



**Legislative Bulletin.....July 15, 2008**

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**H.R. 4049—Money Service Business Act**  
*(Maloney, D-NY)*

**Order of Business:** H.R. 4049 is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4049 would establish a mechanism that allows Money Service Businesses (MSBs) to self-certify their compliance with the Bank Secrecy Act and Anti-Money Laundering requirements. The bill establishes that a federally insured depository institution has no obligation or liability to conduct any additional review of the compliance by an MSB if they have self-certified their compliance with the Bank Secrecy Act and Anti-Money Laundering requirements. The bill also provides for civil and criminal penalties for MSBs or their agent should they make a material misrepresentation of their self-certification without regard to whether such violation was willful. The bill provides for a 120-day period for the Secretary of the Treasury to prescribe regulations for the implementation of this legislation.

**Additional Information:** The following is background information supplied by the Minority staff of the Financial Services Committee:

MSBs have experienced blanket terminations of their commercial bank accounts over the past several years due, in part, to banks responding to unclear guidance from regulators. This bill establishes a mechanism that would allow MSBs to self-certify their compliance with Bank Secrecy Act (BSA) and Anti-Money Laundering (AML) requirements, while allowing banks to make risk-based decisions about banking particular MSBs.

MSBs include check cashers, money transmitters, money order issuers and others. These are businesses provide a wide variety of convenient, efficient, and cost-effective financial products. If this issue is left unaddressed, the viability of MSBs will be compromised, potentially pushing many of these transactions underground and potentially untraceable to law enforcement.

Bank, reacting to regulatory fears, have terminated MSB accounts in a blanket fashion, in an attempt to minimize exposure to “high risk” businesses. Without a banking relationship, MSBs are unable to provide financial services to communities, making it difficult for millions of Americans to pay bills, send money, or cash checks.

Federal regulatory agencies, recognizing the problem facing MSBs, have sought to address this issue through agency guidance and regulatory changes, with little effect. This legislation addresses this problem by enabling MSBs to self-certify their compliance with Bank Secrecy Act and Anti-Money Laundering requirements. This approach is not novel. It is similar in principle to that used for international correspondent banking. It would not relieve banks of their due diligence responsibilities with regard to their MSB customers, rather, it would permit appropriate reliance on self-certification to relieve banks of being the *de facto* regulators only of MSBs’ BSA/AML compliance.

This legislation also provides for civil and criminal penalties for MSBs or their agent should they make a material misrepresentation of their self-certification without regard to whether such violation was willful.

### **Regulation of Money Service Businesses (MSBs)**

MSBs are required to comply with the Bank Secrecy Act at the Federal level, and are subject to rigorous on-site examinations by IRS examiners. MSBs are also State-regulated in many jurisdictions. Currently, 28 States and the District of Columbia require MSB's to be licensed and/or regulated by State banking agencies.

Since the adoption of the USA PATRIOT ACT, MSB's have been required to adopt a written anti-money laundering compliance program and to conduct independent reviews of their programs. MSB's are also required to register with FinCEN and are examined for BSA compliance by the IRS. MSB's are required to file Currency Transaction Reports for cash transactions of more than \$10,000, and must also maintain information on fund transfers of \$3,000 or more.

**Committee Action:** H.R. 4049 was introduced on November 1, 2007, and referred to the House Committee on Financial Services. On June 24, 2008, the Committee held a mark-up and reported the bill, as amended, by voice vote.

**Cost to Taxpayers:** No CBO score was available.

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

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

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits was not available. Such a report is not required because the bill is being considered under suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority was not available.

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## **H.R. 6455—NASA 50th Anniversary Commemorative Coin Act (*Jackson-Lee, D-TX*)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 6455 would require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration. Coins will bear images of the sun, earth, various planets, and astronauts who have lost their life on missions to space.

**Committee Action:** H.R. 6455 was introduced on July 10, 2008 and referred to the House Committee on Financial Services, which has taken no official action.

**Cost to Taxpayers:** While a CBO score for H.R. 6455 is not available, such coin-minting legislation usually yields some revenue for the federal government.

**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.

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**S. 3145—A bill to designate a portion of United States Route 20A, located in Orchard Park, New York, as the “Timothy J. Russert Highway”  
(Clinton, D-NY)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** S. 3145 would designate a portion of United States Route 20A located in Orchard Park, New York, between Abbot Road and California Road as the “Timothy J. Russert Highway.”

**Additional Information:** According to the findings in the bill:

“Timothy ‘Tim’ John Russert was born on May 7, 1950 in Buffalo, New York, to Elizabeth and Timothy Joseph Russert. Tim Russert graduated from Canisius High School in Buffalo, New York, earned his bachelor’s degree in political science from John Carroll University in 1972, and his Juris Doctor from Cleveland State University—Marshall School of Law in 1976. Tim Russert embarked on a career in public service with United States Senator Daniel Patrick Moynihan and the Governor of New York, Mario Cuomo, from 1977 to 1984.

“After his career in public service and New York politics, Tim Russert began his career in journalism when he joined NBC in 1984. In 1991, Tim Russert became the host of the Sunday morning news program Meet the Press, the longest-running program in the history of television. He would go on to become the longest serving host of the show. Throughout his career, Tim Russert received 48 honorary doctorates and several awards for excellence in journalism, including—the Edward

R. Murrow Award from the Radio-Television News Directors Association; the John Peter Zenger Freedom of the Press Award; the American Legion Journalism Award; the Veterans of Foreign Wars News Media Award; the Congressional Medal of Honor Society Journalism Award; the Allen H. Neuharth Award for Excellence in Journalism; the David Brinkley Award for Excellence in Communication; the Catholic Academy for Communication's Gabriel Award; and an Emmy Award from the National Academy of Television Arts and Sciences.

