



Legislative Bulletin.....October 9, 2007

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- H.Res. 32** — Denouncing the practices of female genital mutilation, domestic violence, ‘honor’ killings, acid burning, dowry deaths, and other gender-based persecutions and expressing the sense of the House of Representatives that participation, protection, recognition, and independence of women is crucial to achieving a just, moral, and honorable society
- H.R. 400** — War Profiteering Prevention Act of 2007

Summary of the Bills Under Consideration Today

Total Number of New Government Programs: 3

Total Cost of Discretionary Authorizations: \$72 million in FY 2008 and \$348 million over the FY 2008 through FY 2012 period.

Effect on Revenue: Insignificant increase

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 3

Number of Bills Without Committee Reports: 6

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.R. 1124 — To extend the District of Columbia College Access Act of 1999 (Davis, R-VA)

Order of Business: H.R. 1124 scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1124 would reauthorize, at “such sums” as necessary, the District of Columbia Assistance Grant Program (DCTAG) for five years. The bill would prohibit students from families making more than \$1 million annually from participation in the program.

Additional Information: According to committee Report [110 – 112](#), the District of Columbia College Access Act of 1999 authorizes funding for D.C. high school graduates who attend college in other states. The Act was initially proposed and adopted in order to address D.C.’s lack of a state university system. The Committee Report states that because D.C. has no university system, residents would be likely to move to surrounding states in order to take advantage of lower tuition rates.

The program, which expired on September 30, 2007, gives grants to DC residents attending the following schools:

- any public colleges outside of DC;
- any private colleges in DC, Maryland or VA; or
- any historically black college or university.

Scholarships to students attending public schools are capped at \$10,000 per student per year, and at a \$50,000 lifetime limit per person. Private school students receive a \$2,500 maximum annual grant, with a lifetime limit of \$12,500. According to CBO, since its creation, the program has grown significantly, and D.C. has doubled the total number of high school graduates attending college.

The bill was also amended (a Coburn amendment) in the Senate to prohibit funds from going to a family that earns **more than \$1 million annually**. The unamended version of the bill was passed in the House on May 14, 2007, by a vote of [268 — 100](#).

Committee Action: H.R. 1124 was introduced on February 16, 2007, and referred to the Committee on Oversight and Government Reform. The Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, held a hearing on the bill on March 22, 2007. On March 27, 2007, the subcommittee held a markup forwarded the bill to the full committee, which held a markup on March 29, 2007, and reported the bill by voice vote. On May 14, 2007, the House passed the bill by a roll call vote of [268 — 100](#). The bill was received in the Senate on May 15, 2007, and was passed, with an amendment, by a vote of [96 — 0](#) on September 18, 2007.

Possible Conservative Concern: Some conservatives may be concerned that this federally-funded program provides tuition assistance grants only to D.C students, and that a local effort such as this should be funded by the DC government, and not taxpayers across the country. In addition, some conservatives may be concerned that the legislation authorizes \$208 million and is being considered on the suspension calendar, and is therefore not open to amendments.

RSC Bonus Fact: According to the U.S. Census Bureau, 47.9 percent of D.C. residents have bachelor's degrees or higher, which is more than any state.

Cost to Taxpayers: According to a CBO estimate, H.R. 1124 would authorize \$30 million in FY08, and \$208 million over a five year period. However, CBO also states that costs may very well exceed this amount.

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: Committee Report [110 – 112](#) cites Article I, Section 8, Clause 17 of the Constitution, which gives Congress the authority to “exercise exclusive legislation” over the District of Columbia.

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

H.R. 3308 — To designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the “Lance Corporal David K. Fribley Post Office” (Souder, R-IN)

Order of Business: The bill is scheduled for consideration on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3308 would designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the “Lance Corporal David K. Fribley Post Office.

Additional Background: According to the Department of Defense, Lance Corporal David Fribley was killed in action in Iraq, on March 23, 2003, during Operation Iraqi Freedom. Lance Corporal Fribley and nine other Marines were killed when a group of Iraqi soldiers pretended to surrender and then began firing on American soldiers near An Nasiriyah, Iraq. He was 26 years old.

Committee Action: H.R. 3308 was introduced on July 31, 2007, and was referred to the Committee on Oversight and Government Reform, which held a mark-up and reported the bill by unanimous consent on September 20, 2007.

Cost to Taxpayers: A CBO score of H.R. 3308 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

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

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

H.R. 3518 — To designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the “Charles H. Hendix Post Office Building” (Miller, Jeff, R-FL)

Order of Business: The bill is scheduled for consideration on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3518 would designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the “Charles H. Hendix Post Office Building.”

Additional Background: According to Congressional Quarterly, Charles Hendix was born, raised, and lived his entire life in Cantonment, Florida, where he worked for the post office and served as the president of the Cantonment Rotary Club. Hendix began as a mail carrier for the Cantonment post office and over his 37 year career attained the position of postmaster.

Committee Action: H.R. 3518 was introduced on September 10, 2007, and was referred to the Committee on Oversight and Government Reform, which reported the bill by unanimous consent on September 20, 2007.

Cost to Taxpayers: A CBO score of H.R. 3518 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

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

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H.R. 3530 — To designate the facility of the United States Postal Service located at 1400 Highway 41 North in Inverness, Florida, as the “Chief Warrant Officer Aaron Weaver Post Office Building” (Brown-Waite, R-FL)

Order of Business: The bill is scheduled for consideration on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3530 would designate the facility of the United States Postal Service located at 1400 Highway 41 North in Inverness, Florida, as the “Chief Warrant Officer Aaron Weaver Post Office Building.”

