

Bill Text and Background for the Week of March 26, 2007

(Click on Bill to go to Relevant Section in Whip Pack)

[H.R. 1401- RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007](#) (Rep. Thompson (MS) – Homeland Security) (Subject to a Rule)

[H.R. 1538 - WOUNDED WARRIOR ASSISTANCE ACT OF 2007](#) (Rep. Skelton – Armed Services) (Subject to a Rule)

[H. CON. RES. 99 - CONCURRENT RESOLUTION ON THE BUDGET FOR FY08](#) (Rep. Spratt – Budget) (Subject to a Rule)

[H.R. 137 — ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2007](#) (Reps. Gallegly, Blumenauer – Judiciary)

[H.R. 1401- RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2007](#) (Rep. Thompson (MS) – Homeland Security) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Rules Committee: rule provides one hour and twenty minutes of general debate, with one hour equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Homeland Security and twenty minutes equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Transportation and Infrastructure, [Summary of Amendments Submitted](#), [Rule](#), [Committee Report](#), and [roll call votes](#)

Committee: [House Committee on Homeland Security](#), [House Committee on Transportation and Infrastructure](#) (Discharged)

Committee Staff Contact: Homeland 6-2616, Transportation 5-4472

LEGISLATION AT A GLANCE: H.R. 1401

- [Bipartisan](#) – H.R. 1401 was introduced by Reps. Thompson, King, Jackson-Lee, and 15 original cosponsors on March 8, 2007. Moreover, it was reported out of the Committee unanimously.
- [National Security Plan](#) – H.R. 1401 would require the Homeland Security Department, in consultation with the Transportation Department, to develop a national strategy for securing rail and public transportation systems, and would require those systems considered to be of greatest risk to assess their risks and develop security plans for approval by the Homeland Security Department.
- [Grant Programs](#) – H.R. 1401 would authorize nearly \$6 billion over four years for grant programs for railroads, public transportation providers and over-the-road bus operators.
- [Training, Exercise & Research](#) – H.R. 1401 would require training for all rail, transit and bus employees on how to prevent, prepare for, and respond to a terrorist attack. H.R. 1401 would establish an Exercise Program to test the preparedness of rail and public transportation systems for a terrorist attack. H.R. 1401 would also authorize

\$200 million over the next 4 years for advanced research and development on security threats.

- Rail Security Provisions – H.R. 1401 would require the development of regulations for rail transportation of sensitive materials and requires operators to assess alternative routes. H.R. 1401 would also require that DHS increase the number of full time surface transportation inspectors to 600 by 2010. There are only 100 rail security inspectors at the present time.
- Whistleblower Protections – H.R. 1401 would provides protection from retaliation for employees of DHS, DOT, and rail and public transportation employees who report security risks or violations.
- Personnel Provisions – H.R. 1401 would require the Department to implement a threat assessment screening program that would include name-based checks against terrorist watch lists and immigration status check, for all employees of covered transportation. This legislation would establish guidelines for background checks, including a system of redress for employees who believe they have been wrongly fired based on the results of the background check.
- Penalties – H.R. 1401 would provide the Transportation Security Administration with general administrative, civil, and criminal penalty authority. . TSA already possesses specific authority to enforce aviation security measures under 49 USC 46301, but lacks such authority in other modes of transportation.

Committee Information – Homeland Security

[Homeland Security Summary](#)

[Bill Section by Section](#)

Amendment information

[Arcuri Amendment to H.R. 1401](#)

[Manager's Amendment.](#)

[Fact Sheet on Thompson Managers Amendment to HR 1401](#)

[General Talking Points In Support of Training Amendment](#)

[General Talking Points on Cohen Amendment](#)

[General Talking Points Against Mr. Session's Amendment](#)

[General TP on Castle Amendment](#)

[General Talking Points Against Mr. Flake's #15-Amendment](#)

[General Talking Points Against Mr. Flake's -- #16 Amendment](#)

House Report 110-65 Part 1:

[HTML Version](#), [PDF Version](#)

Homeland Security Mark-up:

[Homeland Security Committee Markup](#), March 13, 2007

[National Journal Report](#)

Video: [Part One](#), [Part Two](#)

Opening Statement: Chairman Thompson

Summary of Recorded Votes: For Full Summary See [Committee Action Sheet](#)

- Chairman Thompson, D-Miss. Substitute Amendment – Agreed to by voice vote. Unanimous consent was given to consider the Amendment in the Nature of a Substitute as base text for purposes of Amendment.
- G. Brown-Waite, R-Fla. FOIA Exemption Amendment – Would have protected the disclosure of sensitive security information from Freedom of Information Act (FOIA) requests. **Rejected 12-16: R 12-0; D 0-16.**

- [Lungren, R-Calif. Whistleblower Protections Amendment](#)– Would have replaced the whistleblower protection provisions in the bill with language that would outline whistleblower protections for intelligence-related employees and Transportation Security Administration employees. **Rejected 12-16: R 12-0; D 0-16.**
- [Dent, R-Pa. Automated Targeting Systems](#) – Would have authorized the use of an automated targeting system for people entering or leaving the United States through the use of transportation covered by the bill. **Rejected 12-17: R 12-0; D 0-17.**
- [Dent, R-Pa. Passenger and Crew Manifest](#) – Would have allowed customs and Border Protection (CBP) to require each vehicle (including a rail car or bus) of a provider of transportation covered under the bill, arriving in or departing from the United States, to a foreign port or place, to transmit to CBP a passenger manifest and crew manifest. **Rejected 12-17: R 12-0; D 0-17.**
- **Vote to Report:** Ordered Bill Reported to House, as Amended, by Recorded Vote of **30-0: R 13-0; D 17-0.**

Subcommittee Markup:

[Subcommittee on Transportation Security and Infrastructure Protection Markup](#), February 28, 2007

For Summary of Amendments Offered See [House Action Report](#)

CRS Report:

[RL33512](#): Transportation Security: Issues for the 110th Congress

CBO Report:

Cost Estimate: Ordered Reported by Homeland Security

GAO Reports:

- [GAO-07-610R](#): Railroad Safety--Responses to Post hearing Questions, March 15, 2007
- [GAO-07-583T](#): Passenger Rail Security: Federal Strategy and Enhanced Coordination Needed to Prioritize and Guide Security Efforts, March 7, 2007
- [GAO-07-442T](#): Passenger Rail Security: Federal Strategy and Enhanced Coordination Needed to Prioritize and Guide Security Efforts, February 6, 2007
- [GAO-07-390T](#): Rail Safety: The Federal Railroad Administration Is Better Targeting Its Oversight, but Needs to Assess the Impact of Its Efforts, January 30, 2007
- [GAO-07-149](#): Rail Safety: The Federal Railroad Administration Is Taking Steps to Better Target Its Oversight, but Assessment of Results Is Needed to Determine Impact, January 26, 2007

Committee on Homeland Security Hearing:

[Hearing](#): Full Committee Hearing on Rail and Public Transportation Security Act of 2007, March 6, 2007

[Statement](#): Chairman Thompson

Subcommittee on Transportation Security and Infrastructure Protection Hearing:

[Hearing](#): Rail and Mass Transit Security: Industry and Labor Perspectives, February 13, 2007

[Hearing](#): Update on Federal Rail and Public Transportation Security Efforts, February 6, 2007

Legislative History:

No Relevant Legislative History

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points

- [Committee Report](#): Detour Ahead: Critical Vulnerabilities in America's Rail and Mass Transit Security Programs, June 20, 2006
- [General Talking Points - Rail and Mass Transit Security](#)
- [Rail and Transit Security Talking Points, Office of the Speaker](#)
- [Budget Restores Accountability, Office of the Speaker](#)
- [Budget Side by Side, Office of the Speaker](#)

Press Releases & News Articles:

- [Bill to Secure Nation's Rail and Mass Transit Systems Introduced](#), March 8, 2007
- [Report Finds That America's Rail and Mass Transit Systems Are in Danger](#), June 20, 2006