"In 2004, Tim Russert authored the bestselling autobiography, *Big Russ and Me*, which chronicled his life growing up in South Buffalo and his education at Canisius High School. He is also the author of *Wisdom of our Fathers*.

"Tim Russert advocated on behalf of abused children and voiced the need to protect our Nation's young people, serving on the board of directors of the Greater Washington Boys and Girls Club and America's Promise—Alliance for Youth.

"Tim Russert sat in the front seat of history, chronicling the political and societal events that have defined our time, and serving as a trusted source of information and analysis for millions of Americans.

"Tim Russert was a tireless booster of Buffalo, a famous fan of his beloved Buffalo Bills, and was always proud of his South Buffalo roots, a source of civic pride in the Western New York community.

"Tim Russert passed away on June 13, 2008. He is survived by his wife, Maureen Orth and their son, Luke Russert."

**Committee Action:** S. 3145 was introduced on June 18, 2008 and passed the Senate on June 24, 2008 by unanimous consent. The bill was referred to the House Committee on Transportation and Infrastructure, which has taken no official action.

**Cost to Taxpayers:** A CBO score for S. 3145 is not available, though any costs (for sign and map changes) should be minimal.

**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.

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## **S. 496—Appalachian Regional Development Act Amendments of 2007 (Voinovich, R-OH)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** S. 496 would authorize appropriations through 2011 for the Appalachian Regional Commission (ARC), as well as modify the terms of some existing programs, and create a new grant program to promote energy efficiency and renewable energy in the Appalachian region.

The bill authorizes \$95.2 million for FY 2007; \$98.6 million for FY 2008; \$102 million for FY 2009; \$105.7 million for FY 2010; and \$109.4 million for FY 2011 for the Appalachian Regional Commission.

The bill also authorizes \$10 million for FY 2007; \$8 million for FY 2008; and \$5 million for each of fiscal years 2009-2011 for a telecommunications and technology initiative (included in previous legislation).

Finally, the bill authorizes \$12 million for FY 2007; \$12.4 million for FY 2008; \$12.9 million for FY 2009; \$13.3 million for FY 2010; and \$13.8 million for FY 2011 for a new economic and energy initiative.

**Additional Information:** On July 17, 2007, the House passed H.R. 799 (by a vote of [332-70](#)), which would have authorized \$30 million in FY2007 and \$428 million over the FY2007-FY2012 period for the re-authorization of the Appalachian Regional Commission (ARC). The RSC legislative bulletin for H.R. 799 can be found [here](#).

According to an earlier Committee on Transportation House Report [110-33](#), the ARC was established in 1965 as a regional economic development agency to assist all or part of 13 Appalachian states (Alabama, Georgia, Kentucky, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia).

In the past, the ARC has been criticized for supporting redundant development programs that other agencies already fund. For instance, GAO found that community applicants seeking economic improvement grants could apply to 20 other programs across four other agencies (DoD, USDA, Commerce, and HUD) and receive the same funding. GAO also found that ARC has consistently misreported statistics to the Federal Assistance Award Data System because of mismanagement and a lack of communication. In 2002, ARC over-reported the amount of funding they had given by over \$30 million because they had counted the majority of their submissions twice.

Among the local programs funded at taxpayer expense by ARC are:

- \$300,000 for “central Pennsylvania’s largest kitchen,” Claysburg, PA.
- \$20,000 to renovate an abandoned hospital for a possible “visual arts center with artists-in residence,” in Cumberland, MD.
- \$7,000 to place 16 “poster-size vignettes in places of historical and cultural interest” in Connellsville, PA.
- \$101,003 for an “Adventure Space” program in Alabama’s Franklin County and Russellville City School system, which will send teachers in the school system to space camp for one week.
- \$100,000 in material for the main street in Ford City, PA., to be repaved — with bricks.
- \$10,000 for a website to advertise a fledgling “community foundation” that would solicit endowments in Cumberland, MD.
- \$12,500 for “tourism assessment” in Catskill Park, NY.

A large number of these regional, taxpayer-funded projects are paid for with earmarked funds.

**Conservative Concerns:** Some conservatives may be concerned that the ARC is a “Great Society” program that spends American taxpayer dollars on redundant and questionable activities (see “Additional Information” above).

**Committee Action:** S. 496 was introduced on February 6, 2008 and passed the Senate on August 3, 2008, with amendments, by unanimous consent.

**Cost to Taxpayers:** According to CBO, “The bill would authorize a total of \$511 million over 2007—2011 period, including \$95 million for fiscal year 2007. S. 496 also would allow the ARC to increase the government’s share of the cost of projects in counties most at risk of becoming economically distressed. CBO estimates that implementing this bill would cost \$294 million over the 2007-2012 period, assuming appropriation of the specified amounts. Enacting S. 496 would have no effect on direct spending or revenues.”

**Does the Bill Expand the Size and Scope of the Federal Government?** Yes, the bill would authorize a total of \$511 million over the FY 2007—2011 period, and create a new grant program to encourage energy efficiency.

