

January 2008
Federal Mandate Report

July 11th 2007

to

January 14th 2008



Commonwealth of Virginia

Office of the Governor

Virginia Liaison Office

The Federal Mandate Report is published semiannually by the Virginia Liaison Office (VLO). This report provides reviews of federal legislation containing unfunded mandates that have become public law (Part I), or passed at least one chamber of Congress (Part II). The report also provides reviews of federal regulatory action completed that may affect the Commonwealth (Part III). The VLO relies on the Congressional Budget Office's (CBO) interpretations of the Federal Unfunded Mandate Reform Act (UMRA) to determine what legislation contains intergovernmental mandates. Descriptions of the mandates provided in this analysis are based upon, or excerpted from, these CBO documents. Likewise the VLO relies on the recommendations of the Regulatory Information Service Center (RISC) of the General Services Administration to determine which federal regulatory actions may affect the states.

This edition of the Federal Mandate Report is intended to provide an overview of the legislative and regulatory requirements imposed upon the Commonwealth for the period from July 11th, 2007 to January 14th, 2008.

Of the bills reviewed by the CBO eleven (11) have become public law, while fifty (50) have passed at least one chamber of congress.

Likewise, the RISC identified a total of seventy-two (72) completed federal regulations affecting States, sixty-three (63) of which may have an effect on the Commonwealth.

Additional information can be obtained by contacting
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Part I – Mandates in Public Laws

Title I of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. The thresholds for 2007, which are adjusted annually for inflation, are \$66 million for intergovernmental mandates (state, local, or tribal governments) and \$131 million or more per year for the private sector.

Bill Number	Bill Title	Unfunded Mandate on State	Bill Status (Including Congressional Vote)
H.R. 2761	Terrorism Risk Insurance Revision and Extension Act of 2007	<p>According to the CBO score from Sept. 6, 2007, H.R. 2761 would extend the Terrorism Risk Insurance Act (TRIA) for 15 years—through calendar year 2022. The bill also would add group life insurance to the lines of coverage included under the program and would require insurers to make coverage available to property and casualty and group life insurance policyholders for losses resulting from domestic terrorism and, after January 1, 2009, terrorism involving nuclear, biological, chemical, and radioactive (NBCR) materials.</p> <p>Under H.R. 2761, the Department of the Treasury would be directed to recoup some or all of the costs of providing financial assistance through taxes imposed on insurance firms (surcharges). Over many years, CBO expects that an increase in spending for financial assistance would be largely offset (on a cash basis) by a corresponding increase in governmental receipts (i.e., revenues) depending on the amount of insured losses. We assume, however,</p>	<p>6/18/2007: Introduced in House 9/6/2007: Reported (Amended) by the Committee on Financial Services. H. Rept. 110-318. 9/19/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 312 - 110 (Roll no. 884).</p> <p>Yeas: Boucher, Cantor, T. Davis, Moran, Scott, Wolf Nays: Drake, Forbes, Goode, Goodlatte</p>

H.R. 3375	A bill to extend the trade adjustment assistance program under the Trade Act of 1974 for three months	<p>that the Secretary of the Treasury would not impose any surcharges until two years after federal assistance is provided and that those amounts would be collected over many years. Thus, CBO estimates that enacting the recoupment provision of H.R. 2761 would increase governmental receipts by about \$100 million over the 2008-2012 period and by \$2.0 billion over the 2008-2017 period, net of income and payroll tax offsets.</p> <p>Considering both the direct spending and revenue impacts of the bill, CBO estimates that enacting H.R. 2761 would increase budget deficits or decrease surpluses by \$200 million in 2008, \$3.5 billion over the 2008-2012 period, and \$8.4 billion over the 2008-2017 period.</p> <p>H.R. 2761 would extend and impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate costs of complying with those mandates would not exceed the annual thresholds established by UMRA (\$66 million for intergovernmental mandates and \$131 million for private-sector mandates in 2007, adjusted annually for inflation.)</p>	<p>Not voting: J. Davis</p> <p>11/16/2007: Senate Committee on Banking, Housing, and Urban Affairs discharged by Unanimous Consent.</p> <p>11/16/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.</p> <p>Yeas: Warner, Webb</p> <p>12/26/2007: Signed by President.</p> <p>12/26/2007: Became Public Law No: 110-160</p>
		<p>According to a CBO score on Sept. 21, 2007, H.R. 3375 would extend certain programs authorized under the Trade Act of 1974 for three months, through December 31, 2007. Under current law, the authority for those Trade Adjustment Assistance (TAA) programs—TAA for Firms, TAA for Farmers and Fishermen, and TAA for Workers—is scheduled to expire on September 30, 2007.</p> <p>Assuming appropriation of the authorized amount, CBO estimates that implementing H.R. 3375 would increase discretionary spending for TAA for Firms by \$4 million over the next two years. CBO estimates that enacting the bill also would increase mandatory spending by \$9</p>	<p>8/3/2007: Introduced in House</p> <p>9/24/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-345.</p> <p>9/25/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as</p>

