

Wednesday, April 23, 2008

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: 6:00-7:00 p.m.
Fifteen "One-minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
 - 1) H.R. 5479** - To designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the "Alonzo Woodruff Post Office Building". (Rep. Ehlers - Oversight and Government Reform)
 - 2) H.R. 5528** - To designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the "Rocky Marciano Post Office Building". (Rep. Lynch - Oversight and Government Reform)
 - 3) H.R. 5483** - To designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the "Private First Class David H. Sharrett II Post Office Building". (Rep. Davis (VA) - Oversight and Government Reform)
 - 4) H.R. 3721** - To designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the "Marine Gunnery Sgt. John D. Fry Post Office Building". (Rep. Edwards (TX) - Oversight and Government Reform)
 - 5) H.R. 4185** - To designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the "Marisol Heredia Post Office Building". (Rep. Solis - Oversight and Government Reform)
 - 6) H.Res. 1016** - Expressing the condolences of the House of Representatives on the death of William F. Buckley, Jr. (Rep. Feeney - Oversight and Government Reform)
 - 7) H.R. 3033** – Contractors and Federal Spending Accountability Act (Rep. Maloney – Oversight and Government Reform)

8) H.R. 5712 - Close the Contractor Fraud Loophole Act (Rep. Welch - Oversight and Government Reform)

9) H.R. 3928 – Government Contractor Accountability Act (Rep. Murphy (CT) - Oversight and Government Reform)

- **H. Res. 1129 –Rule providing for consideration of H.R. 5819– SBIR/STTR Reauthorization Act (Rep. Welch-Rules):** The structured rule provides one hour of general debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Welch, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**

- **H. Res. 1126–Rule providing for consideration of H.R. 2830 – Coast Guard Authorization Act of 2007 (Rep. Arcuri-Rules):** The structured rule provides one hour of general debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. The rule provides that, in lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Homeland Security, and the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in part A of the Rules Committee report accompanying the resolution shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule provides one motion to recommit with or without instructions. The rule provides that in the engrossment of H.R. 2830, the text of H.R. 2399, as passed the House, shall be added at the end of H.R. 2830. The rule authorizes the chairman of the Committee on the Judiciary to file a supplemental report on H.R. 2830. Debate on the rule will be managed by Rep. Arcuri, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**

- **H.R. 5819– SBIR/STTR Reauthorization Act (Rep. Velazquez-Small Business):** Pursuant to the rule, debate on the bill will be managed by Small Business Committee Chair Rep. Nydia Velazquez, or her designee, for forty minutes and Science and Technology Committee Chair Rep. Bart Gordon, or his designee, for twenty minutes, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on passage of the bill

- **H.R. 2830 – Coast Guard Authorization Act of 2007 (Rep. Oberstar-Transportation and Infrastructure):** Pursuant to the rule, debate on the bill will be managed by Transportation and Infrastructure Committee Chair Rep. James Oberstar, or his designee, for forty minutes and Homeland Security Committee Chair Rep. Bennie Thompson, or his designee, for twenty minutes, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on passage of the bill

- **Postponed Suspension Votes:**
 - 1) **H.R. 5613** - Protecting the Medicaid Safety Net Act of 2008 (Rep. Dingell – Energy and Commerce)
 - 2) **H.Con.Res. 322** - Recognizing the 60th Anniversary of the founding of the modern State of Israel and reaffirming the bonds of close friendship and cooperation between the United States and Israel (Reps. Pelosi / Boehner – Foreign Affairs)

Bill Summary and Key Issues

H.R. 5819 - TO AMEND THE SMALL BUSINESS ACT TO IMPROVE THE SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM AND THE SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM, AND FOR OTHER PURPOSES

(Rep. Velazquez – Small Business)

The SBIR/STTR Reauthorization Act extends for a period of two years the Federal government's largest small business research and development programs. Notably, the legislation increases the amount of funding for small research firms by half a billion dollars. The legislation modernizes the Small Business Innovation Research (SBIR) program so that it is synch with the needs of small research firms and can continue to increase the global competitiveness of the U.S. economy.