**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.

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## **H.Con.Res. 299— Supporting the goals and ideals of National Cystic Fibrosis Awareness Month (Markey, D-MA)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 299 would express the sense that the House or Representatives:

- “honors the goals and ideals of National Cystic Fibrosis Awareness Month;
- “promotes further public awareness and understanding of cystic fibrosis;
- “advocates for increased support for people with cystic fibrosis and their families;
- “encourages early diagnosis and access to high-quality care for people with cystic fibrosis to improve the quality of their lives; and
- “supports research to find a cure for cystic fibrosis by fostering an enhanced research program through a strong Federal commitment and expanded public-private partnerships.”

The resolution lists a number of findings, including:

- “cystic fibrosis is one of the most common life-threatening genetic diseases in the United States and one for which there is no known cure;
- “the average life expectancy of an individual with cystic fibrosis is 37 years--an improvement relative to the 1960s when children with cystic fibrosis did not live long enough to attend elementary school, but still unacceptably short;
- “approximately 30,000 people in the United States have cystic fibrosis, more than half of them children;
- “the Centers for Disease Control and Prevention recommends that all States consider newborn screening for cystic fibrosis;
- “the Cystic Fibrosis Foundation urges all States to implement newborn screening for cystic fibrosis to facilitate early diagnosis and treatment which improves health and life expectancy;
- “although the Cystic Fibrosis Foundation continues to fund a research pipeline for more than 30 potential therapies and funds a nationwide network of care centers that extend the length and quality of life for people with cystic fibrosis, lives continue to be lost to this disease every day; and



- “the Cystic Fibrosis Foundation will conduct activities to honor National Cystic Fibrosis Awareness Month in May, 2008.”

**Committee Action:** H.Con.Res. 299 was introduced on February 14, 2008, and referred to the House Committee on Energy and Commerce, 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.

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### **H.Res. 1259— Congratulating the Hamilton College Continentals on winning the NCAA Division III women’s lacrosse championship (*Arcuri, D-NY*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1259 would express the sense that the House of Representatives congratulates the Hamilton College Continentals on winning the NCAA Division III women’s lacrosse championship and commends them on their contributions to Hamilton College, women’s athletics, and the sport of lacrosse.

The resolution lists a number of findings, including:

- “on May 18, 2008, the Hamilton College Continentals women’s lacrosse team captured the NCAA Division III championship and completed the best season in the team’s 29-year history;
- “the Continentals are the first team in the College’s history to reach the national semifinals in any NCAA championship;
- “the Continentals completed the 2008 season with a remarkable 21-1 record and won 19 straight games, which is the longest winning streak in Division III women’s lacrosse; and
- “the Continentals are shining examples of the products of hard work and commitment, and have inspired and brought pride to their community as well as their loved ones and the students and alumni of Hamilton College.”

**Committee Action:** H.Res. 1259 was introduced on June 10, 2008, and referred to the House Committee on Education and Labor, which took no official action.

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**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; [sarah.makin@mail.house.gov](mailto:sarah.makin@mail.house.gov); 202-226-0718.

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**H.Res. 1088— Recognizing and commending the Alvin Ailey American  
Dance Theater for 50 years of service as a vital American cultural  
ambassador to the world  
(*Nadler, D-NY*)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1088 would express the sense that the House or Representatives:

- “recognizes and commends the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world, during which it has provided world-class American modern dance to an estimated 21,000,000 people across the globe;
- “recognizes that the Alvin Ailey American Dance Theater has been a true pioneer in the world of dance by establishing an extended cultural community which provides dance performances, training, and community programs for all people while using the beauty and humanity of the African-American heritage and other cultures to unite people of all ages, races, and backgrounds; and
- “recognizes that Ailey II, the prestigious Ailey School, and Ailey's extensive and innovative Arts In Education and Community Programs train future generations of dancers and choreographers while continuing to expose young people from communities large and small to the arts.”

The resolution lists a number of findings, including:

- “the Alvin Ailey American Dance Theater (“AAADT”) is widely recognized as one of the world’s premier modern dance companies;
- “the AAADT is dedicated to promoting the uniqueness of the African-American cultural experience and the preservation and enrichment of the modern dance heritage to people across the globe;
- “over its 50-year history, the AAADT has performed for an estimated 21,000,000 people in 48 States and in 71 countries on 6 continents;
- “the AAADT’s home in New York City, the Joan Weill Center for Dance, is the largest facility dedicated exclusively to dance in the United States;

- “Alvin Ailey, founder of the AAADT, received the United Nations Peace Medal in 1982;
- “President George W. Bush recognized the AAADT and Artistic Director Judith Jamison with the National Medal of Arts in 2001, making the AAADT the first dance company to be honored with this award; and
- “the Ailey School, accredited by the National Association of Schools of Dance, provides the highest quality training consistent with the professional standards of the AAADT, including a Certificate Program, a Fellowship Program, and a Bachelor of Fine Arts degree program in conjunction with Fordham University.”

**Committee Action:** H.Res. 1088 was introduced on April 8, 2008, and referred to the House Committee on Education and Labor, 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.

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**H.Res. 1323— Commending the Arizona State University softball team  
for their victory in the 2008 Women’s College World Series  
(Mitchell, D-AZ)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1323 would express the sense that the House or Representatives:

- “commends the Arizona State University softball team for their victory in the 2008 Women’s College World Series;
- “recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the Arizona State University Sun Devils win the championship; and
- “directs the Clerk of the House of Representatives to transmit a copy of this resolution to Arizona State University President Michael Crow, softball Coach Clint Myers, and Athletic Director Lisa Love for appropriate display.”