H.R. 1495	Water Resources Development Act of 2007	<p>million in fiscal year 2008, under the TAA for Farmers program. The costs of extending TAA for Workers are assumed in the current baseline; thus, we estimate no additional costs for that extension. In addition, the bill would affect direct spending and revenues for tax credits for health insurance, but those effects also are assumed in the current baseline. The net effects of the bill that are already assumed in the baseline would add \$214 million to the deficit in 2008. H.R. 3375 contains no intergovernmental or private-sector mandates as defined in UMRA. States that provide employment services, training, and supplemental assistance under cooperative agreements with the U.S. Department of Labor would benefit from the program extension authorized in the bill. Any costs those states might incur to comply with program conditions would be incurred voluntarily.</p>	<p>amended Agreed to by voice vote. 9/25/2007: Passed/agreed to in Senate: Received in the Senate, read twice, considered, read the third time, and passed by unanimous consent. 9/28/2007: Signed by President. 9/28/2007: Became Public Law No: 110-089 [Text, PDF]</p>
		<p>According to a CBO score on Sept. 24, 2007, H.R. 1495 would authorize the Army Corps of Engineers (Corps) to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. The legislation would authorize the agency to conduct studies on water resource needs, to complete feasibility studies for specified projects, and to convey ownership of certain federal properties. Finally, H.R. 1495 would extend, terminate, or modify existing authorizations for various water projects and would authorize new programs to develop water resources and protect the environment. Assuming appropriation of the necessary amounts, including adjustments for increases in anticipated inflation, CBO estimates that implementing this conference agreement for H.R. 1495 would result in discretionary outlays of about \$11.2 billion over the 2008-</p>	<p>3/13/2007: Introduced in House 3/29/2007: Reported (Amended) by the Committee on Transportation. H. Rept. 110-80. 4/19/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 394 - 25 (Roll no. 234). Yeas: Boucher, T. Davis, Drake, Forbes, Moran, Scott, Wolf Nays: Goode, Goodlatte</p>