Additional Background: According to the Department of Defense, 32 year old Chief Warrant Officer Aaron Weaver was killed during Operation Iraqi Freedom near Fallujah.

On January 8, 2004, Chief Warrant Officer Weaver was killed when insurgents shot down his UH-60 Black Hawk helicopter.

Committee Action: H.R. 3530 was introduced on September 14, 2007, and was referred to the Committee on Oversight and Government Reform, which reported the bill by unanimous consent on September 20, 2007.

Cost to Taxpayers: A CBO score of H.R. 3530 is unavailable, but the only costs associated with a U.S. post office renaming are those for sign and map changes, none of which significantly affect the federal budget.

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

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

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

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

H.Res. 588 — Recognizing Martha Coffin Wright on the 200th anniversary of her birth and her induction into the National Women's Hall of Fame (*Arcuri, D-NY*)

Order of Business: H.Res. 588 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 588 would resolve that the House of Representatives:

- “recognizes the 200th birthday of Martha Coffin Wright;
- “recognizes the induction of Martha Coffin Wright into the National Women's Hall of Fame; and
- “honors the accomplishments of Martha Coffin Wright in her fight for equal rights for all Americans.”

The resolution lists several findings, including:

- “Martha Coffin Wright, sister of Lucretia Coffin Mott, was one of five organizers of the First Woman’s Rights Convention in Seneca Falls, New York, in 1848;
- “from this convention came the ‘Declaration of Sentiments’, an appeal for basic rights for women, modeled on the Declaration of Independence;

- “when Martha Wright helped to plan the Seneca Falls Convention, she was six months pregnant with her seventh child, epitomizing the personal strength and dedication of the participants of the women's rights movement;
- “Wright’s home in Auburn, New York, was part of the Underground Railroad; and
- “slavery was abolished in 1865 with the ratification of the Thirteenth Amendment, and women's suffrage was achieved in 1920 with the ratification of the Nineteenth Amendment.”

Committee Action: H.Res. 588 was introduced on July 21, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on October 4, and reported the resolution, as amended, by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

H.Res. 630— Congratulating the Warner Robins Little League Baseball Team from Warner Robins, Georgia, on winning the 2007 Little League World Series Championship (*Marshall, D-GA*)

Order of Business: H.Res. 630 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 630 would resolve that the House of Representatives:

- “congratulates the Warner Robins Little League Baseball Team from Warner Robins, Georgia, on winning the 2007 Little League World Series Championship; and
- “respectfully requests that the Clerk of the House transmit an enrolled copy of this resolution to the City of Warner Robins and each player, manager, and coach of the Warner Robins Little League Baseball Team.”

The resolution lists several findings, including:

- “on Sunday, August 26, 2007, the Warner Robins Little League Baseball Team from Warner Robins, Georgia, defeated the Tokyo Kitasuna Little League Team by a score of 3-2 to win the 2007 Little League World Series Championship at Williamsport, Pennsylvania;

- “this is the second straight year that a team from the State of Georgia has won the world title;
- “the championship victory of the Warner Robins Little League Baseball Team sets an example of sportsmanship, dedication, and a ‘never give up’ spirit for men and women all across the country; and
- “the achievement of the Warner Robins Little League Baseball Team is the cause of enormous pride for the Nation, the State of Georgia, and the city of Warner Robins.”

Committee Action: H.Res. 630 was introduced on September 4, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on October 4, and reported the resolution, as amended, by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

**H.Res. 687 — Celebrating the 90th birthday of Reverend Theodore M. Hesburgh, C.S.C., president emeritus of the University of Notre Dame, and honoring his contributions to higher education, the Catholic Church, and the advancement of the humanitarian mission
(Donnelly, D-IN)**

Order of Business: H.Res. 687 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 687 would resolve that the House of Representatives:

- “celebrates the 90th birthday of Reverend Theodore M. Hesburgh, C.S.C.; and
- “honors Reverend Theodore M. Hesburgh, C.S.C., for a lifetime of selfless dedication to the Catholic Church, the United States, and the University of Notre Dame.”

The resolution lists several findings, including:

- “Reverend Theodore M. Hesburgh, C.S.C., was born on May 25, 1917, in Syracuse, New York;
- “on June 24, 1943, Father Hesburgh began his service to the Catholic Church as an ordained priest of the Congregation of Holy Cross;

- “from 1952 to 1987, Father Hesburgh served as the president of the University of Notre Dame in South Bend, Indiana;
- “Father Hesburgh served as ambassador to the 1979 United Nations Conference on Science and Technology for Development, the first Catholic priest to perform a formal diplomatic role for the United States Government;
- “in 2000, Father Hesburgh became the first person in higher education to be awarded the Congressional Gold Medal; and
- “Father Hesburgh has led a life of distinguished public service and deep faith.”

Committee Action: H.Res. 687 was introduced on September 27, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on October 4, and reported the resolution, as amended, by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

**H.Res. 697 — Commending Green Bay Packers quarterback Brett Favre for establishing a National Football League record for most career touchdown passes, and for other purposes
(Kagen, D-WI)**

Order of Business: H.Res. 697 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 697 would resolve that the House of Representatives:

- “commends Green Bay Packers quarterback Brett Favre for establishing a National Football League record for most career touchdown passes;
- “recognizes Brett Favre for his outstanding community service in Wisconsin and Mississippi and his 16 consecutive years of dedicated service with the Green Bay Packers, a community-owned organization; and
- “directs the Clerk of the House of Representatives to transmit a copy of this resolution to Brett Favre, to the Green Bay Packers organization, and to the Commissioner of the National Football League.”