The resolution lists a number of findings, including:

- “on June 3, 2008, the Arizona State University Sun Devils won the 2008 NCAA Women’s College World Series with a resounding 11 to 0 defeat over the Texas A&M Aggies;

- “this win marked the first national title for Arizona State University in softball;
- “the Arizona State University Sun Devils set a record for the highest margin of victory during a championship game in the NCAA Women’s College World Series history;
- “the Arizona State University women’s softball team won an impressive 66 games this season and went 56 to 5 during the season and went 10 for 10 in the post season under the leadership of Coach Clint Myers;
- “the Arizona State University softball team earned the enthusiastic support of students, faculty, alumni, and Sun Devils fans across the country during their national championship season; and
- “the Arizona State University softball team is an inspiration to student athletes in Arizona and across the United States.”

**Committee Action:** H.Res. 1323 was introduced on July 8, 2008, and referred to the House Committee on Education and Labor, 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:** Sarah Makin; [sarah.makin@mail.house.gov](mailto:sarah.makin@mail.house.gov); 202-226-0718.

**H.Res. 1327— Congratulating the 2008 National Collegiate Athletic Association (NCAA) Division I Baseball Champions, the Fresno State Bulldogs, on an outstanding and historic season  
(Nunes, R-CA)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1327 would express the sense that the House or Representatives:

- “congratulates the 2008 National Collegiate Athletic Association (NCAA) Baseball Champions, the Fresno State Bulldogs, on an outstanding and historic season; and
- “recognizes that the Bulldogs, in winning their first College World Series, concluded an unprecedented season and championship that captivated baseball fans across America.”

The resolution lists a number of findings, including:

- “California State University, Fresno, better known as Fresno State, was founded in 1911 and has offered advanced degrees since 1949;

- “Fresno State has one of the top Agriculture Sciences and Technology programs in the California State University system, with a worldwide reputation in water technology, more than 200 awards for student-produced wines, and research having global impact in the areas of food production, land preservation, and irrigation;
- “Fresno State’s Craig School of Business has been recognized in the Princeton Review’s top business schools and is nationally acclaimed for its Lyles Center for Innovation and Entrepreneurship;
- “on May 25, 2008, the Bulldogs won their third straight Western Athletic Conference tournament after beating the University of Nevada;
- “many members of the Bulldog team will never play professional baseball and truly give meaning to the term ‘student-athlete’; and
- “Fresno State’s competition for the national championship has been exciting to watch for all those who have an attachment to the University, the San Joaquin Valley, and the game we call our national pastime.”

**Committee Action:** H.Res. 1327 was introduced on July 9, 2008, and referred to the House Committee on Education and Labor, 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.

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**H.Res. 1261— Congratulating East High School in Denver, Colorado, on winning the 2008 “We the People: The Citizen and the Constitution” national competition  
(DeGette, D-CO)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1261 would express the sense that the House or Representatives:

- “congratulates the East High School team on winning the 2008 ‘We the People: The Citizen and then Constitution’ national competition;
- “recognizes the academic accomplishments of Isabel Breit, Nicholas Brown, Maya Burchette, Nitai Deitel, Gideon Hertz, Gideon Irving, Katherine Jablonski, Gavin Jacobs, Noah Kaplan, Brendan Lamarre, Zachary Lass, Alexandria Leenatali, Richard Londer, Nathan Mackenzie, Rebecca Nathanson, Alyse Opatowski, Marley Pierce, Alyssa Roberts, Paige Romer, Hayley Round, Ryan Saunders, Lindsay Shields, Jeffrey Thalhoffer, Shaquille Turner, Charlotte Vilkus, Taylor Want, and Jacob Zax;

- “recognizes the guidance and commitment of coach Susan McHugh;
- “recognizes the work of Loyal Darr, ‘We the People’ coordinator for Colorado’s First District; and
- “directs the Clerk of the House of Representatives to transmit a copy of this resolution to Denver School District Superintendent Michael Bennet and coach Susan McHugh for appropriate display.”

The resolution lists a number of findings, including:

- “in order to preserve our democracy, it is important that an in-depth understanding of the documents upon which our Nation was founded is passed on from generation to generation;
- “students in the ‘We the People: The Citizen and the Constitution’ competition demonstrate their understanding of the Constitution and the Bill of Rights, along with the documents’ contemporary significance by participating in simulated congressional hearings;
- “the ‘We the People’ competition, founded in 1987 on the bicentennial of the adoption of the Constitution, celebrates its 21st consecutive year in 2008;
- “East High School placed first for the second year in a row, and for the third time in the school’s history, the previous times being in 2007 and 1992; and
- “the 27 team members exhibited an extraordinary grasp of the Constitution and the Bill of Rights.”

**Committee Action:** H.Res. 1261 was introduced on June 10, 2008, and referred to the House Committee on Education and Labor, 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:** Sarah Makin; [sarah.makin@mail.house.gov](mailto:sarah.makin@mail.house.gov); 202-226-0718.

