



Legislative Bulletin.....June 6, 2006

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 4

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

H.R. 5126 — Truth in Caller ID Act of 2006 — *as amended* (Barton, R-TX)

Order of Business: The bill is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the bill, as amended.

Summary: H.R. 5126 would amend the Communications Act of 1934 (47 U.S.C. 227) to prohibit any person in the U.S., in connection with any telecommunication service or VOIP (voice over Internet protocol) service, to cause any caller identification service to “transmit misleading or inaccurate caller identification information, with the intent to defraud or cause harm.” The bill directs the Federal Communications Commission (FCC) to promulgate regulations to carry out this Act within six months of enactment.

Committee Action: H.R. 5126 was introduced on April 6, 2006, and referred to the Committee on Energy and Commerce’s Subcommittee on Telecommunications and the Internet. A hearing and mark-up were held on May 24, 2006, and the bill was reported to the House by voice vote the same day.

Cost to Taxpayers: A CBO score of H.R. 5126 is unavailable, but the bill does not authorize new expenditures.

Does the Bill Expand the Size and Scope of the Federal Government?: The bill creates a new federal law.

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

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

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S. 193 — Broadcast Decency Enforcement Act – as received (Sen. Brownback, R-KS)

Order of Business: The bill is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the bill.

A very similar bill, H.R. 310, passed the House by a vote of 389-38 on February 16, 2005:
<http://clerk.house.gov/evs/2005/roll035.xml>.

Summary: S. 193 would amend the Communications Act of 1934 (47 U.S.C. 503) to add a new provision for broadcast station licensees or permittees or an applicant that is found by the FCC to have broadcast obscene, indecent or profane language to be fined up to \$325,000 for each

violation or each day of a continuing violation (up from the current maximum of approximately \$25,000). The bill sets the maximum fine allowed for a single act (or failure to act) at \$3 million.

Additional Information: According to the Committee, federal law specifically prohibits the utterance of any obscene, indecent or profane language by means of radio communication (18 U.S.C. 1464), and the FCC is charged with enforcing this statute (47 U.S.C. 503). By regulation, the FCC prohibits the broadcast of obscene material at any time, and indecent material during the hours of 6 a.m. to 10 p.m. (47 C.F.R. 73.3999), the time period when children are most likely to be watching television and listening to the radio. According to the FCC, it issued \$440,000 in indecency-related fines in 2003, \$3.658 million in 2004, \$0 in 2005, and \$3.702 in 2006.

The House-passed bill, H.R. 310, included several additional provisions and criteria for the FCC to use in considering culpability for a violation, all of which are not included in S. 193. To view the Legislative Bulletin for H.R. 310, please visit:

<http://www.house.gov/pence/rsc/doc/LB%2002-16-05.pdf>.

Administration Policy: A Statement of Administration Policy (SAP) is not available for S. 193. However, regarding H.R. 310, the Administration strongly supported passage and stated: “this legislation will make broadcast television and radio more suitable for family viewing by giving the Federal Communications Commission the authority to impose stiffer penalties on broadcasters that air obscene or indecent material over the public airwaves.” To view the SAP for H.R. 310, please visit: <http://www.whitehouse.gov/omb/legislative/sap/109-1/hr310sap-h.pdf>

Committee Action: S. 193 was introduced on January 26, 2005, and referred to the Senate Committee on Commerce, Science, and Transportation, which reported it to the full Senate by unanimous consent on May 18, 2006. The Senate passed S. 193 the same day by unanimous consent, and it was referred to the House Committee on Energy and Commerce, which took no official action.

Cost to Taxpayers: A CBO score of S. 193 is unavailable, but the bill does not authorize new expenditures. However, in an estimate for H.R. 310, CBO estimated that federal revenues resulting from the penalties in the bill (which are higher than the S. 193) would increase by less than \$500,000 in 2005 and by approximately \$1 million per year over the 2006-2010 period (\$5 million total). According to the FCC, it issued \$440,000 in indecency-related fines in 2003, \$3.658 million in 2004, \$0 in 2005, and \$3.702 in 2006.