The resolution lists several findings, including:

- “on September 30, 2007, Green Bay Packers quarterback Brett Favre established a National Football League (NFL) record by throwing his 421st touchdown pass;

- “in addition to the career touchdown mark, Brett Favre also holds the NFL record for greatest number of wins by a starting quarterback and the NFL record for playing in the most consecutive games as a starting quarterback;
- “Brett Favre is the only 3-time winner of the NFL's Most Valuable Player Award;
- “Brett Favre and his wife, Deanna Favre, co-founded the Deanna Favre Hope Foundation, which provides assistance to women in need affected by breast cancer; and
- “Brett Favre has demonstrated that hard work and single-mindedness of purpose can bring success, and epitomizes the words of NFL Hall of Fame Coach Vince Lombardi: ‘People who work together will win, whether it be against complex football defenses, or the problems of modern society.’”

Committee Action: H.Res. 697 was introduced on October 1, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on October 4, and reported the resolution, as amended, by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

**H.Res. 654 — Congratulating the Phoenix Mercury for winning the 2007 Women's National Basketball Association (WNBA) Championship
(*Pastor, D-AZ*)**

Order of Business: H.Res. 654 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 654 would resolve that the House of Representatives “congratulates the Phoenix Mercury and Coach Paul Westhead for winning the 2007 Women's National Basketball Association Championship.”

The resolution lists several findings, including:

- “on September 16, 2007, the Phoenix Mercury won the 2007 Women’s National Basketball Association (WNBA) Championship after cruising to victory over the defending champion Detroit Shock with a strong final score of 108 to 92 in the fifth and deciding game of the series;
- “this is the Mercury’s first WNBA Championship since the team's formation in 1997 as one of the WNBA’s original 8 teams;
- “the Mercury is the first team to win the WNBA Championship on the road;

- “the city of Phoenix joins the Phoenix Mercury owner, Robert Sarver, in taking enormous pride in the accomplishment of this outstanding team.”

Committee Action: H.Res. 654 was introduced on September 17, 2007, and referred to the Committee on Oversight and Government Reform, which held a mark-up on October 4, and reported the resolution, as amended, by unanimous consent.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

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

H.R. 814 — Children’s Gasoline Burn Prevention Act (*Moore, D-KS*)

Order of Business: H.R. 814 scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 814 would require the Consumer Product Safety Commission to promulgate child-resistance standards for closures on all portable gasoline containers. The requirement, which would go into effect six months after the enactment of the bill, would be considered a product safety rule issued by the Consumer Product Safety Commission.

The bill would also require the commission to provide a report to Congress within two on the degree of industry compliance to the new standard, and enforcement actions brought to enforce the standard, and any incidents involving children interacting with portable gasoline containers.

Additional Information: According to their website, the Consumer Product Safety Commission (CPSC) is “charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency’s jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC’s work to ensure the safety of consumer products – such as toys, cribs, power tools, cigarette lighters, and household chemicals – contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.”

Committee Action: H.R. 814 was introduced on February 5, 2007, and referred to the Commerce, Trade and Consumer Protection, which held hearings on the bill on June 6.

On July 31 the bill was forwarded to the full committee, as amended, by voice vote. On September 27 a mark-up was held in the full committee and the bill was reported, as amended, by voice vote.

Cost to Taxpayers: A CBO cost estimate for H.R. 814 is unavailable.

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? A CBO score for is unavailable. However, H.R. 814 would require the Consumer Product Safety Commission to create standards for gasoline containers that would be considered a consumer product safety rule and, therefore, would impose a mandate on gasoline container manufacturers.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1699 — Danny Keysar Child Product Safety Notification Act (Schakowsky, D-IL)

Order of Business: H.R. 1699 is expected to be considered on Tuesday, October 9 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 1699 would direct the Consumer Product Safety Commission to require manufacturers of infant and toddler products to provide consumer product registration forms to assist in providing recall information of such products. The United States Consumer Product Safety Commission is an independent agency of the federal government created through the Consumer Product Safety Act created in 1972 to protect “against unreasonable risks of injuries associated with consumer products”.

H.R. 1699 would require that manufacturers of infant and toddler products:

- “provide consumers with a postage-paid consumer registration form with each such product;
- “maintain a record of the names, addresses, email addresses, and other contact information of consumers who register their ownership of such products with the manufacturer in order to improve the effectiveness of manufacturer campaigns to recall such products; and
- “permanently place the manufacturer name and contact information, model name and number, and the date of manufacture on each durable infant or toddler product.”

Such products covered under H.R. 1699 include, but are not limited to: cribs, toddler beds, high chairs, booster chairs, bath seats, gates, play yards, stationary activity centers, infant carriers, and strollers.

H.R. 1699 requires that each product manufactured contain a registration form which contains space for the consumer to provide their name, address, telephone number, and email address. The bill requires that this form be attached to the surface of each product so that the consumer must notice and handle the form after purchasing the product. H.R. 1699 requires that each form must include the manufacturer's name, model name and number for the product, and the date of manufacture, include a message explaining the purpose of the registration and designed to encourage consumers to complete the registration, include an option for consumers to register through the Internet, and requires that a statement provided by the consumer shall not be used for any purpose other than to facilitate a recall of or safety alert regarding that product. In addition, H.R. 1699 determines that the Commission may prescribe the exact text and format of the required registration form.

