on Economic Opportunity. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, H.R. 3889 would cost the VA \$350,000 in FY 2009 and \$1 million over the FY 2009 through FY 2013 period to conduct the required study and annual reports.

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? According to the Committee on Veterans’ Affairs’ in [House Report 110-640](#), H.R. 3681 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-640](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 5554—Justin Bailey Veterans Substance Use Disorders Prevention and Treatment Act of 2008 (*Michaud, D-ME*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5554 would require the Department of Veterans' Affairs (VA) to provide full substance abuse treatment at every VA hospital in the country at an estimated cost of \$65 million in FY 2009 and \$362 million over the FY 2009 through FY 2013 period. The VA would be authorized to provide the care at VA hospitals using its own staff and resources or contract out substance abuse care through community organizations. According to CBO, the VA already provides many substance abuse treatment options at its facilities and the majority of the cost of the bill would stem from adding detoxification and residential and outpatient care for substance abuse.

The bill would also require the VA to conduct a pilot program to test the feasibility of providing veterans internet-based substance abuse treatment. H.R. 5554 would also require the VA to conduct a comprehensive report on the availability and quality of VA substance abuse resources.

Additional Information: According to [House Report 110-639](#), a 2007 study by the Substance Abuse and Mental Health Services Administration reported that between 2004 and 2006 7.1% of veterans met the criteria for substance abuse disorder. The study also found that 70% of all homeless veterans met the criteria for substance abuse disorder. The Committee Report also stated that, "While some medical facilities provide comprehensive treatment services for substance use disorder, others only provide services that are less than comprehensive." H.R. 5444 would require to the VA to provide comprehensive substance abuse care, including inpatient and outpatient treatment, at all VA facilities.

Committee Action: H.R. 5554 was introduced on March 6, 2008, and referred to the Committee on Veterans' Affairs' Subcommittee on Economic Opportunity. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, H.R. 5554 would cost the VA \$65 million in FY 2009 and \$362 million over the FY 2009 through FY 2013 period to conduct the required study and annual reports.

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? According to the Committee on Veterans' Affairs' in [House Report 110-639](#),

H.R. 5554 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-639](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 5664—To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary (*Rodriguez, D-TX*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5664 would require the Secretary of Veterans' Affairs to provide a handbook containing designs for specially adapted housing for certain veterans and to update the handbook every six years.

Additional Information: The VA currently distributes pamphlets to disabled veterans containing plans and specifications for modifying houses to better suit their needs. According to [House Report 110-641](#), the current VA pamphlet has not been updated since 1978, whereas a similar pamphlet used by the Army Corps of Engineers includes new designs from 1994. The purpose of H.R. 5664 is to require the VA to update their designs more frequently.

Committee Action: H.R. 5664 was introduced on March 31, 2008, and referred to the Committee on Veterans' Affairs' Subcommittee on Economic Opportunity. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, implementing H.R. 5664 would have an "insignificant effect on the budget" because the VA already provides veterans with a design pamphlet.

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? According to the Committee on Veterans' Affairs' in [House Report 110-641](#), H.R. 5664 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-641](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 5729—Spina Bifida Health Care Program Expansion Act *(Ellsworth, D-IN)*

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5729 would require the Department of Veterans' Affairs (VA) to expand care to children of Vietnam and Korean War veterans with spina bifida. Under current law, the VA provides health benefits for children born to Vietnam and Korean War veterans with spina bifida if the health problem is directly related to that condition. H.R. 5729 would expand those benefits and give those children comprehensive VA care.

Additional Information: According to CBO, there are about 745 children of Vietnam and Korean War veterans with spina bifida who receive health services from the VA to treat their symptoms. Spina bifida, a congenital condition which causes the spine to fail, leads to a wide variety of neurological disorders and impaired movement. The Agent Orange Benefits Act gave VA benefits to children of Vietnam veterans with spina bifida, while the Veterans Benefits Act of 2003 extended the program to children of Korean War veterans. According to [House Report 110-645](#), "In order to be eligible for this benefit, the veteran must have served in the active military, naval or air service and must have been exposed to an herbicide agent during such service in or near the Korean demilitarized zone." Because the effects of spina bifida are so wide ranging, the VA estimates that they already provide 90% of health care to these beneficiaries under current law.