Does the Bill Expand the Size and Scope of the Federal Government?: No. The bill increases current fines and penalties for FCC violations and modifies existing requirements for the FCC's annual report.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to CBO's estimate for H.R. 310, this bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would be unlikely to impose costs on state, local, and tribal governments, nor does it contain any new private-sector mandates.

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

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H. Res. 265 — Supporting the Goals and Ideals of National Osteoporosis Awareness and Prevention Month — *as amended (Berkley, D-NV)*

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>)

This resolution resolves that Congress supports the ideals and goals of the day, and urges the United States to observe appropriate programs and activities with respect to the day. Because the resolution merely states support for, and urges action on, but does not establish a commemorative day, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H. Res. 265 makes May 2005 National Osteoporosis Awareness and Prevention Month. According to the sponsor’s office, the resolution is being amended to apply to 2006. The resolution also resolves that Congress:

- “supports the goals and ideals of National Osteoporosis Awareness and Prevention Month;” and
- “urges the people of the United States to observe appropriate programs and activities with respect to osteoporosis, including talking with their health care professionals about their bone health.”

The resolution also states a number of findings, including the following:

- “osteoporosis, a disease characterized by low bone mass, structural deterioration of bone, and increased susceptibility to fractures, is a public health threat for an estimated 44 million Americans;”
- “in the United States, 10 million individuals already have the disease and almost 34 million more are estimated to have low bone mass, placing them at increased risk for osteoporosis;”
- “one in two women and one in four men over age 50 will have an osteoporosis-related fracture in her or his remaining lifetime;”
- “osteoporosis is responsible for more than 1.5 million fractures annually;” and
- “the Surgeon General of the Public Health Service says that caring for bone fractures from osteoporosis costs America \$18 billion annually.”

Additional Information: The National Osteoporosis Foundation (www.nof.org), a member organization of the National Health Council (www.nationalhealthcouncil.org), is the impetus behind National Osteoporosis Awareness and Prevention Month. The National Osteoporosis Foundation “accepts support from a wide breadth of diversified sources, including individuals, foundations, government sources and corporations.” (<http://www.nof.org/aboutnof/>)

Committee Action: H. Res. 265 was introduced on May 5, 2005. The resolution was referred to the House Committee on Energy and Commerce’s Subcommittee on Health on May 13, 2005, which took no official action.

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.

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H. Res. 833 — Expressing the sense of the House of Representatives with regard to the importance of National Women’s Health Week, which promotes awareness of diseases that affect women and which encourages women to take preventive measures to ensure good health — as introduced (Hinchey, D-NY)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006 under a motion to suspend the rules and pass the resolution.

The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>).

This resolution states that Congress recognizes the importance of National Women’s Health Week. Because the resolution merely states support for, and urges action on, but does not establish a commemorative week, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H. Res. 833 resolves that the House:

- “recognizes the importance of preventing diseases that commonly affect women;”
- “calls on the people of the United States to use National Women’s Health Week as an opportunity to learn about health issues that face women;”
- “calls on the women of the United States to observe National Women’s Check-Up Day by receiving preventive screenings from their health care providers; and”

- “recognizes the importance of federally funded programs that provide research and collect data on common diseases in women and highlight racial disparities in the rates of these diseases.”

The resolution also states a number of findings, including the following:

- “significant **disparities exist in the prevalence of disease among women of different backgrounds**, including women with disabilities, African American women, Asian/Pacific Islander women, Latinas, and American Indian/Alaska Native women;” and
- “healthy habits should begin at a young age, and **preventive care saves Federal dollars designated to health care, it is important to raise awareness among women and girls of key female health issues.**”

Additional Information: The week is an effort by the Department of Health and Human Services (source: <http://www.4woman.gov/whw/>).

Possible Conservative Concerns: The resolution makes the anti-free market statement that federal funds are important to provide research and data collection. The health week is declared as a federal solution to a federally created problem: HHS proposes preventative care to save federal dollars spent on health care. If the federal government did not designate funds for health care, there would be no need to try to save on medical costs.

Committee Action: H. Res. 833 was introduced on May 23, 2006, and referred to the House Committee on Energy and Commerce, which took no official action.

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.