Other Resources:

[Cosponsors of H.R. 1401](#)

H.R. 1538 - WOUNDED WARRIOR ASSISTANCE ACT OF 2007 (*Rep. Skelton – Armed Services*) (*Subject to a Rule*)

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Rules Committee: Tuesday, March 27 at 4:00 PM H-312, the Capitol, Amendments due by 3:00 PM on Monday, March 26 [Amendment Process](#)

Committee: [House Armed Services Committee](#), [House Veterans' Affairs](#)

(Discharged)

Committee Staff Contact: Armed Services 5-4151

LEGISLATION AT A GLANCE: H.R. 1538

- [Bipartisan](#) – H.R. 1538 was introduced by Reps. H Con Res 99
- [Toll-Free Hotline](#) – H.R. 1538 would require the establishment of a toll-free hotline for reporting deficiencies in facilities supporting medical patients and family members. The measure also would require the investigation and formulation of a plan to remediate substantiated complaints within 96 hours.
- [VA Transition Pilot Program](#) – H.R. 1538 would require the Defense Department to establish a pilot program to transmit records more efficiently from the department to the VA for disabled service members being separated or retired from the armed forces.
- [Disability Evaluation Systems](#) – H.R. 1538 would require the Defense and VA departments to conduct a joint study on the disability evaluation systems operated by both departments for the purpose of improving the consistency of the two systems and evaluating the feasibility of, and potential for, consolidating the two systems.

- Standardized Training – H.R. 1538 would require the secretaries of Defense and Veterans Affairs to evaluate the systems they use to rate wounded soldiers' disabilities.
- Support Programs, Notification, and Private Contractors – H.R. 1538 would authorize \$50 million from emergency supplemental appropriations for fiscal 2007 and 2008 for wounded soldiers' support programs; require medical facilities to notify members of Congress of the admission of a service member who has been evacuated from combat — with the soldier's consent. H.R. 1538 would place a one-year moratorium on hiring private contractors to perform Defense Department functions at department medical facilities.

House Report 110-68 Part 1:

[HTML Version](#)

Committee Mark-up:

[House Armed Services Committee Markup](#), March 20, 2007

[National Journal Report](#)

[Audio Transcript](#)

[Chairman Skelton's statement](#)

Summary of Recorded Votes:

- Chairman Thompson, D-Miss. Substitute Amendment – Agreed to by voice vote. Unanimous consent was given to consider the Amendment in the Nature of a Substitute as base text for purposes of Amendment.
- Rep. Miller, R-Fla. Keep Guantanamo Detainees Away – Would have required the secretary of Defense to certify that no soldier wounded in combat and evacuated, would be housed in any domestic U.S. military facility within 50 miles of any foreign national detainees who were, as of March 20, 2007, or any time thereafter, in the custody of the Department of Defense at the U.S. naval station in Guantanamo Bay, Cuba. **Rejected 27-33: R 27-0; D 0-33.**
- **Committee Vote to Report:** Ordered Bill Reported to House, as Amended, by Recorded Vote of **59-0: R 26-0; D 33-0.**

CBO Report:

[CBO Cost Estimate](#): Ordered Reported by House Armed Services Committee

CRS Report:

[RL33537](#): Military Medical Care: Questions and Answers, March 7, 2007

Committee Hearings:

[House Armed Services Committee Hearing](#), the challenges and obstacles wounded and injured service members face during recovery, March 8, 2007

[Chairman Skelton's statement](#)

Audio Transcript [Part 1](#) and [Part 2](#)

[Dr. David S.C. Chu](#), Under Secretary of Defense for Personnel and Readiness

[Dr. William Winkenwerder](#), Assistant Secretary of Defense for Health Affairs

[General Peter J. Schoomaker](#), USA, Chief of Staff, U. S. Army

[Lieutenant General Kevin C. Kiley, USA](#), The Surgeon General, U.S. Army

Organization Statements:

(TBA)

Statement of Administration Policy:

(TBA)

Fact Sheets & Talking Points:

(TBA)