H.R. 1699 lists a number of findings, including:

- “Unintentional injuries are the leading cause of death among children, and for every such injury that is fatal, approximately 18 children are hospitalized and 1,250 are treated by emergency departments for such injuries that are nonfatal;
- “According to the Consumer Product Safety Commission, an average of 50 children under the age of 5 die each year in incidents associated with nursery products, and about 16 of these deaths each year are associated with cribs,
- “In 2003, an estimated 60,700 children under the age of 5 were treated in United States hospital emergency rooms for injuries associated with nursery products, and there were 10,700 injuries to children under the age of 5 years associated with strollers alone,
- “Of the 397 recalls issued by the Consumer Product Safety Commission in fiscal year 2005, 109 (or 28 percent) were children's products. Children's products were recalled, on average, over 2 times per week, and accounted for 19,635,627 individual units.”

Committee Action: H.R. 1699 was introduced on March 26, 2007, and was referred to the Committee on Energy and Commerce. On September 27, 2007, the Committee on Energy and Commerce reported the bill, as amended, by a voice vote.

Cost to Taxpayer: No CBO score available at press time.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, it sets new federal mandates on private business.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? Yes, H.R. 1699 would impose private-sector mandates by requiring labeling on infant and toddler products.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2474 — To provide for an increased maximum civil penalty for violations under the Consumer Product Safety Act (*Rush, D-IL*)

Order of Business: H.R. 2474 is expected to be considered on Tuesday, October 9 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 2474 would provide for an increased maximum civil penalty for violations under the Consumer Product Safety Act from \$1.25 million to \$20 million.

Additional Information: The Consumer Product Safety Act (CPSA), enacted in 1972, established the Consumer Product Safety Commission (CPSC). The CPSC is given the task of “protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency’s jurisdiction” by developing standards to reduce risks associated with consumer products. Additionally, the CPSC has the authority to ban products which do not follow appropriate standards, and/or authorize recalls for products that pose a risk to the public.

For more information on the CPSC, visit: <http://www.cpsc.gov/index.html>

Committee Action: H.R. 2474 was introduced on May 25, 2007, and was referred to the Committee on Energy and Commerce. On September 27, 2007, the Committee on Energy and Commerce reported the bill, as amended, by a voice vote.

Cost to Taxpayer: No CBO score 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.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1721 — Pool and Spa Safety Act (*Wasserman Schultz D-FL*)

Order of Business: H.R. 1721 is expected to be considered on Tuesday, October 9 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 1721 would establish a swimming pool safety grant program (to be administered by the Consumer Product Safety Commission) to encourage states to improve pool and spa safety laws. H.R. 1721 would also *require* the use of anti-entrapment drain covers and pool and spa drainage systems.

The bill lists the following findings:

- “of injury-related deaths, drowning is the second leading cause of death in children aged 1 to 14 in the United States;
- “many children die due to pool and spa drowning and entrapment, such as Virginia Graeme Baker, who at age 7 drowned by entrapment in a residential spa, and Preston de Ibern, who at age 5 nearly drowned and was left permanently brain damaged, finally succumbing to his catastrophic healthcare issues when he was 12 years old;
- “in 2003, 782 children ages 14 and under died as a result of unintentional drowning;
- “adult supervision at all aquatic venues is a critical safety factor in preventing children from drowning; and
- “research studies show that the installation and proper use of barriers or fencing, as well as additional layers of protection, could substantially reduce the number of childhood residential swimming pool drownings and near drownings.”

H.R. 1721 requires that the Product Safety Commission set a federal drain cover standard, to be effective 1 year after the date of enactment, that would require that “each swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States shall conform to the entrapment protection standards of the ASME/ANSI A112.19.8 performance standard, or any successor standard regulating the same.”

H.R. 1721 would establish a **new grant program** for states to “hire and train enforcement personnel for implementation and enforcement of standards under the State swimming pool and spa safety law, to educate pool construction and installation companies and pool service companies about the standards, to educate pool owners, pool operators, and other members of the public about the standards under the swimming pool and spa safety law and about the prevention of drowning or entrapment of children using swimming pools and spas, and to defray administrative costs associated with such

training and education programs.” The amount given to the states will be determined by the population and enforcement needs of each state.

H.R. 1721 authorizes \$5 million annually for FY2008 through FY2012 for this new grant program (total of **\$25 million**). This decrease from original authorization amount of \$10 million annually is due to a manager’s amendment accepted in committee.

H.R. 1721 *requires* the following new minimum safety standards for states:

- “the enclosure of all residential pools and spas by barriers to entry that will effectively prevent small children from gaining unsupervised and unfettered access to the pool or spa;
- “that all pools and spas be equipped with devices and systems designed to prevent entrapment by pool or spa drains;
- “that pools and spas built more than 1 year after the date of enactment of such statute have:
 - “more than 1 drain per circulation pump;
 - “1 or more unblockable drains per circulation pump; or
 - “no main drain; and
- “every swimming pool and spa that has a main drain, other than an unblockable drain, be equipped with a drain cover that meets the consumer product safety standard established by section 3.”

H.R. 1721 also states that the Commission requires a minimum requirement for all pools constructed with a main drain and requires that any device used to meet this requirement must meet the requirements of any applicable consumer product safety standard.