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H.R. 5449—To amend title 49, United States Code, to modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration (LaTourette, R-OH)

Order of Business: The bill is scheduled to be considered on Tuesday, June 6th, under a motion to suspend the rules and pass the bill. The recorded vote, if requested, will be rolled to Wednesday.

Summary: H.R. 5449 would permanently repeal, as of April 1, 2006, the provision of current law that automatically implements the Federal Aviation Administration’s (FAA) labor contract proposal for the exclusive bargaining representatives for the relevant FAA employees (in this

case the National Air Traffic Controllers Association (NATCA)) when mediation services fail to secure a labor contract agreement and when each side's latest proposal has laid over for 60 days.

The repealed provision is paragraph 2 of section 40122(a) of title 49, United States Code, which reads as follows (with RSC staff clarifications in brackets):

If the Administrator [of the FAA] does not reach an agreement under paragraph (1) [see below] with the exclusive bargaining representatives, the services of the Federal Mediation and Conciliation Service shall be used to attempt to reach such agreement. If the services of the Federal Mediation and Conciliation Service do not lead to an agreement, the Administrator's proposed change to the personnel management system shall not take effect until 60 days have elapsed after the Administrator has transmitted the proposed change, along with the objections of the exclusive bargaining representatives to the change, and the reasons for such objections, to Congress. The 60-day period shall not include any period during which Congress has adjourned *sine die*.

Paragraph one, as referenced above, requires the FAA to negotiate with the exclusive bargaining representatives for the relevant employees when seeking to change the labor contract agreement implemented on April 1, 1996.

Additional Background: In September 2005, the labor contract between the FAA and NATCA "expired," and since then the two sides have been in negotiations for a new contract. The "expired" contract, including its automatic pay increases, has remained in effect.

On April 3, 2006, after mediation failed to yield an FAA-NATCA agreement, the final FAA proposal (along with NATCA's objections) were transmitted to Congress, starting the 60-day clock running (as described above). Yesterday, June 5, 2006, the 60 days had passed and thus **the FAA announced that it will implement its contract proposal beginning today**, as allowed under current law.

H.R. 5449 would **undo** the implementation of this new contract, restore the old contract (that had technically expired in September 2005), and send the negotiations (and any future ones) to binding arbitration by the Federal Services Impasses Panel (thereby removing Congress and the presidential administration from having a final say over FAA's labor contracts).

The FAA is the only large federal agency that is required by law (as of 1996) to bargain with its unions.

Highlights of the proposals (as reported by the U.S. Department of Transportation) are as follows:

FAA Proposal

- Maintains salaries and benefits of all existing controllers.
- Average total compensation for controllers rises over five years from \$166,000 to \$187,000.
- Introduces a new pay scale for new-hires, gradually putting controllers on par with FAA safety inspectors, airways technicians, and other such professionals.

- New controllers will build to an average total compensation package of \$127,600 over five years.
- Transitions to merit-based pay increases (instead of the current automatic increases).
- Preserves the vast majority of premium pay, while eliminating the 10% extra locality pay and the 10% bonus for watching the floor during supervisor breaks (even on one-man shifts).
- Allows FAA to reduce controller staffing on holidays when traffic falls, require full staffing during busier travel times, and qualitatively determine breaks (based on things like safety needs at the time).
- Requires at least business casual attire at work.

NATCA Proposal

- Freezes salaries for all controllers and new hires in the first year.
- Subsequently increases average total compensation for all controllers to \$190,400 by FY2011.
- Adds new benefits, such as \$60,000 per person student loan repayment and 100% payment for unused vacation time.
- New controllers will build to an average total compensation package of \$170,700 by FY2011 (which would continue to exceed all other FAA trainees).
- Maintains automatic pay raises (thereby rejecting merit-based compensation).
- Keeps current rules that prevent salary reductions to correspond with falling traffic at certain airports.
- Preserves all of the current premium pay provisions, including the 10% extra locality pay and the 10% bonus for watching the floor during supervisor breaks (even on one-man shifts).
- Guarantees overtime pay any time a controller comes in early or stays late (regardless of how many hours they actually work).
- Prevents supervisors from matching staffing levels to actual air traffic.
- Allows vacations during high-volume times.
- Requires extra compensation if controllers are held past their break time (even if done without lengthening the total workday).
- Permits casual dress on the job, except if given 48 hours notice of “dignitary” visits.