	<p>2012 period and an additional \$12.0 billion over the 10 years after 2012. (Some construction costs and operations and maintenance would continue or commence after those first 15 years.)</p> <p>H.R. 1495 contains no intergovernmental or private-sector mandates as defined in UMRA. Federal participation in water resources projects and programs authorized by this act would benefit state, local, and tribal governments. Governments that choose to participate in those projects would incur costs to comply with the conditions of the federal assistance, including cost-sharing requirements, but such costs would be incurred voluntarily. In addition, some state and local governments participating in ongoing water resources projects would benefit from provisions in the act that would alter existing cost-sharing obligations. Many of those provisions would make it easier for nonfederal participants to meet their obligations by giving them credit for expenses they have already incurred or by expanding the types of expenditures counted towards the nonfederal share.</p>	<p>Not voting: Cantor, J. Davis</p> <p>5/16/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 91 - 4. Record Vote Number: 170.</p> <p>Yeas: Warner, Webb Nays: 0 Not voting: 0</p> <p>7/31/2007: Conference report H. Rept. 110-280 filed. 8/1/2007: Conference report agreed to in House: Agreed to by the Yeas and Nays: 381 - 40 (Roll no. 790). 9/24/2007: Senate agreed to conference report by Yea-Nay Vote. 81 - 12. Record Vote Number: 347. 11/2/2007: Vetoed by President. 11/6/2007: Passed House over veto: Passed by the Yeas and Nays (2/3 required): 361 -</p>
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H.R. 3648	Mortgage Forgiveness Debt Relief Act of 2007	<p>According to a CBO score on Sept. 28, 2007, H.R. 3648 would make several changes to tax law regarding principal residential property. The legislation would reduce revenues by excluding from taxation the gains on certain mortgage debt forgiven on principal residences, by extending the deduction for private mortgage insurance, and by providing a broader basis for an entity to qualify as a cooperative housing corporation. H.R. 3648 would raise revenues by reducing the exclusion from capital gains on sales of some principal residences. H.R. 3648 would also shift some corporate receipts from 2013 to 2012.</p> <p>The Joint Committee on Taxation (JCT) estimates that enacting H.R. 3648 would decrease revenues by \$179 million in 2008 and increase revenues by \$151 million over the 2008-2012 period and by \$34 million over the 2008-2017 period. The Congressional Budget Office estimates that enacting the bill would not affect federal spending.</p> <p>JCT has determined that the bill contains one private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA)—the reduction in the exclusion for capital gains on principal residences for nonqualified use. JCT also has determined</p>	<p>54 (Roll No. 1040).</p> <p>11/8/2007: Passed Senate over veto: Passed Senate over veto by Yea-Nay Vote. 79 - 14. Record Vote Number: 406.</p> <p>11/9/2007: Became Public Law No: 110-114</p>
			<p>9/25/2007: Introduced in House</p> <p>10/1/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-356.</p> <p>10/4/2007: Passed/agreed to in House: On passage Passed by recorded vote: 386 - 27 (Roll No. 948).</p> <p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>12/14/2007:</p>

H.R. 3668	TMA, Abstinence Education and QI programs Extension Act of 2007	that the bill contains no intergovernmental mandates as defined in UMRA.	Senate Committee on Finance discharged by Unanimous Consent. 12/14/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent. 12/20/2007: Signed by President. 12/20/2007: Became Public Law No: 110-142
H.R. 3668	TMA, Abstinence Education and QI programs Extension Act of 2007	According to a CBO score on Oct. 5, 2007, H.R. 3668 (enacted as Public Law 110-90) extends abstinence education programs, eligibility for transitional medical assistance (TMA) under Medicaid, and the authority for Medicaid to pay Medicare Part B premiums for certain qualifying individuals through December 31, 2007. The act further changes Medicaid by requiring more stringent verification of assets in certain eligibility determinations and delays by six months the implementation of a requirement to use tamper-resistant prescription pads. The act also provides additional funding for the Medicare physician assistance and quality initiative fund in fiscal years 2009 and 2013, and limits for two years the implementation of adjustments for changes in coding for services paid under the Medicare inpatient hospital prospective payment system (IPPS). CBO estimates that H.R. 3668 will increase direct spending by \$804 million in 2008, largely due to costs from limiting the adjustment for changes in coding under Medicare=s IPPS and extending transitional medical assistance. However, the act will reduce direct spending by \$4 million over the 2008-2012 period and by \$3 million over the 2008-	9/26/2007: Introduced in House 9/26/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. 9/27/2007: Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent. 9/29/2007: Signed by President. 9/29/2007: Became Public Law No: 110-090 [Text , PDF]

H.R. 3678	Internet Tax Freedom Act Amendments Act of 2007	<p>2017 period, mainly through savings due to the use of asset verification tools in Medicaid.</p> <p>The act contains provisions that will both increase and decrease direct spending. CBO estimates that the net impact will be savings of \$4 million over the 2008-2012 period and \$3 million over the 2008-2017 period.</p> <p>The extension also will affect spending in the State Children's Health Insurance Program (SCHIP), lowering outlays in 2008 and increasing them slightly in subsequent years.</p> <p>According to a CBO score on Oct. 12, 2007, H.R. 3678 would extend a moratorium on certain state and local taxation of online services and electronic commerce until November 1, 2011. The bill also would amend part of an exception to that prohibition for certain states. Under current law, the moratorium is set to expire on November 1, 2007. CBO estimates that enacting H.R. 3678 would have no impact on the federal budget, but it would impose significant annual costs on some state and local governments. By extending and expanding the moratorium on certain types of state and local taxes, H.R. 3678 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the mandate would cause some state and local governments to lose revenue beginning in November 2007; those losses would exceed the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation) beginning in fiscal year 2008. While there is some uncertainty about the number of states affected, CBO estimates that the direct costs to states and local governments would probably total more than \$80 million annually. The bill contains no new private-sector mandates as defined in UMRA.</p>	
			<p>9/27/2007: Introduced in House 10/12/2007: Reported (Amended) by the Committee on Judiciary. H. Rept. 110-372. 10/16/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 405 - 2 (Roll no. 968).</p> <p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p>