**H.Con.Res. 385— Condemning the attack on the AMIA Jewish  
Community Center in Buenos Aires, Argentina, in July 1994  
(Ros-Lehtinen, R-FL)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Con.Res. 385 would express the sense that the House or Representatives:

- “reiterates its strongest condemnation of the 1994 attack on the Argentine Jewish Mutual Association (AMIA) Jewish Community Center in Buenos Aires, Argentina, honors the victims of this attack, and expresses its sympathy to the relatives of the victims;
- “applauds the Government of Argentina for increasing the pace of the AMIA bombing investigation and for enacting counter-terrorism legislation;
- “urges the Government of Argentina to continue to dedicate and provide the resources necessary for its judicial system and intelligence agencies to investigate all areas of the AMIA case and to prosecute those responsible;
- “commends the General Assembly of the International Criminal Police Organization (INTERPOL) for upholding and issuing the Red Notices supported by the Executive Committee of INTERPOL in March 2007;
- “expresses grave concern regarding the Government of Saudi Arabia’s failure, when given the opportunity, to detain Iranian officials against whom Argentine arrest warrants or INTERPOL Red Notices are pending in connection with the AMIA case;
- “urges all nations to cooperate fully with the AMIA investigation, including by making information, witnesses, and suspects available for review and questioning by the appropriate Argentine authorities, and by detaining and extraditing to Argentina, if given the opportunity, any persons against whom Argentine arrest warrants or INTERPOL Red Notices are pending in connection with the AMIA case, including Iranian officials and former officials, Hezbollah operatives, and Islamist militants;
- “encourages the President to direct United States law enforcement agencies to provide support and cooperation to the Government of Argentina, if requested, for the purposes of deepening and expanding the investigation into the AMIA bombing; and
- “urges governments in the Western Hemisphere, who have not done so already, to draft, adopt, and implement legislation designating Hezbollah as a terrorist organization, banning fundraising and recruitment activities, and applying the harshest penalties on those providing support for activities involving Hezbollah and other such Islamist terrorist organizations.”

The resolution lists a number of findings, including:

- “on July 18, 1994, 85 people were killed and 300 were wounded when the Argentine Jewish Mutual Association (AMIA) was bombed in Buenos Aires, Argentina;
- “extensive evidence links the planning of the attacks to the Government of Iran, and the execution of the attacks to Hezbollah, which is based in Lebanon, supported by Syria, sponsored by Iran, and designated by the Department of State as a Foreign Terrorist Organization;
- “on October 25, 2006, the State Prosecutor of Argentina identified Ibrahim Hussein Berro, a Lebanese citizen and member of Hezbollah, as the suicide bomber who primarily carried out the attack on the AMIA;
- “on February 12, 2008, Hezbollah operative Imad Moughnieh reportedly was killed in Syria;
- “Mr. Nisman stated in an article published on May 29, 2008, that his request for arrest warrants against Argentine nationals in the AMIA case ‘does absolutely not

change the accusations against Hezbollah and Iran . . . To a certain degree, it reinforces them, because [suspect Alberto Jacinto] Kanoore Edul has many links with Islamist extremists’;

- “during the last two years, the Government of Argentina has made significant advances in the AMIA investigation and other counter-terrorism efforts including the enactment, in July 2007, of counter-terrorism legislation which seeks to criminalize financing, fund-raising, and money laundering activities of groups linked to terrorism;
- “the issuance of an Argentine arrest warrant for an attaché of the Iranian Embassy in Argentina in connection with the AMIA case, indicates that Iran has used its embassies abroad as tools and extensions of radical Islamist goals and attacks;
- “in recent years, Iran has greatly expanded its diplomatic, political, and economic presence in the Western Hemisphere, including the opening of nearly a dozen embassies in Latin America; and
- “according to news reports published in June 2008, intelligence agencies in the United States and Canada have warned of significant evidence that Hezbollah, with the support of the Government of Iran, plans to launch a major attack against ‘Jewish targets’ outside the Middle East, and that possible targeted areas include Canada and Latin America.”

**Committee Action:** H.Con.Res. 385 was introduced on June 26, 2008, and referred to the House Committee on Foreign Affairs, 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.

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**H.Res. 1090— Honoring the esteemed former President Nelson  
Rolihlahla Mandela on the occasion of his 90th birthday  
(Jefferson, D-LA)**

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 1090 would express the sense that the House or Representatives:

- “honors former President Nelson Rolihlahla Mandela on the occasion of his 90th birthday on July 18, 2008, and extends best wishes to him and his family;
- “honors his many accomplishments;



- “congratulates him for his efforts to promote dialogue to peacefully resolve conflicts between people in Africa and around the world; and
- “celebrates his contributions to South Africa, the United States, and the international community.”

The resolution lists a number of findings, including:

- “Nelson Rolihlahla Mandela was born in Transkei, South Africa on July 18, 1918;
- “he joined the African National Congress (‘ANC’) in 1944 and was engaged in resistance against the ruling National Party’s apartheid policies after 1948;
- “after the banning of the ANC in 1960, Nelson Mandela led the effort to set up of a military wing within the ANC;
- “in 1964, when many fellow leaders of the ANC and the Umkhonto we Sizwe were arrested, Nelson Mandela was brought to stand trial with them for plotting to overthrow the government by violence;
- “from 1964 to 1982, Nelson Mandela was incarcerated at Robben Island Prison, off Cape Town; thereafter, he was at Pollsmoor Prison, nearby on the mainland;
- “Nelson Mandela became widely accepted as the most significant black leader in South Africa and in the world and became a potent symbol of resistance as the anti-apartheid movement gathered strength;
- “Nelson Mandela was released on February 11, 1990;
- “after his release, he plunged himself wholeheartedly into his life’s work, striving to attain the goals he and others had set out almost 4 decades earlier;
- “South Africa’s first democratic elections in which full enfranchisement was granted were held on April 27, 1994, and Nelson Mandela, as leader of the ANC, was inaugurated on May 10, 1994, as the country’s first black President;
- “as President from May 1994 until June 1999, Nelson Mandela presided over the transition from minority rule and apartheid, winning international respect for his advocacy of national and international reconciliation; and
- “Nelson Mandela has received many South African, foreign, and international honors, including the Nobel Peace Prize in 1993 (which was shared with Frederik Willem de Klerk), the Order of Merit and the Order of St. John from Queen Elizabeth II and the Presidential Medal of Freedom from George W. Bush.”