One of NATCA’s largest objections is that the FAA proposal would give a less favorable compensation package to new air traffic controllers (since the FAA proposal would retain the current compensation packages only for *current* controllers).

The FAA reports that the average compensation package for controllers each year is \$166,000 (\$113,600 base pay plus locality adjustments, \$37,400 benefits, \$15,000 premium, i.e. overtime and holiday, pay). The FAA also reports that average base pay for controllers has increased 75% since 1998 and that the total annual compensation for controllers averages almost \$49,000 more than such compensation for all other FAA employees. The automatic pay increases for controllers have averaged 10.71% a year since 1998 (higher than the rest of the FAA and the rest of the civil service). The top 100 controllers reportedly make an average of \$197,000 excluding benefits, which is more than the FAA Administrator, every Cabinet Secretary, all U.S. House Members, and all U.S. District Court judges.

NOTE: The air traffic controllers went on an illegal strike in 1981, prompting President Ronald Reagan to fire over 11,000 of them.

Committee Action: On May 22, 2006, the bill was referred to the Transportation and Infrastructure Committee, which took no official action on it.

Administration Position: Sources report that the Administration will release a veto threat of H.R. 5449.

Cost to Taxpayers: While this legislation would not yield any cost to taxpayers *per se* (because it doesn't specify what the final contract must look like), the FAA reports that NATCA's contract proposal would cost \$600 million more than the FAA's contract proposal over five years—and \$3.7 billion more over ten years. A CBO score 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?: No.

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

Outside Organizations: Entities who have expressed opposition to this legislation (or the principles underpinning this legislation) include the Heritage Foundation, *The Wall Street Journal* editorial page, Americans for Tax Reform, the National Taxpayers Union, the American Conservative Union, the U.S. Chamber of Commerce, Citizens against Government Waste, the Air Transport Association (representing all major airlines), and the American Association of Airport Executives. Most of the conservative organizations just listed have indicated that they will vote-score against this legislation.

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H. Con. Res. ____ — Supporting the Goals and Ideals of Vigil for Lost Promise Day — *as reported* (Davis, R-VA)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>)

This resolution resolves that Congress supports the ideals and goals of the day. Because the resolution merely states support for, but does not establish a commemorative day, the parliamentarian's office has ruled that it is allowable under House rules.

Summary: H. Con. Res. ___ also resolves that "Congress supports the goals and ideals of the Vigil for Lost Promise day."

The resolution also states a number of findings, including the following:

- "over 26,000 citizens die from the effects of drug abuse each year;"
- "drug abuse costs society over \$60 billion in social costs and lost productivity;"
- "the stigma of drug abuse and the cloak of denial keep many individuals and families from dealing with the impact of drugs;" and
- "law enforcement, public health and research organizations, community coalitions, drug prevention outreach organizations, individual parents, siblings, friends, and concerned citizens are joining together on June 8, 2006, in a Vigil for Lost Promise, to call public attention to the tremendous promise which has been lost with the deaths of those affected by drugs."

Additional Information: Vigil for Lost Promise Day is an effort by the Drug Enforcement Administration's Office of Diversion Control

(source: <https://www.deadiversion.usdoj.gov/webforms/candlelightRegister.jsp>).

The DEA diversion effort should not be confused with an almost identical anti-enforcement website (<http://www.vigilforlostpromise.org/>).

Committee Action: H. Con. Res. ___ was introduced on June 6, 2006. No committee action has been taken.

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.

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H.Res. 763 — Supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes — *as introduced* (Davis, R-VA)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

Note: The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>).

The resolution states in the findings that “Congress urges the establishment of January, 2006 as National Stalking Awareness Month.” Because the resolution urges and does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Res. 763 resolves that the House of Representatives supports the following goals and ideals of a National Children and Families Day to:

- “encourage adults to support, listen to, and encourage children throughout the Nation;
- “reflect upon the important role that all families play in the lives of children; and
- “recognize that strong, healthy families improve the quality of life and the development of children.”