Encouraging greater participation in SBIR and STTR

- The Act includes a number of provisions designed to encourage more small firms to apply for SBIR and STTR awards. The bill more than

doubles the size of SBIR and STTR awards for Phase I and Phase II grants and establishes. It also provides access to technical assistance and places an emphasis on research on alternative fuels and orphan diseases.

Providing greater access to capital for small businesses.

- Repeals 2003 SBA ruling that limited small businesses' access to venture capital.

Advancing commercialization of SBIR-funded research and development projects

- The legislation establishes an initiative to increase participation from small firms owned by veterans, women and minorities and those located in rural areas. This will diversify the program and increase competition for these important awards. It also provides a greater emphasis on commercialization so that new technologies can reach the marketplace quicker. The bill includes several initiatives and funding to increase such commercialization, including the creation of public-private partnerships and technical assistance.

Anticipated Amendments to H.R. 5819

1. Boswell (IA)/Sutton (OH): The amendment would give priority to applications from companies located in areas that have lost a major source of employment. (10 minutes)

2. Ehlers (MI): The amendment strikes section 102 - doing so leaves the current set-asides for SBIR and STTR unchanged. (10 minutes)

3. Sestak (PA): The amendment notifies an applicant to the SBIR and STTR programs, who is not successful in receiving an award, that the applicant can request an explanation of why the applicant did not receive the award. (10 minutes)

4. Matheson (UT): The amendment gives priority to small businesses and organizations, in the awarding of SBIR, STTR, and FAST grants, that are making significant contributions towards energy efficiency, including those that are making efforts to reduce their carbon footprint or are carbon neutral.. (10 minutes)

5. Giffords (AZ): The amendment would mandate that SBIR awardees must be entities with their primary business operations in the United States. (10 minutes)

6. Graves (MO): The amendment strikes and replaces Title II, regarding venture capital investment standards. (10 minutes)

7. Matsui (CA): The amendment adds business incubators as eligible for the partnerships with SBIR awardees that are required by section 404. The amendment also defines the term "business incubators" for this purpose. (10 minutes)

- 8. Sutton (OH):** The amendment provides that veterans will be given priority when applying for SBIR and STTR awards. (10 minutes)
- 9. Sutton (OH):** The amendment requires agencies that administer SBIR programs to give special consideration to pressing transportation and infrastructure research activities, as identified by reports issued by the Department of Transportation and National Academy of Sciences. (10 minutes)
- 10. Barrow (GA):** The amendment establishes a pilot program to make grants to minority institutions that partner with nonprofit organizations that have experience developing relationships between industry, minority institutions, and other entities. (10 minutes)
- 11. Capito (WV):** The amendment changes section 104, regarding the SBIR Advisory Board. It would add to small business concerns owned and controlled by service-disabled veterans to the groups to be targeted by the board to make applications for SBIR grants. (10 minutes)
- 12. Carney (PA):** The amendment would allow the Administrator of the SBA to view favorably FAST grant applicants that use accredited SBDC's in determining the award of a FAST grant. (10 minutes)
- 13. Gillibrand (NY):** The amendment requires a veteran small-business owner must be at least one of the people appointed to the advisory board overseeing the Small Business Innovation Research Program Grants. (10 minutes)
- 14. Walz (MN):** The amendment would require the Small Business Administration to consult with the Secretary of Veterans Affairs to develop an outreach program to publicize the Small Business Innovation Research program to veterans returning from service and encourage veterans with appropriate technical skills to apply for SBIR grants, (10 minutes)
- 15. Foster (IL)/ Ellsworth (IN)/ Altmire (PA):** The amendment requires SBIR awardees to be owned and controlled by at least one individual, or a business concern owned and controlled by individuals, who are a citizens of, or permanent resident aliens in, the United States. Any applicant found knowingly hiring, recruiting, or referring for a fee, an unauthorized alien shall not be eligible for the receipt of future awards, (10 minutes)
- 16. Welch (VT):** The amendment strikes language that allows firms not receiving SBIR/STTR Phase I grants to be eligible to receive Phase II. (10 minutes)
- 17. Welch (VT):** The amendment limits to half the amount of an agency's SBIR budget that could go to grant awards that exceed \$200,000 for Phase I, and \$1,500,000 for Phase II. (10 minutes)