**Committee Action:** H.Res. 1090 was introduced on April 8, 2008, and referred to the House Committee on Foreign Affairs, 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.

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**H.Con.Res. \_\_**—Providing for the concurrence by the House in the Senate amendment to H.R. 3890—Burma Democracy Promotion Act of 2007 with amendments  
*(Lantos, D-CA)*

**Order of Business:** The resolution is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3890 would strengthen U.S. sanctions against the nation of Burma in light of the country's violent response to peaceful protests against the government. The bill would also authorize \$40 million over the next two years to fund pro-democratic and humanitarian initiatives and require the Secretary of State to make a report regarding the sources of Burma's military support.

H.R. 3890 would impose the following sanctions against the country of Burma:

- Creates a ban on the importation of gems from the country of Burma;
- Increases the number of people whose assets must be frozen and who must be denied visas to travel to the U.S. to include any Burmese government official or military member who was involved in the suppression of anti-regime protests (currently only military leaders are subject to these measures);
- Imposes financial sanctions on companies that support the Burmese regime;
- Removes tax deductions for companies doing business in Burma;
- Extends a visa ban against human rights violators;
- Prevents U.S. firms from making payments to Burma; and
- Eliminates the requirement that sanctions against Burma be reauthorized every year.

In addition, H.R. 3890 would authorize \$20 million in FY 2008 and FY 2009 to assist democracy activists and humanitarian aid workers in their efforts to:

- Promote democracy and human rights;
- Represent the ethnic minorities of Burma;
- Broadcast radio and television programs into Burma that promote democracy and report on human rights conditions inside Burma;
- Compile evidence of human rights violations in Burma;
- Provide aid to humanitarian workers who;
- Provide food, medical, educational, or other assistance to refugees and internally displaced persons;
- Assist women and girls after incidents of rape and other forms of sexual violence; or
- Assist in the rehabilitation of child soldiers.

Finally, H.R. 3890 would require the Secretary of State to submit a report to Congress within 180 days containing a list of countries, companies, and other entities that provide military or intelligence aid to the Burmese Regime and describing such military or intelligence aid provided by each such country, company, and other entity.

The bill includes the following Sense of Congress:

It is the sense of Congress that the United States--

- (1) joins the foreign ministers of member nations of ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) that have expressed concern over the human rights situation in Burma;
- (2) encourages ASEAN to take more substantial steps to ensure a peaceful transition to democracy in Burma;
- (3) welcomes steps by ASEAN to strengthen its internal governance through the adoption of a formal ASEAN charter;
- (4) urges ASEAN to ensure that all members live up to their membership obligations and adhere to the core principles of ASEAN, including respect for, and commitment to, human rights; and
- (5) would welcome a decision by ASEAN, consistent with its core documents and its new charter, to review Burma's membership in ASEAN and consider appropriate disciplinary measures, including suspension, until such time as the Government of Burma has demonstrated an improved respect for, and commitment to, human rights.

The bill expresses that it is the sense of Congress that the international community should increase support for nongovernmental organizations attempting to meet the urgent humanitarian needs of the Burmese people. The bill authorizes \$11 million for FY 2008 to support operations by nongovernmental organizations designed to address the humanitarian needs of the Burmese people inside Burma and in refugee camps in neighboring countries.

The bill would also require a report on countries that support Burma militarily, and includes the following Sense of Congress regarding international arms sales to Burma:

It is the sense of Congress that the United States should lead efforts in the United Nations Security Council to impose a mandatory international arms embargo on Burma, curtailing all sales of weapons, ammunition, military vehicles, and military aircraft to Burma until the SPDC releases all political prisoners, restores constitutional rule, and holds free and fair elections to establish a new government.

**Additional Background:** In August, 2007, thousands of peaceful protesters marched in the streets of cities all across Burma in one of the nation's largest-ever peaceful protest against the regime. Within a month an estimated 100,000 people were marching peacefully in protest in Burma. The Burmese regime responded to the peaceful protests with a violent crackdown which culminated with beating and opening fire on unarmed protesters. Outside organizations estimate that some 3,000 Burmese protesters were detained during the crackdown and that unwarranted arrests of anti-regime protesters persist in Burma.

According to [House Report 110 - 418](#), the U.S. has passed several measures to impose sanctions against the government of Burma, including a ban on new investments in Burma that Congress passed in 1997. Still, there are concerns that the Burmese government has found loopholes in past Congressional and Executive sanctioning efforts and is still profiting from peripheral business with the U.S. According to the report, "The regime continues to profit from the sale of Burma's vast natural resources while the bulk of Burma's people live in poverty. Most economic enterprises in Burma are state-owned and proceeds from most

economic activity of those enterprises inure to the regime's economic benefit." H.R. 3890 is intended to respond to the Burmese regime's attempts to evade previous sanctions.

**Committee Action:** H.R. 3890 was introduced on October 18, 2007, and referred to the Committee on Foreign Affairs, which held a mark-up on October 23, 2007, and reported the bill, in the nature of a substitute, by unanimous consent. On December 11, 2007, the House passed H.R. 3890 by voice vote. On December 19, 2007, the Senate passed H.R. 3890, with amendment, by unanimous consent.