Committee Action: H.R. 5729 was introduced on April 8, 2008, and referred to the Committee on Veterans' Affairs' Subcommittee on Health. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, implementing H.R. 5729 would cost the VA \$11 million over the FY 2009 through 2013 period (subject to appropriation), with the number declining in future years as no new cases of spina bifida in a child of a Vietnam or Korean War veteran are expected.

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? According to the Committee on Veterans' Affairs' in [House Report 110-645](#)., H.R. 5729 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-645](#)., cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 5826—Veterans' Compensation Cost-of-Living Adjustment Act of 2008 (Rodriguez, D-TX)

Order of Business: The bill is scheduled for consideration on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5826 provides a cost-of-living adjustment (COLA) for disability compensation for veterans with service-connected disabilities and for dependency and indemnity compensation for survivors of certain service-connected disabled veterans. The COLA is equal to the increase provided under the Social Security Act (based on changes in the Consumer Price Index), effective December 1, 2008.

Additional Information: The COLA for disability compensation for veterans is generally passed in the House annually to match COLA increases given for Social Security beneficiaries. The previous COLA increase for veterans' disability compensation was H.R. 1284, which passed the House on March 21, 2007, by a vote of [418-0](#).

Committee Action: On April 16, 2008, the bill was introduced and referred to the House Committee on Veterans' Affairs, which considered it, held a mark-up, and reported it to the full House, by voice vote on April 30, 2008.

Cost to Taxpayers: According to CBO, "Because the COLA is assumed in CBO's baseline, the COLA provision would have no budgetary effect relative to that baseline. Relative to current law, CBO estimates that enacting this bill would increase spending for those programs by \$857 million in 2009. (The annualized cost would be about \$1.1 billion in subsequent years.) This estimate assumes that the COLA effective on December 1, 2008, will be 2.8 percent."

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? According to the Committee on Natural Resources in [House Report 110-643](#),

H.R. 5826 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-643](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

H.R. 5856—Department of Veterans Affairs Medical Facility Authorization and Lease Act of 2008 (*Michaud, D-ME*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5856 would authorize funding for capital improvements of Department of Veterans Affairs (VA) facilities, including construction, leasing, and renovating. According to CBO, the bill would cost \$146 million in FY 2009 and \$2.2 billion over the FY 2009 through FY 2013 period.

Specifically, the bill would authorize construction and repairs at current VA facilities in Palo Alto, California; San Juan, Puerto Rico; and San Antonio, Texas. H.R. 5856 would increase amounts for previously authorized construction projects at seven facilities around the country. In addition, the bill would authorize the Secretary of Veterans Affairs to construct a new medical facility in Okaloosa County, Florida. H.R. 5856 would also authorize the Secretary to carry out major leases for VA facilities as follows:

- For an outpatient clinic, Brandon, Florida, \$4,326,000.
- For an outpatient clinic, Colorado Springs, Colorado, \$3,995,000.
- For an outpatient clinic, Eugene, Oregon, \$5,826,000.
- For the expansion of an outpatient clinic, Green Bay, Wisconsin, \$5,891,000.
- For an outpatient clinic, Greenville, South Carolina, \$3,731,000.
- For an outpatient clinic, Mansfield, Ohio, \$2,212,000.
- For an outpatient clinic, Mayaguez, Puerto Rico, \$6,276,000.
- For an outpatient clinic, Mesa, Arizona, \$5,106,000.
- For interim research space, Palo Alto, California, \$8,636,000.
- For the expansion of an outpatient clinic, Savannah, Georgia, \$3,168,000.
- For an outpatient clinic, Sun City, Arizona, \$2,295,000.
- For a primary care annex, Tampa, Florida, \$8,652,000.