Additional Information: The resolution lists a number of findings, including the following:

- “research shows that spending time together as a family is critical to raising strong and resilient kids;
- “strong healthy families improve the quality of life and the development of children;
- “it is essential to celebrate and reflect upon the important role that all families play in the lives of children and their positive effect for the Nation’s future; and
- “the country’s greatest natural resource is its children.”

Committee Action: H.Res. 763 was introduced on April 5, 2006 and was referred to the Committee on Government Reform, which considered it, held a mark-up, and reported the bill by unanimous consent on May 4, 2006.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

RSC Staff Contact: Joelle Cannon; joelle.cannon@mail.house.gov, (202) 226-0718.

H.Res. 753 — Commending American Craft Brewers — *as reported* **(Boehlert, R-NY)**

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

Note: The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a

remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>).

The resolution states in the findings that “Congress urges the establishment of January, 2006 as National Stalking Awareness Month.” Because the resolution urges and does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Res. 753 resolves that the House of Representatives:

- “supports the establishment of American Craft Beer Week as a celebration of the contributions that American craft brewers have made to the Nation’s communities, economy, and history; and
- “commends American craft brewers for providing jobs, improving the balance of trade, supporting American agriculture, and educating Americans about the history and culture of beer while promoting the responsible consumption of beer as a beverage of moderation.”

Additional Information: The resolution lists a number of findings, including the following:

- “American craft brewers are a vibrant affirmation and expression of American entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 33,000 workers;
- “the United States has craft brewers in every State and more than 1,300 craft brewers nationwide;
- “American craft brewers promote the Nation’s spirit of independence through a renaissance in hand-crafted beers like those first brought to colonial shores by European settlers and produced here by the Nation’s founding fathers, including George Washington and Thomas Jefferson, for the enjoyment of the citizenry;
- “American craft brewers strive to educate legal drinking-age Americans about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, as well as historic brewing traditions, beer history, and gastronomic qualities of beer;
- “American craft brewers produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made the United States the envy of every beer-drinking nation in the world, thereby contributing to balanced trade by reducing American dependence on imported beers, supporting American exports, and promoting United States tourism;
- “in 2006, American craft brewers recognize the week of May 15-21 as American Craft Beer Week and mark it as a time to educate Americans about craft beer and celebrate the contributions that American craft brewers have made to the Nation’s communities, economy, and history.”

Committee Action: H.Res. 753 was introduced on April 4, 2006 and was referred to the Committee on Government Reform, which considered it, held a mark-up, and reported the bill by unanimous consent on May 4, 2006.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

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H.Res. 729 — Supporting National Tourism Week — *as reported* (Foley, R-FL)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

Note: The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance, celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>). The resolution states in the findings that “Congress urges the establishment of January, 2006 as National Stalking Awareness Month.” Because the resolution urges and does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H.Res. 729 resolves that the House of Representatives:

- “supports National Tourism Week; and
- “requests that the President issue a proclamation calling upon the people of the United States and interested groups to observe National Tourism Week with appropriate ceremonies and activities.”

Additional Information: The resolution lists a number of findings, including the following:

- “travel and tourism has a major impact on the economy of the United States as the 3rd largest retail sales industry in the Nation;
- “1 out of every 7 people employed in the United States civilian labor force is directly or indirectly employed in the travel and tourism industry;
- “international travel to the United States is the largest service export, having generated a trade surplus for 16 consecutive years, increasing 144 percent between 2003 to 2004 to over \$4 billion;
- “in 2005, travel and tourism-related expenditures reached \$1 trillion, including \$596 billion in direct sales and \$445 billion in indirect sales, and supported 8 million jobs;
- “the Department of Commerce has released the 2004 international year-end arrivals data, revealing that the level of international travel to the United States increased by 12 percent from 2003 to 46 million in 2004, with overseas visitors increasing 13 percent, to 20 million in 2004;

- “National Tourism Week was established by Congress in 1983, and first celebrated in May 1984, when President Ronald Reagan signed a proclamation urging citizens to observe the week with appropriate ceremonies and activities;
- “since 1984, National Tourism Week has been celebrated each May by the travel and tourism community, travel industry associations, as well as many States, cities, and localities throughout the Nation; and
- “May 13 through 21, 2006, is the 23rd annual National Tourism Week.”