**Cost to Taxpayers:** According to CBO, H.R. 3890 would authorize \$40 million over the FY 2008 – FY 2009 period for pro-democracy and humanitarian efforts in Burma.

In addition, CBO estimates that certain sanctions included in the bill would reduce customs duties and result in a reduction of federal revenues of roughly \$500,000 in FY 2008 and \$8 million over the FY 2008 – FY 2012 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?** According to [House Report 110 - 418](#), H.R. 3890 "does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI."

**Constitutional Authority:** According to [House Report 110 - 418](#), H.R. 3079 cites constitutional authority in Article 1, Section 8, but fails to cite a specific clause. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." [*emphasis added*]

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**H.R. 3032—To amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate  
(Jones, R-NC)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3032 would amend the Federal Election Campaign Act of 1971 to permit candidates for election to federal office to:

- designate an individual for each of a candidate’s authorized campaign committees who will be authorized to disburse funds of the committee in the event of the candidate’s death; and
- designate another individual to carry out the responsibilities of the designated individual in the event of the death or incapacity of the designated individual or the designated individual’s unwillingness to carry out the responsibilities.

Under current law, this role lies with the campaign treasurer. The Federal Election Commission (FEC) would be responsible for regulating the process and registering the information.

The bill also details the procedures for filing and revoking such a designation. The bill would also permit the filing of a designation to contain the candidate’s instructions regarding the disbursement of funds.

**Committee Action:** H.R. 3032 was introduced on July 12, 2007, and referred to the House Committee on House Administration, which held a mark-up on April 2, 2008, and reported the bill, as amended, by voice vote.

**Cost to Taxpayers:** According to CBO, “Based on information from the FEC and subject to the availability of appropriated funds, CBO estimates that implementing H.R. 3032 would cost the FEC about \$500,000 in 2009. That amount includes one-time computer-related expenses as well as the cost of formulating new regulations. In future years, the legislation would increase general administrative costs of the FEC, but we estimate those costs would not be significant. Enacting H.R. 3032 could affect federal revenues by increasing collections of fines for violations of campaign finance law. Such collections are recorded in the budget as revenues and, in certain cases, may be spent without further appropriation. CBO estimates any additional revenues and direct spending under H.R. 3032 would be insignificant because of the small number of anticipated violations.”

**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 [House Report 110 - 602](#), H.R. 3032 “does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.”

**Constitutional Authority:** According to [House Report 110 - 602](#), H.R. 3032 cites constitutional authority in Article 1, Section 4 of the U.S. Constitution, which grants Congress the authority to make law governing the time, place and manner of holding federal elections.

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**H.R. 6296—To extend through 2013 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission  
(Brady, D-PA)**

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 6296 would amend the Federal Election Campaign Act of 1971 to extend through calendar 2013 the authority of the Federal Election Commission (FEC) to impose civil monetary penalties on the basis of a schedule of penalties established and published by the Commission.

**Additional Information:** The following information was supplied by the House Committee on Administration Republican staff:

The Administrative Fine Program, established in 2000 by amendments to the Federal Election Campaign Act (FECA), permits the Federal Election Commission (FEC) to assess civil money penalties (“fines”), calculated using published schedules, for violations of mandatory reporting requirements. Fines may be assessed under this program for reports that are not timely filed or not filed at all. The program is codified at 2 U.S.C. §437g(a)(4)(C)(i), and see also 11 CFR §111.30 et. seq. (2000).

Under the program, if the FEC discovers a late or non-filed report, a letter is sent to the committee containing the basis of its finding and the amount of the proposed fine. The committee then has 40 days to either pay the fine or submit to the FEC a written challenge explaining the reasons why it believes the FEC’s determination is wrong. If the committee does not submit a challenge within the 40 day period, the FEC issues a final determination of the fine, and the committee then has 30 days to pay the fine or seek judicial review of the FEC’s final determination. If a committee fails to pay the fine, the FEC may transfer the case to the U.S. Department of the Treasury for collection, or may decide to file suit in the appropriate U.S. district court. Four elements are included in the published fine formula: the election sensitivity of the report, whether the report is considered filed late or not filed, the actual level of activity on the report filed late or the estimated level of activity on a report that is not filed, and the number of previous reporting violations by the committee.

The Administrative Fine Program has a two-fold purpose: to free agency resources for more complex and higher profile enforcement matters, and to reduce the number of financial reports filed late or not at all. As of March 2008, the FEC had collected over \$2.1 million in civil penalties for over 1,600 cases processed under the Program.

The program is currently scheduled to sunset on December 31, 2008. H.R. 6296 extends the program for an additional five years.

**Committee Action:** H.R. 6296 was introduced on June 18, 2008, and referred to the House Committee on House Administration, which took no further action.

**Cost to Taxpayers:** Though no official CBO score is available at press time, CBO expressed that H.R. 6296 will have no significant effect on the 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:** A Committee Report citing constitutional authority was not available.

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**H.R. 5803—To direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation, and for other purposes**  
*(Lofgren, D-CA)*

**Order of Business:** The bill is scheduled to be considered on Tuesday, July 15, 2008, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 5803 would direct the Election Assistance Commission to establish a grant program for states and localities to implement a program to make backup paper ballots available in the case of a voting system of equipment failure in the November 2008 federal election or some other emergency situation.