Additional Information: According to [House Report 110-648](#), the average VA medical facility is over 50 years old and much of the systems infrastructure is outdated. In 1998, the VA began to implement the Capital Asset Realignment for Enhanced Services (CARES) program which created a new blueprint for VA construction and leasing with renewed focus on outpatient rather than inpatient care. The Committee of Veterans' Affairs reports that the construction and leasing

programs authorized by H.R. 5856 are a continuation of the CARES process. Current law require Congress to give statutory consent to any VA construction project over \$10 million and any VA lease in excess of \$600,000.

Committee Action: H.R. 5856 was introduced on April 22, 2008, and referred to the Committee on Veterans' Affairs' Subcommittee on Health. On April 23, 2008, a subcommittee mark-up was held and the bill was forwarded to the full committee. On April 30, 2008, a full committee mark-up was held and the bill was reported by voice vote.

Cost to Taxpayers: According to CBO, implementing H.R. 5856 would cost the VA \$146 million in FY 2009 and \$2.2 billion over the FY 2009 through 2013 period (subject to appropriation).

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? According to the Committee on Veterans' Affairs' in [House Report 110-648](#), H.R. 5729 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

Constitutional Authority: The Committee on Natural Resources, in [House Report 110-648](#), cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

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

**H.R. 6048—To amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation
(Turner, R-OH)**

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: H.R. 6048 would prohibit any court from changing an existing custody situation regarding a child of a service member while they are deployed. The bill would allow an exception if a court determined that it was clearly in the best interest of the child. The bill would also prohibit a court from using the absence of a parent due to deployment as a determinate when deciding custody of a child.

Committee Action: H.R. 6048 was introduced on April 14, 2008, and referred to the Committee on Veterans' Affairs, which took no official action.

Cost to Taxpayers: A CBO score for H.R. 6048 was not available at press time.

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: A Committee Report citing constitutional authority was not available.

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

S. 3029—A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (*Kerry, D-MA*)

Order of Business: The bill is scheduled to be considered on Tuesday, May 20, 2008, under a motion to suspend the rules and pass the bill.

Summary: S. 3029 would temporarily extend programs under the Small Business Act and the Small Business Investment Act of 1958 through March 20, 2009.

Additional Information: The SBA operates programs that offer grants, loan guarantees, technical assistance, and outreach programs for small businesses. The programs under the SBA have been reauthorized by multiple short-term extensions recently. On December 5, 2007, these programs were extended through May 23, 2008, by H.R. 4254, which passed by voice vote.

Committee Action: S. 3029 passed the Senate on May 15, 2008, by unanimous consent. On May 19, 2008, the bill was received in the House, which took no official action.

Cost to Taxpayers: A CBO score of S. 3029 was unavailable at press time.

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. 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.”

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

H.Res. 1195—Expressing condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the earthquake of May 12, 2008 in Sichuan Province (*Wu, D-OR*)

Order of Business: H.Res. 1195 is scheduled to be considered on Wednesday, May 21, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1195 would express the sense that the House of Representatives:

- “extends its condolences and sympathy to the people of the People’s Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichuan Province;
- “vows its full support for the people of the People’s Republic of China as well as the members of the Chinese American community in the United States who have relatives in the affected areas of China; and
- “expresses confidence that the people of the People’s Republic of China will come together to help those in need and succeed in overcoming the hardships incurred because of this tragedy.”

The resolution lists a number of findings, including:

- “on Monday, May 12, 2008, at 2:28 p.m. local time, a massive earthquake measuring 7.9 on the Richter scale struck a mountainous region of Sichuan Province in southwest China;
- “the epicenter of the earthquake was Wenchuan County, 60 miles northwest of the provincial capital of Chengdu;
- “the earthquake destroyed 80 percent of structures in some of the towns and small cities near the epicenter;
- “the death toll is currently estimated to exceed 12,000 and is expected to rise as the scope of the damage becomes clearer;
- “tens of thousands of people across southwest China remain buried beneath rubble, and hundreds of thousands of people are injured or homeless;
- “an estimated 900 eighth and ninth grade students and their teachers remain trapped, with as many as hundreds dead, after a school collapsed in Dujiangyan, a county located southeast of the epicenter;
- “another school with up to 1,000 students and teachers inside collapsed in the city of Mianyang;
- “two chemical plants have collapsed in Shifang, northeast of the epicenter, spilling 80 tons of toxic ammonia;