H.R. 1721 also authorizes \$5 million annually for FY2008 through FY2012 (total **\$25 million**) for the Commission to establish and carry out an education program to inform the public of methods to prevent drowning and entrapment in swimming pools and spas. The bill also requires that the Commission submit a report to Congress evaluating the effectiveness of the pool and spa safety grant program.

Additional Information: Similar legislation, S. 3718, was introduced by Senator Allen in the 109th Congress. This legislation differs in numerous ways, for example, S. 3718 recommended state minimum requirements as opposed to requiring them (as H.R. 1721 does). The House **failed to pass** S. 3718 on December 9, 2006 under suspension of the rules.

Conservative Concerns: This legislation authorizes \$50 million for two new grant and education programs to the states for pool and spa safety.

Committee Action: H.R. 1721 was introduced on March 27, 2007, and was referred to the Committee on Energy and Commerce. On September 27, 2007, the Committee on Energy and Commerce reported the bill, as amended, by a voice vote.

Cost to Taxpayer: No CBO score available at press time.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, H.R. 1721 establishes **two new grant programs and authorizes \$50 million** in new spending. In addition, this bill sets new federal standards and minimum state standard requirements on pools and spas.

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. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2553 — Public Diplomacy Resource Centers Act of 2007 (Watson, D-CA)

Order of Business: H.R. 2553 is expected to be considered on Tuesday, October 9 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 2553 would amend the State Department Basic Authorities Act of 1956 to provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions.

In addition, H.R. 2553 requires that such libraries and resource centers schedule public showings of American films that showcase American culture, society, values, and history. H.R. 2553 also states that donations may be accepted for the maintenance of libraries and that the Advisory Commission on Public Diplomacy must submit to Congress a report containing an evaluation of the functions and effectiveness of the libraries and resource centers that are authorized under H.R. 2553.

This bill authorizes such sums as may be necessary to carry out this Act.

Committee Action: H.R. 2474 was introduced on May 24, 2007, and was referred to the Committee on Foreign Affairs. No further action was taken.

Cost to Taxpayer: No CBO score 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.

Constitutional Authority: A committee report citing constitutional authority is unavailable. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 2185 — To amend the Tropical Forest Conservation Act of 1998 to provide debt relief to developing countries that take action to protect forests and coral reefs and associated coastal marine ecosystems, to reauthorize such Act through fiscal year 2010, and for other purpose (Kirk, R-IL)

Order of Business: H.R. 2185 is expected to be considered on Tuesday, October 9, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 2185 would rename, expand and reauthorize debt reduction-for-nature provisions under the Tropical Forest Conservation Act of 1998. The bill would authorize \$30 million annually through FY 2010 to carry out debt reduction agreements with qualified developing countries that agree to participate in conservancy programs.

In addition, the bill would expand the program to provide debt reduction for nations which use the funds to protect coral reefs and similar coastal marine ecosystems as well as tropical forests. H.R. 2185 would also rename the “Tropical Forest Facility” as the “Conservation Facility” and “Tropical Forest Agreement” as a “Conservation Agreement,” in order to reflect the expansion.

Additional Information: In 1991, President George H.W. Bush established the Enterprise for the Americas Initiative (EAI), to create environmental trust funds for debt-for-nature swaps in the Western Hemisphere. In 1998, Congress passed the Tropical Forest Conservation Act, which expanded the Secretary of State’s authority make debt reduction grants to developing nations that agreed to use the funds for conserving tropical forests. The program was reauthorized in 2004.

According to the Department of State, the original legislation was enacted to “offer eligible developing countries options to relieve certain official debt owed the U.S. while at the same time generating funds to support local tropical forest conservation activities.” Current participating countries include Bangladesh, Belize, Botswana, Colombia, El Salvador, Guatemala, Jamaica, Panama, Paraguay, Peru, and the Philippines. According to USAID, these agreements will generate \$135 million for tropical forest conservation over the next 10 – 25 years. To date, U.S. government expenditures for debt reduction have totaled nearly \$83 million since 1998.

For more information on the EAI and the Tropical Forest Conservation Act, [click here](#).

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 2185 would authorize \$90 million over three years to reauthorize and expand debt reduction authority under the Tropical Forest Conservation Act of 1998.

Committee Action: H.R. 2185 was introduced on May 7, 2007 and referred to the Committee on Foreign Affairs. On July 31, 2007, a mark-up was held and the bill was reported, as amended, by unanimous consent.

Cost to Taxpayer: A CBO score for H.R. 2185 is currently unavailable. However, the bill would authorize \$30 million in FY 2008 and **\$90 million over the FY 2008 – FY 2010 period.**

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the bill would expand debt reduction authority under the Tropical Forest Conservation Act of 1998 to conservancy programs for coral reefs and similar coastal marine ecosystems

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. However, House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.Res. 405 — Expressing the strong support of the House of Representatives for implementation of the July 8, 2006, United Nations-brokered agreement between President of the Republic of Cyprus Tassos Papadopoulos and Turkish Cypriot leader Mehmet Ali Talat relating to the reunification of Cyprus (Bilirakis, R-FL)

Order of Business: H.Res. 405 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 405 would express the sense that the House of Representatives:

- “expresses its support for the immediate implementation of the July 8, 2006, agreement as the way forward to prepare for new comprehensive negotiations leading to the reunification of Cyprus within a bi-zonal, bi-communal federation as set out in the relevant United Nations Security Council resolutions; and

- “calls upon the United States Government to fully support the immediate implementation of the July 8, 2006, agreement in its entirety and without deviation from that process.”