<p>S. 2271</p>	<p>Sudan Accountability and Divestment Act of 2007</p>	<p>According to a CBO score on Oct. 26, 2007, this legislation would allow state and local governments to divest their holdings in certain companies doing business in Sudan. If any state or local government chose to divest, it would be required to notify both the Attorney General and the companies affected by the divestiture. It also would allow state and local governments to divest financial holdings or any government assets used to make loans and extensions of credit to companies doing business in Sudan. The bill also would prohibit federal agencies from entering into contracts for goods or services without a certification from the contractor that it does not conduct business operations in Sudan. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State or local governments that chose to divest their assets would have to notify the Attorney General and the companies affected by the divestiture, but the costs of such notifications would result from their voluntary decision to divest and would not result from an intergovernmental mandate as defined in UMRA.</p>	<p>Not voting: J. Davis</p> <p>10/25/2007: Passed/agreed to in Senate with an amendment by Unanimous Consent (No recorded vote)</p> <p>10/31/2007: Signed by President, Became Public Law No: 110-108 [Text, PDF]</p>
			<p>10/31/2007: Introduced in Senate</p> <p>10/31/2007: Committee on Banking, Housing, and Urban Affairs. Original measure reported to Senate by Senator Dodd. With written report No. 110-213.</p> <p>12/12/2007: Passed/agreed to in Senate by Unanimous Consent. (No recorded vote)</p> <p>12/18/2007: Passed/agreed to in House: (2/3 required): 411 - 0</p> <p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes,</p>

H.R. 3688	United States- Peru Trade Promotion Agreement Implementation Act	<p>According to a CBO score on Nov. 2, 2007, H.R. 3688 would approve the free trade agreement between the government of the United States and the government of Peru that was entered into on April 12, 2006. It would provide for tariff reductions and other changes in law related to implementation of the agreement. It also would shift some corporate income tax payments between fiscal years.</p> <p>The CBO and JCT (the Joint Committee on Taxation) have determined that the provisions of H.R. 3688 contain no intergovernmental mandates as defined in UMRA.</p> <p>CBO has determined that the non-tax provisions of H.R. 3688 would impose private-sector mandates, as defined in UMRA, by extending the customs user fees and by enforcing new record-keeping requirements on exporters of goods to Peru. The aggregate costs of those mandates would greatly exceed the annual threshold established in UMRA for private-sector mandates in 2015. JCT has determined that the tax provision of the bill (section 602) contains no private-sector mandate as defined in UMRA.</p>	<p>Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>12/31/2007: Signed by President, Became Public Law No: 110-174 [Text, PDF]</p>
			<p>9/27/2007: Introduced in House</p> <p>11/5/2007: Reported by the Committee on Ways and Means. H. Rept. 110-421.</p> <p>11/8/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 285 - 132 (Roll no. 1060).</p> <p>Yeas: Cantor, Tom Davis, Drake, Forbes, Goodlatte, Moran, Wolf</p> <p>Nays: Boucher, Goode, Scott</p> <p>Not voting: J. Davis</p>

H.R. 3996	Tax Increase Prevention Act of 2007	<p>According to a CBO score on Nov. 6, 2007, H.R. 3996 would provide relief from the alternative minimum tax (AMT), extend various expiring provisions for one year, make changes to certain tax administration methods (including repealing the authority to contract with private debt collectors), and raise revenue related to the taxation of income from carried interest and deferred compensation. It also would shift some corporate income tax receipts from 2013 into 2012.</p> <p>CBO and JCT have determined that the bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO has determined that the nontax provision of the bill (section 506) contains no private-sector mandates. JCT has determined that the tax provisions of the bill contain four private-sector mandates: (1) limitations on the</p>	<p>12/4/2007: Passed Senate without amendment by Yea-Nay Vote. 77 - 18. Record Vote Number: 413.</p> <p>Yeas: Warner, Webb</p> <p>Nays:</p> <p>12/14/2007: Signed by President, Became Public Law No: 110-138 [Text, PDF]</p>
			<p>10/30/2007: Introduced in House</p> <p>11/6/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-431.</p> <p>11/9/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 216 - 193 (Roll no. 1081).</p> <p>Yeas: Boucher, Moran, Scott</p> <p>Nays: Cantor, T. Davis,</p>