- “more than 150 people have been killed in the provinces of Gansu and Shaanxi, and in Chongqing municipality;
- “the People’s Republic of China has mobilized 50,000 police and civilian rescue workers, who have been working tirelessly in disaster areas to aid in rescue and recovery efforts;
- “the tremors of the powerful earthquake were felt as far south as Vietnam and Thailand and set off another, smaller earthquake near the outskirts of Beijing, 900 miles away;
- “the earthquake is China’s largest natural disaster since a previous earthquake struck the city of Tangshan in eastern China in 1976; and
- “the People’s Republic of China has said that it is spending \$120 million on rescue efforts and that it would accept international aid to cope with the disaster.”

Committee Action: H.Res. 1195 introduced on May 14, 2008, and referred to the House Committee on Foreign Affairs, which held a mark-up of the bill on the same day and agreed to seek consideration under suspension of the rules, by unanimous consent.

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

H.Res. 1194— Reaffirming the support of the House of Representatives for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora (*Berman, D-CA*)

Order of Business: H.Res. 1194 is scheduled to be considered on Wednesday, May 21, 2008, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 1194 would express the sense that the House of Representatives:

- “reaffirms its strong support for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora;
- “expresses its profound sympathy to the people of Lebanon, who have again been thrust unjustly, and against their will, into a conflict initiated by Hizballah;
- “offers its condolences to all those in Lebanon who have suffered displacement, injury, or death in their family, or among their loved ones, as a consequence of Hizballah’s unjustifiable insurrection against the Government of Lebanon;
- “condemns--
 - (A) “Hizballah’s illegitimate assault on the sovereign Government of Lebanon, which has led to the worst sectarian warfare in that country since the civil war from 1975 to 1990;

(B) “Hizballah for its unprovoked attacks against Lebanese leaders, citizens, and against Lebanese public and private institutions and for its illegal occupation of territory under the sovereignty of the Government of Lebanon; and
(C) “Syria and Iran for illegally transferring arms and providing other forms of military support to Hizballah, in clear violation of United Nations Security Council Resolutions 1559, 1680, 1701, and 1747;

- “demands that Hizballah immediately cease its attacks and withdraw from all areas in Beirut and elsewhere in Lebanon that it has occupied since May 7, 2008, as a first step towards its total disarmament; and
- “urges--
 - (A) “the United States Government and the international community to immediately take all appropriate actions to support and strengthen the legitimate Government of Lebanon under Prime Minister Fouad Siniora;
 - (B) “the United Nations Security Council to--
 - (i) “condemn Syria and Iran for their blatant violation of United Nations Security Council Resolutions 1559, 1680, and 1701;
 - (ii) “condemn Iran for its violation of Chapter-VII-based United Nations Security Council Resolution 1747; and
 - (iii) “as part of sanctions on Iran for violating Chapter-VII-based United Nations Security Council Resolution 1747, prohibit all air traffic between Iran and Lebanon and between Iran and Syria;
 - (C) “every country controlling possible transit routes from Iran to Lebanon to impose the strictest possible controls on the movement of Iranian vehicles, airplanes, and goods to ensure that Iran is not exploiting its land and airspace for the purpose of illegally transferring arms to Hizballah and other terrorist groups; and
 - (D) “the European Union, in light of recent and earlier Hizballah actions, to designate Hizballah as a terrorist group and to treat it accordingly.”

The resolution lists a number of findings, including:

- “on May 7, 2008, the terrorist group Hizballah, in response to the justifiable exercise of authority by the sovereign, democratically-elected Government of Lebanon, initiated an unjustifiable insurrection by fomenting riots, blocking roads, seizing buildings, and organizing marauding groups of gunmen who took control of much of Beirut, including the sites of key government institutions, and provoked sectarian fighting elsewhere in Lebanon;
- “in the course of this ongoing insurrection initiated by Hizballah, more than 80 Lebanese citizens have been murdered and more than 250 have been wounded;
- “in the course of this fighting, Hizballah and allied fighters attacked the residences of Future Party leader Saad Hariri and Progressive Socialist Party leader Walid Jumblatt, both of whose parties are members of the legitimate governing coalition under Prime Minister Fouad Siniora;