H. Res. 405 lists numerous findings, including the following:

- “in recognition that any future efforts for a solution of the Cyprus problem need to be carefully prepared, President of the Republic of Cyprus Tassos Papadopoulos and former United Nations Secretary-General Kofi Annan met on February 28, 2006, in Paris, and reiterated that, ‘the resumption of the negotiating process within the framework of the Secretary General’s Good Offices must be timely and based on careful preparation’;
- “on July 8, 2006, President Papadopoulos and Turkish Cypriot leader Mehmet Ali Talat, agreed, under the auspices of the United Nations Under Secretary-General Ibrahim Gambari, to a set of principles to begin a process of bi-communal discussions;
- “the set of principles agreed to are--
 - commitment to the unification of Cyprus based on a bi-zonal, bi-communal federation and political equality, as set out in the relevant United Nations Security Council resolutions;
 - recognition of the fact that the status quo is unacceptable and that its prolongation would have negative consequences for the Turkish and Greek Cypriots;
 - commitment to the proposition that a comprehensive settlement is both desirable and possible, and should not be further delayed;
 - agreement to begin a process immediately, involving bi-communal discussion of issues that affect the day to day life of the people and concurrently those that concern substantive issues, both of which will contribute to a comprehensive settlement; and
 - commitment to ensure that the ‘right atmosphere’ prevails for this process to be successful; in that connection, confidence-building measures are essential, both in terms of improving the atmosphere and improving the life of all Turkish and Greek Cypriots; and also in that connection, an end must be put to the so-called ‘blame game’;
- “according to the agreement, technical committees and working groups would be set up to examine and discuss issues that affect day-to-day life of the people of Cyprus and concurrently those that concern substantive issues, thus contributing to a comprehensive settlement of the Cyprus problem;
- “on March 27, 2007, the United Nations Security Council in a statement on Cyprus indicated that, ‘the members of the Security Council urge both communities to work with the United Nations to implement the 8 July 2006 agreement, in particular through the immediate creation of bi-communal working groups and technical committees in order to prepare the ground for full-fledged negotiations leading to a comprehensive and durable settlement’;
- “the United States has long supported fostering the reunification of Cyprus within a bi-zonal, bi-communal federation, and within a process that is led by the United

- Nations, thereby consistent with the intended aim of the July 8, 2006, agreement, and as set out in the relevant United Nations Security Council resolutions;
- “although the Government of the Republic of Cyprus committed itself to the immediate implementation of the July 8, 2006, agreement, recent statements made by the Turkish Cypriot leadership indicate an unwillingness to proceed with the agreement.”

Committee Action: H.Res. 405 was introduced on May 15, 2007, and was referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill, as amended, by unanimous consent on September 27, 2007.

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. 651 — Recognizing the warm friendship and expanding strategic relationship between the United States and Brazil, commending Brazil on successfully reducing its dependence on oil by finding alternative ways to satisfy its energy needs, and recognizing the importance of the March 9, 2007, United States-Brazil Memorandum of Understanding (MOU) on biofuels cooperation (*Engel, D-NY*)

Order of Business: H.Res. 651 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

Summary: H.Res. 651 would express the sense that the House of Representatives:

- “recognizes that the United States and Brazil have arrived at the point of a strategic confluence of interests and urges President George W. Bush to continue to deepen the bilateral relationship between the two countries;
- “recognizes Brazil’s role as a leader in the Western Hemisphere and commends its leadership of the United Nations Stabilization Mission (MINUSTAH) in Haiti;
- “commends Brazil for successfully diversifying its energy resources and reducing its dependence on oil;
- “recognizes that the United States has arrived at the point of a strategic confluence of interests with Brazil and welcomes continued development in the bilateral relationship between the two countries;

- “strongly supports the March 9, 2007, United States-Brazil Memorandum of Understanding (MOU) on biofuels as a major step forward in bilateral relations, hemispheric integration, and energy diversification;
- “commends joint efforts by the United States and Brazil for their commitment to use expertise to provide technical assistance for biofuels industries in third countries, currently including the Dominican Republic, El Salvador, Haiti, and St. Kitts and Nevis; and
- “encourages United States and Brazilian officials to quickly identify additional countries in the Western Hemisphere to receive technical assistance related to biofuels.”

H. Res. 651 lists numerous findings, including the following:

- “following the oil shock of the early 1970s, Brazil chose to reduce its energy vulnerability by choosing sugar-based ethanol to diversify its energy sector and power its automobiles;
- “with large private and public investments and support from the World Bank, Brazil greatly expanded the amount of sugarcane it produced and began large-scale construction of alcohol distilleries to process sugar into ethanol;
- “decades of state investment have helped Brazil become the world's largest consumer and producer of ethanol from sugar cane;
- “ethanol supplies 40 percent of the motor fuel used in Brazil and is extremely competitive with gasoline;
- “the transition towards biofuels will have a positive impact on the environment and will help reduce greenhouse gases;
- “by the end of 2006, 80 percent of new car sales in Brazil were flex-fuel, meaning that they can run on ethanol, gasoline, or any mixture of both;
- “Brazil stands out as the leading example of a country that has diversified its energy supply and become a net exporter of energy, in large part by increasing its use and production of alternative energy sources, including ethanol;
- “putting the United States on a path toward ending its addiction to oil, as Brazil has done, by investing in clean alternative energy sources is essential in protecting United States national security, the environment, and the stability of the United States economy;
- “on March 9, 2007, the United States and Brazil--the world’s two largest ethanol producing countries--signed a Memorandum of Understanding (MOU) to promote greater cooperation on ethanol and biofuels in the Western Hemisphere;
- “the United States-Brazil MOU involves technology-sharing between the United States and Brazil, feasibility studies and technical assistance to build domestic biofuels industries in third countries, and multilateral efforts to advance the global development of biofuels;
- “United States President George W. Bush and Brazilian President Luiz Inacio ‘Lula’ da Silva have met twice in 2007 as visible examples of the expanding warm relations and close ties between the United States and Brazil;
- “Secretary of State Condoleezza Rice has said that the United States looks to Brazil as a ‘regional leader and a global partner’ .”