H.R. 2830 - COAST GUARD AUTHORIZATION ACT OF 2007

(Rep. Oberstar – Transportation and Infrastructure)

H.R. 2830 STRENGTHENS THE COAST GUARD & OUR NATIONAL SECURITY

Provides Resources, Builds Capacity, and Takes Care of Coast Guard Personnel:

- Increases authorized end-strength by 1,500 members to 47,000 and increases funding to the Coast Guard to \$8.4 billion (\$200 million over the President's budget) to ensure that the Coast Guard can successfully execute all its missions.
- Authorizes additional maritime security response teams and canine detection teams to detect explosives, interdict drugs and smuggled persons and authorizes the Waterway Watch Program, a program for boaters to notify the CG of suspicious activity.
- Grants access to the Armed Forces Retirement Home system to Coast Guard veterans and allows reimbursement of medical-related travel for members assigned to remote locations.

Strengthens Port Security, Immigration Enforcement and Drug Interdiction

- Requires the Coast Guard to protect and enforce security zones around all existing Liquefied Natural Gas (LNG) facilities and, for each new LNG facility and requires a certification that the Coast Guard has the resources to protect the facility before such its security plan is approved. Allows State and local entities to assist Coast Guard in protecting the security zones around LNG facilities.
- Requires DHS to analyze the threat, vulnerability and consequences of a terrorist attack on gasoline and chemical cargo shipments and report the findings to Congress.
- Requires cruise ship owners and operators to notify DHS of security incidents involving a U.S. person that include death, serious bodily injury, and sexual assault on a cruise ship.
- Authorizes a biometric program in the Caribbean that has been linked to a significant drop in the number of illegal migrants trying to reach the United States by boat.

Reorganizes the Coast Guard to Meet its Multi-Mission Responsibilities:

- Strengthens the Coast Guard's marine safety capabilities by establishing an Assistant Commandant for Marine Safety, and builds capacity throughout the sectors by establishing Sector Marine Safety leadership and qualifications for training and experience for all marine safety personnel.
- Strengthens the Coast Guard's port security capabilities by establishing an Assistant Commandant for Port and Waterways Security to be responsible

for all regulations and policies regarding security in our nation's ports and waterways.

- Moves the appeals process for suspensions or revocations of a mariner's license (e.g., a Captain's license) from a Coast Guard Administrative Law Judge (ALJ) to a National Transportation Safety Board ALJ where similar appeals of FAA decisions to suspend or revoke an airline pilot's license are handled. Appeals related to Transportation Worker Identification Cards (TWIC) would remain with the Coast Guard.

Enhances Accountability for the Deepwater Program:

- Addresses the contract management problems with this much-delayed program, a \$24 billion, 25-year procurement to modernize the Coast Guard's ships and aircraft.
- Eliminates the use of Lead System Integrators beginning on October 1, 2011 or earlier if the Secretary of Homeland Security can certify that the Coast Guard has the capacity to assume the role sooner.
- Requires the appointment of a qualified civilian as Chief Acquisitions Officer reporting directly to the Coast Guard Commandant.
- Identical to H.R. 2722 (passed the House on 07/31/07 by a vote of 426-0).