The bill makes the following requirements for the grant program:

- States and local units of government are eligible to participate in the program if they make paper ballots available to voters in the event of:



1. Voting machine failure
  2. Voting system failure
  3. Some “other emergency situation”
- Appropriate election officials must advise voters of their right to request a paper ballot if they are waiting at the polling place and would be delayed due to voting machine failure, voting system failure or other emergency situation.
  - All back-up paper ballots will be counted as regular ballots.
  - States and local units of government must establish protocols for delivering and supplying backup paper ballots to polling places and for notifying individuals for the rights to use the backup paper ballots.

Regarding certification to the Election Assistance Commission (EAC), the bill would require:

- EAC to administer the grants to states and local units of government.
- Grant participants to submit an application certifying the following to EAC:
  1. It has established a program for backup paper ballots.
  2. Statement of reasonable costs it expects to incur in carrying out the program.
  3. Any other information EAC may require.
- Participant must submit no later than 60 days after the election a statement of actual costs it incurred in carrying out the program.

The bill authorizes \$75 million for FY 2009 for the grant program.

**Additional Background:** The Help America Vote Act of 2002 (HAVA), required states to improve voting systems by switching from traditional punch-vote machines to direct recording electronic (DRE) voting machines. These machines have been found by the Government Accountability Office (GAO) to be reliable, accurate, and easy to use. However, some have expressed a concern that the only available output from these machines in the case of a recount is a digital readout of the votes the machine has recorded. Because there is no actual paper trail, some have expressed a concern that the system is too dependent on electronic software and have promoted a return to a paper ballot. H.R. 5803 would authorize an estimated \$75 million to establish a grant program for states to implement a program to make backup paper ballots.

**Conservative Concerns:** Some conservatives may be concerned that H.R. 5803 would establish a grant program to encourage states and localities to implement a program to make backup paper ballots—encouraging more jurisdictions to conduct hand counts, which are traditionally less reliable than scanned counts and more susceptible to human error and fraud.

In addition, some conservatives may be concerned that “emergency situation” is not defined in the bill. Furthermore, this legislation is duplicative of current law that administers grants to state to assist with election systems.



In addition, the following concerns have been noted by the House Committee on Administration Republican staff:

**H.R. 5803 Overview: A \$75 Million Solution to Non-Problem**

- H.R. 5803, introduced by Rep. Zoe Lofgren, D-Calif., would **subsidize existing state backup paper ballot programs** for emergency situations.
- According to a [recent survey conducted by the Election Center](#), a **vast majority of states already have contingency plans** in the event of machine failures. Of the 42 states that responded to the survey, 39 currently provide paper or backup paper ballots.
- The proposed bill would **waste \$75 million solving a non-existent problem** – ignoring real problems that voters face at home and overseas.
- **Let them do their job.** [National surveys conducted by Texas A&M University](#) demonstrate overwhelming sentiment among local election officials that the **federal government has “too great an influence”** on their ability to administer elections.

**The REAL Problems Democrats are ignoring:**

- **Military personnel serving overseas are being denied their constitutional right to vote while protecting ours.** According to a [September 2007 Election Assistance Commission \(EAC\) report](#) on uniformed and overseas absentee voting, over 70% of the absentee ballots sent to uniformed and overseas citizen voters were rejected because they were undeliverable, and 23% were rejected by election officials because they were returned after the deadlines stipulated by state law.
- Congress must encourage states to implement **necessary safeguards to prevent election fraud.** Just last month, eight ACORN employees pleaded guilty federal charges of election fraud for submitting false registration cards with false names and signatures to St. Louis election officials.
- Both federal and state **voter education initiatives are in dire need of improvement.** Election reform experts have recently expressed the need for greater voter education. Executive Director of the Reform Institute, Cecilia Martinez, reported that callers inquiring about poll locations accounted for 78% of all calls received for the 2008 Presidential Primaries by the national MyVote1 hotline. Increased voter education will decrease voter confusion over poll locations and state requirements, and increase participation.
- In addition to voter education, **election administrators must dedicate additional time and resources to enhance poll worker education and training.** The majority of election malfunctions are caused by human error. A properly trained poll worker will help ensure elections are successfully administered.

Republican Whip Roy Blunt has also echoed these concerns in a Dear Colleague circulated this morning.

**Administration Position:** According to a Statement of Administration Policy released today,

The Administration strongly opposes H.R. 5803 because it largely duplicates existing law and is administratively burdensome. Over \$3 billion in Federal grants have been made available to States in 2008 and previous years to assist with election systems and administration, which can include the purchase of back-up paper ballots authorized by this bill. Of this amount, over \$1 billion remains unspent and should be used by States as appropriate to prepare for and conduct the 2008 Federal elections. More than 6,000 jurisdictions would be eligible to apply for funding authorized by this bill, which would divert the attention of the Election Assistance Commission during a time when they should be helping election officials to prepare

for and administer the 2008 Federal elections. New legislation and election funding initiatives are not warranted at this time.

**Committee Action:** H.R. 5803 was introduced on April 15, 2008, and referred to the House Committee on House Administration, which held a mark-up of the bill on May 7, 2008 and ordered the bill reported, with amendment, by a vote of 5-3.

**Cost to Taxpayers:** According to CBO, “implementing H.R. 5803 would cost \$77 million in 2009. Enacting the bill would not affect direct spending or revenues.”

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

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

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** Committee on House Administration [House Report 110-637](#) states that “Pursuant to clause 9 of rule XXI, H.R. 5803 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 House Administration [House Report 110-637](#) cites constitutional authority for H.R. 5803 in Article I, Section 4 of the U.S. Constitution, which grants Congress the authority to make laws governing the time, place and manner of holding Federal elections.

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