Committee Action: H.Res. 651 was introduced on September 17, 2007, and was referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill, as amended, by unanimous consent on September 27, 2007.

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. 32 — A resolution denouncing the practices of female genital mutilation, domestic violence, ‘honor’ killings, acid burnings, dowry deaths, and other gender- based persecutions, and expressing the sense of the House of Representatives that participation, protection, recognition, and equality of women is crucial to achieving a just, moral and peaceful society (*Jackson-Lee, D-TX*)

Order of Business: H.Res. 32 is scheduled to be considered on Tuesday, October 9, 2007, under a motion to suspend the rules and pass the resolution.

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

- denounces the barbaric practices of female genital mutilation, domestic violence, “honor” killings, acid burning, dowry deaths, and other gender-based persecutions and crimes;
- “asserts that women are not chattel, should not be trafficked, exploited, or sold for services, and should not be denied the right to education, to ownership of property, or to participate in full, economic, social and political life;
- “demands the cessation of these barbaric practices and the dismantling of social and institutional mechanisms which perpetuate systematic discrimination against women and girls;
- “calls on all governments to pass enforceable laws banning these practices, prosecute any individuals who persecute or violate women and girls with these acts, and pass measures to empower women and girls and afford them equal access to educational, social, and economic opportunities; and
- “calls on the President and fellow donor countries to promote the rights, health, and empowerment of women in every aspect of their foreign assistance to developing countries, and discourage continued acts of violence against women and the impunity that often accompanies these acts; and
- “it is the sense of the House of Representatives that—

- participation, protection, recognition,
- health, and equality of women and girls are crucial to achieving a just, moral, and peaceful society; and
- regardless of religion, geography, or form of government, women should not be denied their human rights, and those rights must be defended and enforced when they are abridged, challenged, or violated.

H. Res. 651 lists the following findings:

- “human rights violations against women occur around the world and are not limited to times of war, and have been committed for political gain, personal advantage, ethnic hatred, and in the name of deities and fundamentalist religious zeal;
- “in many parts of the world, there is a culture of violence and discrimination which denies women rights equal to those of men and which legitimizes the exploitation of women for personal gratification, political purposes, and financial gain;
- “despite the fact that in 1998, the United Nations International Criminal Tribunal for Rwanda set a precedent in international law by establishing and prosecuting rape and sexual violence in times of violent conflict as war crimes and crimes against humanity, the rape of women continues to be used as an instrument of armed conflict in the 21st century;
- “former Bangladeshi Prime-Minister Sheikh Hasina acknowledged that every year in Bangladesh up to 200 women are horribly disfigured by acid attacks by their spurned husbands or suitors, leaving many of them blind, deaf, or dead;
- “according to Amnesty International, 6,000 women are subjected to genital mutilation each day in North Africa, and 135,000,000 women, in at least 46 other countries, have undergone female genital mutilation worldwide;
- “Time Magazine reports that about 25,000 women in India each year are doused with gasoline, set on fire, and burned to death because their marriage dowries are deemed too small, and four out of five of these attacks are not reported to or recorded by law enforcement agencies;
- “in many societies baby girls are denied food, drowned, suffocated, abandoned, or their spines are broken simply because they are born girls;
- “in China, where the male-child is traditionally prized above the female, the “one-child” state policy has multiplied the rate of abandonment, sex-selective and forced abortion and female infanticide, and yielded a skewed population demographic;
- “Chinese demographics have exacerbated the abduction, trafficking, and sale of Asian women and girls for the purposes of sex slavery and forced marriage;
- “Amnesty International estimates that this year, more than 15,000 women will be sold as sexual slaves in China;
- “according to World Bank figures, at least one in five women and girls around the world has been beaten or sexually abused in her lifetime;
- “the 2002 Parliamentary Assembly of the Council of Europe estimates that the leading cause of death worldwide among women ages 14 through 44 is the

violence to which they are subjected in their own homes, and in the Russian Federation alone, every day 36,000 women are beaten by their husbands or partners;