Enhances Fishing Vessel Safety and Environmental Protection

- Enhances requirements for safety equipment to be carried on commercial fishing vessels and requires training for vessel operators; commercial fishing is the most dangerous job in the United States and has a high rate of injuries and deaths.
- Limits emissions from ships of sulfur oxide and nitrogen oxide (which are ozone depleting substances), mandates the use of cleaner engines and fuel to meet EPA standards, and institutes changes needed to bring the U.S. into compliance with international maritime pollution convention. (Identical to H.R. 802, the Maritime Pollution Prevention Act of 2007, which passed the House on 03/26/07 by a vote of 359-48.)
- Requires that U.S. vessels carrying more than 600 cubic meters of oil have double hulls around their fuel tanks to prevent the disastrous consequences of accidents such as the one that occurred last November when the COSCO BUSAN released 53,000 gallons of heavy fuel oil into San Francisco Bay following its collision with the Bay Bridge.
- Requires ships to begin installing ballast water treatment systems in 2008 to control the introduction of invasive species into U.S. ports and waterways and adopts international standard for ballast water for the period 2008-12 but requires the standard to be at least 100 times higher than the international standard in 2012.

H.R. 2399, THE ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2007 IS TOUGH ON BORDER SECURITY

- The Rule adds H.R. 2399, the Alien Smuggling and Terrorism Prevention Act of 2007, which passed the House on May 22, 2007 by a vote of 412-0.
- Provides strong new enforcement tools at the border, including increased criminal penalties for: alien smuggling, human trafficking and slavery; drug trafficking; and terrorism or espionage.
- Subjects smugglers and traffickers to even higher penalties for transporting persons under inhumane conditions, such as in an engine or storage compartment, or for causing serious bodily injury.
- Directs the Department of Homeland Security to check against all available terrorist watch lists alien smugglers and smuggled individuals who are interdicted at U.S. land, air, and sea borders.
- Tightens proof requirements for distinguishing covert transportation of family members or others for humanitarian reasons, for which the penalties are less severe.

Anticipated Amendments to H.R. 2830

1. Oberstar (MN): The amendment in the nature of a substitute increases FY08 funding to the Coast Guard to \$8.4 billion. It increases the authorized number of Coast Guard personnel by 1,500 members, to 47,000. The amendment in the nature of a substitute increases maritime security response teams. It mandates protection and enforcement of security zones encompassing all Liquefied Natural Gas (LNG) areas by the Coast Guard. It requires certification that the Coast Guard has adequate resources to provide such protection. It directs the Department of Homeland Security to provide an analysis of the threat and consequences of a terrorist attack on gasoline and chemical shipments and report the findings to Congress. The amendment in the nature of a substitute establishes an Assistant Commandant for Port and Waterways Security responsible for overseeing all regulations dealing with security in U.S. ports and waterways. It eliminates Lead System Integrators for the Deepwater Program, establishing instead a civilian Chief Acquisitions Officer reporting directly to the Coast Guard Commandant. It increases safety requirements on commercial fishing vessels and mandates training for operators. It requires lower emissions of sulfur oxide and nitrogen oxide so that ships meet EPA standards and the U.S. complies with an international maritime pollution convention. It requires double hulls on ships carrying more than 600 cubic meters of oil. It requires ships to begin installing ballast water treatment systems to protect against the introduction of invasive species into U.S. ports and waterways. The amendment would consider all Coast Guard vessels homeported in Guam as ineligible to receive repairs at foreign shipyards. It would require the Coast Guard Academy to establish a policy on sexual harassment. It would authorize the Coast Guard to issue regulations requiring licensed pilots to carry portable electronic devices for navigation. Finally, it would require the EPA to study the underground petroleum spill on the Brooklyn shoreline.