Committee Action: H.Res. 729 was introduced on March 16, 2006 and was referred to the Committee on Government Reform, which considered it, held a mark-up, and reported the bill by unanimous consent on May 4, 2006.

Cost to Taxpayers: The resolution authorizes no expenditures.

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

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

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H.R. 5245 — To designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building" — *as introduced (Sanders, I-VT)*

Order of Business: The bill is scheduled for consideration on June 6, 2006, under a motion to suspend the rules and pass the bill.

Summary: H.R. 5245 designates the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the “Matthew Lyon Post Office Building.”

Additional Information: Matthew Lyon was born in Dublin, Ireland in 1749. He fought in the American Revolution with the Green Mountain Boys from 1776 to 1778. Ethan Allen commanded the Green Mountain Boys, and the unit was notable for capturing Fort Ticonderoga. The cannons captured from the British at Fort Ticonderoga were sent to Boston to help Gen. George Washington force the British out of Boston.

From 1778-1796 he served as a member of the Vermont legislature. In 1783, he founded the town of Fair Haven, Vermont. Lyon “built and operated various kinds of mills, including one for the manufacture of paper; established a printing office in 1793 and published the Farmers’ Library, afterward the Fair Haven Gazette.” He was elected to the Fifth and Sixth Congresses (1797-1801).

Lyon was an outspoken Anti-federalist after the ratification of the Constitution. At the time, the Anti-federalists, including Thomas Jefferson, advocated strict construction of the Constitution. Lyon is famous for his altercation with Roger Griswold of Connecticut, a Federalist representative, on the House floor in February of 1798. In January of 1798, Lyon was maligning Federalist representatives from Connecticut when Griswold insulted Lyon with a reference to Lyon's temporary dishonorable discharge from the Continental Army. Lyon spat in Griswold's face. The House tried to expel Lyon, but failed to get the votes necessary to do so. After the vote to expel Lyon failed, Griswold, to avenge his honor, caned Lyon on the House floor, even beating Lyon in the face while Lyon was on the ground. After the combatants were separated, Griswold approached Lyon again. This time Lyon grabbed fire tongs and inflicted severe injuries on Griswold.

Lyon argued vehemently against passage of the Sedition Act, which prohibited speech against the President. In 1798, Lyon was the Act's very first victim. He was tried by a jury packed with Federalist jurors and convicted. He was sentenced to four months in jail and fined \$1,060.96. Even though Lyon sat in jail, he handily won re-election to Congress and was perceived by the public as political martyr. In 1840, Congress voted to exonerate Lyon posthumously and returned the fine to Lyon's heirs.

In the election of 1800, the Electoral College deadlocked between Thomas Jefferson and Aaron Burr. The law states that the House decides such deadlocks, and Lyon cast the deciding vote for the Anti-federalist Jefferson.

Lyon moved to Kentucky in 1801 and settled in a county that is now named Lyon County. He served in the Kentucky legislature in 1801, and served in Congress again, this time as a Kentucky representative, from 1803-1811.

In 1820, Lyon was appointed as a factor to the Cherokee Nation in Arkansas. He died 1822. (source: <http://etext.virginia.edu/journals/EH/EH41/Neff41.html>, <http://www.viterbo.edu/perspgs/faculty/LEvans/Lyon.html>).

Committee Action: H.R. 5245 was introduced on April 27, 2006, and referred to the Committee on Government Reform. The bill was marked-up on May 4, 2006, and it was reported to the House by unanimous consent the same day.

Cost to Taxpayers: The only costs associated with a postal facility center 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: A committee report citing constitutional authority is unavailable.

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H.Con.Res. 399 – Recognizing the 30th Anniversary of the victory of United States winemakers at the 1976 Paris Wine Tasting (*Rep. Thompson, D-CA*)

Order of Business: The resolution is scheduled to be considered on Tuesday, June 6th, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 399 states that it is resolved that Congress:

- “recognizes and honors the 30th Anniversary of the California victory at the 1976 Paris Wine Tasting; and
- “recognizes the historical significance of this event to the United States wine industry.”