- “in the course of their insurrection, Hizballah and allied fighters forced the Future Party’s television station off the air and burned the building housing the Future Party’s newspaper;
- “Hizballah and its allies have turned over some of the areas they conquered in Beirut to the Lebanese Armed Forces;
- “key government institutions, including the prime ministry, remain under siege, as do the residences of Saad Hariri and Walid Jumblatt;
- “the purpose of Hizballah’s insurrection is to intimidate the legitimate, democratically-elected Government of Lebanon, the Lebanese Armed Forces, and other legitimate Lebanese authorities, so that Hizballah will have maximum freedom of military action, can deepen its control over its ‘state within a state’ in Shiite-dominated areas of Lebanon, and can enhance its influence on Lebanese Government decision-making in order to render Lebanon subservient to Iranian foreign policy;
- “United Nations Security Council Resolutions 1559, 1680, and 1701 affirm the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon;
- “United Nations Security Council Resolutions 1559, 1680, and 1701 call for the disbanding and disarming of all militias in Lebanon;
- “United Nations Security Council Resolution 1701 insists that no country transfer arms into Lebanon other than with the consent of the Government of Lebanon;
- “United Nations Security Council Resolution 1747 explicitly forbids Iran from transferring arms to any entity;
- “Hizballah has contemptuously dismissed the requirements of the United Nations Security Council by refusing to disarm;
- “Hizballah and its allies have repeatedly sought to undermine the legitimate Government of Lebanon under Prime Minister Siniora by preventing parliament from meeting and blocking the election of a new President, leaving that office vacant for the past half-year;
- “contrary to the explicit and binding mandates of the United Nations Security Council, Iran continues to provide training, arms, and funding to Hizballah;
- “contrary to the explicit and binding mandates of the United Nations Security Council, Syria continues to facilitate the transfer of arms to Hizballah via its territory;
- “Syria, through, inter alia, its support of Hizballah’s efforts to undermine Prime Minister Siniora, its suspected campaign of assassinations of Lebanese leaders, its minimal cooperation with the international investigation of these assassinations, and its refusal to delineate its border with Lebanon, shows every sign of wanting to control Lebanon as it did prior to its April 2005 withdrawal;
- “it is highly likely that Hizballah provoked the recent fighting in Lebanon with the blessing of Syria and Iran; and
- “Hizballah and its Lebanese political allies continue to pursue an agenda favoring foreign interests over the will of the majority of Lebanese as expressed in a legitimate and democratic election.”

Committee Action: H.Res. 1194 introduced on May 14, 2008, and referred to the House Committee on Foreign Affairs, which held a mark-up of the bill on the same day and agreed to seek consideration under suspension of the rules, by unanimous consent.

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

S. ____—A bill to temporarily extend the programs under the Higher Education Act of 1965 (*Kennedy, D-MA*)

Order of Business: S. ____ is scheduled to be considered on Wednesday, May 20, 2008, under a motion to suspend the rules and pass the resolution.

Summary: S. ____ would extend the authorization (at current, FY08 levels) for the Higher Education Act of 1965 (HEA) through _____. The HEA is set to expire on May 31, 2008.

Additional Background: The Higher Education Act of 1965 (HEA) provides the majority of the federal government’s higher education financial aid programs. According to CRS, HEA programs comprise the government’s “major student aid programs to support postsecondary education attendance, as well as other significant programs such as those providing aid to special groups of institutions of higher education and support services to enable disadvantaged students to complete secondary school and enter and complete college.” The HEA has been operating under temporary extensions while a long-term extension of the program is negotiated. On February 7, 2008, the House passed H.R. 4137, the College Opportunity and Affordability Act of 2007, which would extend the HEA through FY 2014. The bill has yet to be taken up by the Senate. The last temporary extension of the HEA was passed May 5, 2008 and extended programs through May 31, 2008.

Committee Action: S. ____ has yet to be introduced.

Cost to Taxpayers: A CBO score for S. ____ 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.

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

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