(10 minutes)

2. LaTourette (OH)/Boustany (LA): Would amend section 720 of the substitute (regarding waterside security around liquefied natural gas tankers and terminals) to state that the Coast Guard may consider security assets and personnel provided by state and local officials contracted or otherwise made available to an LNG terminal operator in determining whether security resources are available to carry out necessary waterside security measures. (10 minutes)

3. Matsui (CA)/Poe (TX)/Maloney (NY)/Shays (CT): Would require the Secretary of the department in which the Coast Guard is operating to maintain on an Internet site a numerical accounting of missing persons and alleged crimes committed on cruise ships. The database would be updated quarterly and aggregated by cruise line. The amendment would require cruise lines to include a link to this database on their public websites. (10 minutes)

4. Poe (TX): Would state the findings of Congress that stateless submersible or semi-submersible vessels on international voyages are a serious international problem, facilitate international crimes, and are a threat to the safety and security of the United States. The amendment would make it a federal criminal offense subject to fines, imprisonment, or both for the operation and embarkation of any stateless submersible or semi-submersible vessel. (10 minutes)

5. McNerney (CA): States that the marine safety provisions of the bill shall not impair the legal authority of the Coast Guard to carry out its homeland security mission, including protecting ports and waterways, stopping human smuggling, and preventing terrorist organizations from attacking the United States. (10 minutes)

6. Bilirakis (FL): Would strike section 708 of the substitute amendment (maritime biometric identification) and replace it with a requirement that the Commandant of the Coast Guard, within one year of enactment, conduct a program for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security. It also would require a cost analysis of expanding these capabilities to other Coast Guard and DHS vessels. The analysis may include a plan to give priority to vessels and units more likely to encounter those suspected of making illegal border crossings through the maritime environment. (10 minutes)

7. Markey (MA): Would direct the Secretary of Homeland Security to notify the Federal Energy Regulatory Commission (FERC) of any determination by the Secretary that a proposed waterside liquefied natural gas (LNG) facility is suitable or unsuitable for the marine traffic associated with the LNG facility. Within 90 days of such notification, FERC must respond to the Secretary's determination with what action the Commission has taken regarding a proposal to construct and operate a waterside LNG. (10 minutes)

8. Lofgren (CA): Would allow the Secretary of Homeland Security to use a secondary authentication system for individuals applying for transportation security cards when fingerprints are not able to be taken or read to enhance transportation security. (10 minutes)

9. Bishop, Tim (NY): Would require the Secretary of the department in which the Coast Guard is operating to study, within 180 days of enactment, the role of state and local law enforcement in augmenting Coast Guard resources by enforcing Coast Guard-imposed security zones around vessels transiting to, through, or from U.S. ports and conducting port security patrols. (10 minutes)

10. Broun (GA): Would strike title X (appeals to national transportation safety board) and title XI (marine safety) from the bill. (10 minutes)

11. Cuellar (TX): Would direct the Secretary of the department in which the Coast Guard is operating, within 90 days of enactment, to conduct a mission requirement analysis for the navigable portions of the Rio Grande River, Texas, international water boundary. The analysis would identify what resources would be needed to further the Coast Guard's mission along the Rio Grande River. (10 minutes)

12. Kirk (IL): Would include vessels that operate exclusively in the Great Lakes ecosystem amongst vessels that would be required to have a ballast water treatment system, at the request of the Secretary of Agriculture. (10 minutes)

13. Smith, Lamar (TX): Would add a new title to the bill to enhance federal criminal penalties for alien smuggling. (10 minutes)

14. Jackson-Lee (TX): Directs the Secretary of Homeland Security to assess, within 30 days of enactment, the enrollment sites for transportation security cards, including the feasibility of keeping them open for longer durations and the quality of their customer service and application processing times. (10 minutes)

15. Stupak (MI): Would permit the Commandant of the Coast Guard to convey, without consideration, the Coast Guard Station Marquette and Lighthouse Point in Marquette County, Michigan, to the City of Marquette, Michigan. The conveyance could not occur until the Coast Guard has relocated to a newly constructed station, any environmental remediation required under federal law has been completed, and the Commandant of the Coast Guard determines that retention of the lighthouse is not needed for Coast Guard missions. (10 minutes)

Quote of the Day

“America is not anything if it consists of each of us. It is something only if it consists of all of us.” -Woodrow Wilson

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