Press Releases & News Articles:

- [House Armed Services Committee Reports H.R. 1538, The Wounded Warrior Assistance Act of 2007](#), March 20, 2007
- [Skelton-Hunter-Snyder-McHugh-Filner Introduce the Wounded Warrior Assistance Act Of 2007](#), March 15, 2007
- [Skelton Says Committee Will Consider Legislation To Meet The Needs Of Wounded Service Members](#) March 8, 2007

Other Resources:

[Cosponsors of HR 1538](#)

H. CON. RES. 99 - CONCURRENT RESOLUTION ON THE BUDGET FOR FY08 (Rep. Spratt – Budget) (Subject to a Rule)

Bill Text: [HTML Version](#), [PDF Version](#)
[Bill Summary and Status](#)

Rules Committee Meeting: Tuesday, March 27 at 4:00 PM H-312, the Capitol, Amendments due by 10:00 AM on Tuesday, [Amendment Process](#)

Committee: [Committee on the Budget](#)

Committee Staff Contact: 6-7200

LEGISLATION AT A GLANCE: H. CON. RES. 99

- Fiscal Responsibility
 - Reaches balance in 2012
 - Leads to a budget surplus in 2012 and years thereafter, in contrast to the President's budget which remains in deficit
 - Provides for greater deficit reduction than the Administration over five years
 - Upholds the pay-as-you-go principle
- Defending Our Nation
 - Provides robust defense funding levels while targeting resources on the most pressing security concerns
 - Increases funding for veterans' health care and services by \$5.4 billion (14.4 percent) above current services
 - Provides more homeland security funding than the Administration
 - Provides funding for the 9/11 Commission recommendations
- Putting Children and Families First
 - Facilitates an increase of \$50 billion to expand children's health insurance to cover millions of additional uninsured children
 - Provides \$3.0 billion over current services, and \$7.9 billion more than the President, for education, training, and social services, which means more funding for No Child Left Behind, special education, and aid to help students afford college
 - Accommodates relief from the Alternative Minimum Tax for millions of middle-income taxpayers, as well as extension of middle-income tax cuts
 - Increases funds for Head Start and child care
 - Provides new funding to assist communities and rebuild housing in the aftermath of Hurricane Katrina
 - Rejects the President's cut to the Social Services Block Grant program
 - Includes an affordable housing initiative
- Growing Our Economy
 - Begins to reverse six years of high deficits and mounting debt

- Funds the House Leadership's innovation agenda, putting us on a path to double funding for NSF and providing significant increases in K-12 math and science education
- Accommodates policies to renew and re-authorize the farm bill
- Provides funding to reauthorize FAA programs and fully funds the highway bill
- Increases funding for programs such as Community Development Block Grants to promote economic development in local communities
- Preserving Our Planet
 - Accommodates comprehensive energy legislation promoting renewable energy, moving toward energy independence
 - Increases conservation funding
 - Rejects Administration cuts in the Environmental Protection Agency and in environmental programs
- An Accountable and Efficient Government
 - Institutes tough program integrity initiatives to crack down on wasteful or fraudulent spending in Social Security, Medicare, and Unemployment Insurance programs
 - Supports IRS enforcement to collect unpaid taxes from those who are not paying what they owe, helping to close the roughly \$300 billion tax gap
 - Provides resources to reduce huge backlogs in claims processing in the Veterans Administration and Social Security Administration
 - Directs committees to identify wasteful and lower priority spending that can be cut in order to fund more pressing needs.