Additional Information: According to the resolution’s findings, on May 24th, 1976, in Paris, France, the premier wines of California and France were judged in a blind taste test by leading French wine experts. Both the winning white wine and the winning red wine were made in Napa Valley, California, and the event became known as “the Tasting Heard ’Round the World” and heralded the beginning of the rise to preeminence of California wines. The domestic wine industry now contributes over \$50 billion a year to the United States economy. The Smithsonian Institution’s National Museum of American History has placed bottles of the winning wines in its permanent collection.

Committee Action: On May 3, 2006, the bill was introduced and referred to the House Committee on Government Reform, which considered and passed it to the full House by unanimous consent on May 4.

Cost to Taxpayers: The resolution has no cost.

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. 327 — Supporting the Goals and Ideals of National Passport Month — as reported (*Lee, D-CA*)

Order of Business: The resolution is scheduled for consideration on Tuesday, June 6, 2006, under a motion to suspend the rules and pass the resolution.

The 104th Congress changed House rules to prohibit a bill from being considered on the House floor if “it establishes or expresses a commemoration”, which is defined as “a remembrance,

celebration, or recognition for any purpose through the designation of a specified period of time” (<http://clerk.house.gov/legisAct/legisProc/rules/rule12.html>)

This resolution resolves that Congress supports the ideals and goals of the month, and requests the President to promote such a month. Because the resolution merely states support for, and requests the President to act, but does not establish a commemorative month, the parliamentarian’s office has ruled that it is allowable under House rules.

Summary: H. Res. 327 resolves that Congress:

- “supports the goals and ideals of National Passport Month; and”
- “requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate ceremonies, programs, and activities.”

The resolution also states a number of findings, including the following:

- “having a passport and traveling abroad enables Americans to see first-hand the effect of the United States on the world, including the tremendous amount of humanitarian aid given by the United States through both public and private sectors;”
- “having a passport and traveling abroad reminds Americans that they are members of a global family and gives them opportunities to mend rifts around the world;”
- “the more Americans travel outside the United States, the more they will experience opportunities to increase their understanding of the world and the place of the United States in it;”
- “the creation and support of a National Passport Month signals to Americans the important role they can play as ambassadors for the United States by serving as agents of understanding, tolerance, and mutual respect; and”
- “travel publishers along with travel editors from the most prestigious media outlets in the United States, student travel organizations, and book sellers have designated September as ‘National Passport Month’ to educate the public about the importance of having a passport and the positive impact international travel has on individuals.”

Additional Information: National Passport Month is an effort by Lonely Planet (source: www.lonelyplanet.com). The Lonely Planet website features a forum dedicated to gay and lesbian travel.

Committee Action: H. Res. 327 was introduced on June 16, 2005, and referred to the Committee on Government Reform. The bill was marked-up on May 4, 2006, and it was reported to the House by unanimous consent. According to the Government Reform Committee, no changes were made to the text during mark-up.

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.

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H. Res. 626 – Congratulating Albert Pujols on being named the Most Valuable Player for the National League for the 2005 Major League Baseball season (*Rep. Carnahan, D-MO*)

Order of Business: The bill is scheduled to be considered on Tuesday, June 6th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 626 states that it is resolved:

“That the House of Representatives congratulates Albert Pujols on being named the Most Valuable Player for the National League for the 2005 Major League Baseball season.”

Additional Information: According to the resolution’s findings, in 2005, Albert Pujols led the Cardinals with a batting average of .330, 41 home runs, 117 runs batted in, and 16 stolen bases. He is the only player in the history of Major League Baseball to have a batting average higher than .300, hit 30 or more home runs, drive in 100 or more runs, and score 100 or more runs in each of his first five seasons in the major leagues. His other awards include the 2001 Rookie of the Year Award for the National League, the 2003 National League batting championship, and the Most Valuable Player Award for the 2004 National League Championship Series.

Committee Action: On December 16, 2005, the bill was introduced and referred to the House Committee on Government Reform, which considered and reported it to the full House by unanimous consent on May 4.

Cost to Taxpayers: The resolution has no cost.

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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