- “in the United States, every day four women die as a result of domestic violence, every year more than half a million women are battered, every year 4,000,000 women are physically abused by their husbands or domestic partners, one-third of American women report physical or sexual abuse by a husband or boyfriend at some point in their lives, over 324,000 pregnant women are victims of intimate partner violence annually, the majority of welfare recipients have experienced domestic violence as adults, and domestic violence causes 100,000 days of hospitalization, 30,000 emergency room visits, and 40,000 visits to a doctor each year;
- “the theme for the 2007 United Nations International Women’s Day was ‘Ending Impunity for Violence Against Women and Girls’”;
- “UNAIDS asserts that the best way to prevent HIV is to raise the status of women because a woman’s vulnerability to HIV infection is in direct proportion to her lack of control over the risks of infection;
- “the inequalities between women and men have persisted and major obstacles remain, with serious consequences for the well-being of all people;
- “the situation of women is exacerbated by the extreme poverty that affects the lives of the majority of the world’s people, in particular women and children;
- “families rely on mothers and wives for emotional support, labor, and income needed to raise healthy children and care for other relatives;
- “according to the United Nations, nearly 70 percent of the people who live in abject poverty are women and women perform two-thirds of the world’s work, earn less than five percent of its income, and own less than one percent of its property;
- “democracy, political stability, and economic development are linked to the welfare of women and children, yet the United Nations estimates that three of every four illiterate adults in the world are women and two-thirds of children denied primary education are girls;
- “the exclusion of women from the political process in many countries makes them even more vulnerable to abuse;
- “as long as women and girls are undervalued, overworked, and subjected to violence in and out of their homes, the potential of the human family to create a peaceful, prosperous world will not be realized; and
- “the leadership of women is strongly linked to social justice, economic prosperity, political stability, peaceful relations, and a healthy population.”

Committee Action: H.Res. 651 was introduced on January 5, 2007, and was referred to the Committee on Foreign Affairs, which held a mark-up and reported the bill, as amended, by unanimous consent on July 31, 2007.

Additional Information: New text of H.Res. 32 was provided to the RSC on Monday morning by Republican Foreign Affairs Staff. A previous version of the resolution contained language affirming the Convention on the Elimination of All Forms of

Discrimination against Women (CEDAW). The language previously available online had language stating, “the United States should renew consideration of and ratify its signature on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).” Had this language been maintained, some conservatives may have been concerned about resolving to ratify and renew CEDAW for numerous reasons.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is seen by many, including the National Right to Life, as an assault on pro-life laws and a tool used to weaken protections for unborn children. CEDAW is commonly cited by pro-abortion lobbying groups as requiring abortion on demand and is cited as legal evidence for organizations such as the Center for Reproductive Rights in cases regarding access to abortion services. CEDAW can be used to assert an international obligation on federal and state governments to provide public funding for abortion, as well as to advance the pro-abortion agenda in numerous other capacities.

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.R. 400 — War Profiteering Prevention Act of 2007 *(Abercrombie, D-HI)*

Order of Business: H.R. 400 is expected to be considered on Tuesday, October 9, 2007, on a motion to suspend the rules and pass the bill.

Summary: H.R. 400 would increase penalties for any individual who knowingly defrauds the U.S. Government in any matter involving contracts for the provision of goods or services for an overseas mission and increase federal jurisdiction to prosecute such cases.

The legislation would increase punishments for knowingly defrauding or overvaluing goods with the intent of defrauding the U.S. to no more than 20 years in prison and a fine of \$1 million. The bill also increases the maximum penalty for intentionally making false statements in an attempt to conceal any fraudulent activity to 10 years in prison and a fine of \$1 million.

In addition, H.R. 400 would create an extraterritorial federal jurisdiction for U.S. civilian courts to prosecute fraud cases overseas.

Additional Information: According to House Report [110 – 353](#), war profiteering and reconstruction fraud have become very considerable problems since U.S. military efforts began in Iraq and Afghanistan. Contractors have been used and relied upon in these two U.S. missions more than any other foreign engagements in our nation’s history. The Committee’s report states that “the exigencies of war overseas, however, often make oversight of these contractors more difficult, and expenditures are often made with fewer audit and other controls than during normal government procurement.” As a result, Inspectors General have investigated many cases of waste, fraud, and abuse but have garnered few prosecutions have come about. This, according to the report, is because no “federal law provides enhanced criminal punishment for fraudulent acts during times of war, or relief or reconstruction activities.” H.R. 400 would increase penalties for those convicted of committing such crimes and give federal prosecutors jurisdiction to pursue such cases.

Committee Action: H.R. 400 was introduced on January 11, 2007 and referred to the Committee on the Judiciary, which referred the bill to the Subcommittee on Crime, Terrorism, and Homeland Security. On July 24, 2007, the subcommittee held a mark-up was reported to the full committee by voice vote. On August 1, 2007, the committee held a mark-up and reported the bill, as amended, by voice vote.

Cost to Taxpayer: According to CBO, new penalties and crimes under H.R. 400 would apply to relatively small amount of offenders; therefore small increased cost for law enforcement would be insignificant. CBO estimates that the federal government might collect additional fines, which would be treated as revenues, but the increases would not be significant.

Does the Bill Expand the Size and Scope of the Federal Government? Yes, the bill creates new crimes for defrauding U.S. overseas operations and creates new standards for punishment.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates? The Judiciary Committee, in House Report [110 – 353](#) asserts that, “In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 400 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: House Report [110 – 353](#) cites constitutional authority in article 1, section 8, clauses 10, 14, 16, and 18 of the Constitution. (Clause 10 states that Congress has the power to define and punish felonies at sea and against the Law of Nations; Clause 14 states that Congress has the power to make rules for the government and regulation of the land and naval forces; Clause 16 states that the Congress has the power to provide for the organization, arming, and disciplining of the militia; and Clause 18 states that Congress has the power to make all laws which are necessary and proper for carrying into execution all powers vested by the Constitution).

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