[Office of the Majority Leader Budget Clearinghouse](#)

Information From Budget Committee:

- [Key Features of the Chairman's Mark](#)
- [Overview of the Chairman's Mark](#)
- [Tables of Numbers](#)

House Report 110-69:

[HTML Version](#), [PDF Version](#)

Committee Mark-up:

[Committee on the Budget Markup](#), March 21, 2007

[National Journal Report](#)

Opening Remarks: [Video](#)

CBO Report:

(TBA)

CRS Reports:

[RL33915](#): The Budget for Fiscal Year 2008, March 23, 2007

[RL31235](#): The Economics of the Federal Budget Deficit, January 24, 2007

Committee Hearings:

[Budget Committee Hearings and Statements](#)

Legislative History:

No Relevant Legislative History

Support Letters, Press Releases & Statements:

- [National Education Association's \(NEA\), Support Letter](#)
- [NPCA support Chairman Spratt's Budget, Press Release](#)
- [National Low Income Housing Coalition, Support Letter](#)
- [Defenders of Wildlife, Support Letter](#)
- [Wider Opportunities for Women, Support Letter](#)
- [Alliance for Children & Families * American Foundation for the Blind * American Red Cross * Association of Jewish Family & Children's Agencies * Big Brothers Big Sisters of America * Camp Fire USA * Catholic Charities USA * Communities In Schools, Inc. * Generations United * Girls Inc. * GLSEN the Gay, Lesbian and Straight Education Network * Leadership & Renewal Outfitters * Lutheran Services in America * MENTOR/National Mentoring Partnership * National 4H Council * National Council on Aging * National Human Services Assembly * National Network for Youth * United Jewish Communities * United Neighborhood Centers of America * United Way of America * Youth Service America](#)
- [Veterans of Foreign Wars of the U.S. \(VFW\),](#)
- [American Public Transportation Association \(APTA\), Support Letter](#)
- [The Disabled American Veterans \(DAV\), Press Release](#)
- [American Legion, Support Letter](#)
- [Transportation Construction Coalition, Support Letter](#)
- "National Community Action Foundation (NCAF) strongly endorses Chairman Spratt's FY 2008 Budget Resolution. It establishes responsible priorities, and meets America's needs." - David Bradley, Executive Director
- David Bradley
- [Chairman Bob Filner, Press Release, House Veterans' Affairs Committee](#)
- [House Democratic Leaders, Budget is Fiscally Responsible with the Right Priorities for America](#)
- [Speaker Pelosi, Fiscally Responsible With the Right Priorities for America](#)
- [Chairman Oberstar, Budget Provides Well for Transportation](#)
- [Representative Blumenauer, Hails Fiscally Responsible Budget](#)
- [Representative Schwartz, Statement on 2008 Democratic Budget](#)
- [Blue Dog Co-Chairs Applaud Chairman Spratt for Including Key Blue Dog Priorities in Democratic Budget](#)
- [Budget Groups Support Pay-As-You-Go Discipline in Democratic Budgets](#)

Administration Position:

(TBA)

Fact Sheets & Talking Points

- [JEC Report: The Way We Were: Comparing the Bush Economy with the Clinton Economy, March 2007](#)
- Budget Side by Side, Office of the Speaker
- Budget Restores Accountability, Office of the Speaker

Other Resources:

- [Reid - Pelosi - Conrad - Spratt Letter to President Bush on Budget](#)
- [Center on Budget and Policy Priorities Analysis of House Budget Committee's Plan, March 22, 2007](#)

INFORMATION ON THE PRESIDENT'S BUDGET

Analysis of the President's Budget:

- [CBO Analysis of the President's Budgetary Proposals for Fiscal Year 2008](#) , March 2007
- [The President's Budget Request, Good Ideas, Bad Ideas, and the Usual Phony Baloney](#)
- [House Budget Committee Updated Analysis of the President's FY 2008 Budget](#)
- [House Budget Committee Instant Analysis of the President's FY 2008 Budget](#)
- [JEC FY 2008 State-by-State Budget Fact Sheets](#)
- [Speaker's State-by-State Report on President's FY 2008 Budget](#)
- [Speaker Pelosi's Overview Fact Sheet on the President's FY 2008 Budget](#)
- [Program Terminations](#)
- [Major Program Reductions](#)
- **Statements by Democratic Leadership and Committee Chairs:** [Speaker Nancy Pelosi, Calif.](#) ▪ [Majority Leader Steny H. Hoyer, Md.](#) ▪ [Chairman Ike Skelton, D-Mo.](#), Armed Services ▪ [Chairman Spratt](#), Budget ▪ [Chairman George Miller, D-Calif.](#), Education and Labor ▪ [Chairman Barney Frank, D-Mass.](#), Financial Services ▪ [Chairman Tom Lantos, D-Calif.](#), Foreign Affairs ▪ [Chairman Nick J. Rahall II, D-W.Va.](#), Natural Resources ▪ [Chairman Bart Gordon, D-Tenn.](#), Science ▪ [Chairman James L. Oberstar, D-Minn.](#), Transportation and Infrastructure ▪ [Health Subcommittee Chairman Pete Stark, D-Calif.](#), Ways and Means ▪ [Rosa DeLauro, D-Conn.](#), Appropriations Agriculture Subcommittee Chairwoman ▪ [David E. Price, D-N.C.](#), Appropriations Homeland Security Subcommittee Chairman

BILLS CONSIDERED UNDER SUSPENSION OF THE RULES

H.R. 137 — ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2007 (*Reps. Gallegly, Blumenauer – Judiciary*)

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Committee: [Committee on the Judiciary](#)

Committee Staff Contact: 5-4748

LEGISLATION AT A GLANCE: H.R. 137

- Bipartisan Measure with 303 cosponsors.
- Amends the federal criminal code to prohibit: (1) sponsoring or exhibiting a bird in a fighting venture in a state where it would not otherwise be in violation of the law, only if the person knew that any bird in the venture was knowingly bought, sold, delivered,

transported, or received in interstate or foreign commerce for such purpose; or (2) knowingly sponsoring or exhibiting in an animal fighting venture any other animal that was moved in interstate or foreign commerce.

- Defines an "animal fighting venture" as any event involving a fight between at least two animals that is conducted "for purposes of sport, wagering, or entertainment." In states where bird fighting is legal — currently, only Louisiana and New Mexico — the measure prohibits an individual from sponsoring or exhibiting a bird in a fight, if the bird was knowingly bought, sold, delivered, transported, or received in interstate or foreign commerce.
- Makes it a federal felony to use the Postal Service or any other "instrumentality of interstate commerce" — defined as any "written, wire, radio, television or other form of communication" — to distribute through interstate or foreign commerce any commercial speech promoting animal fighting that is performed within the United States.

Committee Summary:

(TBA)

House Report 110-27 Part 1:

[HTML Version](#), [PDF Version](#)

Committee Mark-up:

[House Committee on the Judiciary Markup](#), February 07, 2007

[Animal Cruelty Bill Moves To Full House](#) – National Journal Report

- **Ordered Bill Reported to House, as Amended, by Voice Vote.**

Subcommittee Mark-up:

[Subcommittee on Crime, Terrorism, and Homeland Security Markup](#), February 06, 2007

[Sub panel OKs Bill To Ban Organized Animal Fights](#) - National Journal Report

- **Ordered Bill Reported to House by Voice Vote.**

CBO Report:

[HTML Version](#), [PDF Version](#)

Subcommittee Hearing

[Subcommittee on Crime, Terrorism, and Homeland Security Hearing](#), February 6, 2007

[Testimony of Wayne Pacelle](#), The Humane Society of the United States

[Testimony of Jerry Leber](#), United Gamefowl Breeders Association

Legislative History:

In the 109th Congress, the Senate passed a similar bill (S. 382) by unanimous consent on April 28, 2005. The House did not act on that measure, however, nor did it act on a House version of the legislation (H.R. 817).

Organizational Statements:

[The Humane Society](#)

Press Releases & News Articles:

"Cockfighting is a barbaric, malevolent and violent pastime that has no place in civilized society. Now it also has the potential to lead to the deaths of nearly 2 million Americans.

It's imperative that we bring the full weight of the law down on the blood sport and jail those who practice it."

– Column by Rep. Elton Gallegly, Smuggling Cockfighting Roosters a Conduit to Bird Flu *Santa Barbara News-Press*, December 11, 2005

Other Resources:

Cosponsors of H.R. 137

Animal Fighting Ban Clears Senate Judiciary – National Journal