		<p>applicability of the exclusion of gains on the sale of a principal residence; (2) the requirement that income of partners for performing investment management services be treated as ordinary income; (3) the delay in implementation of worldwide allocation of interest expense until 2018; and (4) the requirement that brokers report customers' basis in securities transactions. Based on information provided by JCT, CBO estimates that the aggregate cost of mandates in the bill would exceed the annual threshold established in UMRA for private-sector mandates. Because section 611(d) (4) of the bill relates to the Old-Age, Survivors, and Disability Insurance program (OASDI) under title II of the Social Security Act, it is excluded from review under UMRA. Therefore, CBO has not reviewed it for intergovernmental or private-sector mandates.</p>	<p>Drake, Forbes, Goode, Goodlatte, Wolf</p> <p>Not voting: J. Davis</p> <p>12/6/2007: Passed Senate with an amendment by Yea-Nay Vote. 88 - 5. Record Vote Number: 415.</p> <p>Yeas: Warner, Webb</p> <p>Nays: 0</p> <p>12/26/2007: Signed by President, Became Public Law No: 110-166 [Text, PDF]</p>
H.R. 6	Energy Independence and Security Act of 2007	<p>According to a CBO score on Dec. 14, 2007, CBO estimates that enacting this legislation would increase direct spending by \$582 million over the 2008-2012 period and reduce it by \$85 million over the 2008-2017 period. In addition, CBO and the Joint Committee on Taxation (JCT) estimate that the legislation would increase revenues by \$976 million over the 2008-2012 period and reduce them by \$33 million over the 2008-2017 period. CBO has determined that the nontax provisions of the legislation contain several intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). We estimate that the aggregate costs of those mandates would not exceed the annual</p>	<p>1/12/2007: Introduced in House</p> <p>1/18/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 264 - 163 (Roll no. 40).</p> <p>Yeas: Scott, Moran, Boucher, Wolf</p> <p>Nays: J. Davis, T. Davis,</p>

		<p>threshold established in UMRA for intergovernmental mandates (\$66 million in 2007, adjusted annually for inflation). The nontax provisions also contain several private-sector mandates. CBO estimates that their aggregate costs would well exceed the annual threshold established in UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p>	<p>Drake, Forbes, Good, Goodlatte, Cantor</p> <p>Not voting: 0</p> <p>6/21/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 65 - 27. Record Vote Number: 226.</p> <p>Yeas: Warner, Webb</p> <p>Nays: 0</p> <p>12/19/2007: Signed by President, Became Public Law No: 110-140 [Text, PDF]</p>
H.R. 4118	An act to exclude from gross income payments from the Hokie Spirit Memorial Fund to the victims of the tragic event at Virginia Polytechnic	<p>According to a CBO score on Dec. 21, 2007, H.R. 4118 (enacted as Public Law 110-141) allows the victims of the April 16, 2007, shooting events at Virginia Polytechnic Institute & State University to exclude from gross income, for tax purposes, certain payments received in connection with the tragedy. The Hokie Spirit Memorial Fund was established by the university to provide cash payments to victims of the events described above. Also, H.R. 4118 increases the monthly penalty assessed to partnerships that fail to timely file tax returns. When a partnership fails to file a tax return on time, each partner is charged a civil</p>	<p>11/8/2007: Introduced in House</p> <p>12/4/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p> <p>12/6/2007:</p>

	Institute & State University	penalty for each month that the return is deemed late. H.R. 4118 raises that monthly fine from \$50 to \$51 per month. The Joint Committee on Taxation estimates that enacting the legislation will raise revenues by less than \$500,000 over the 2008-2017 period.	Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent. (No recorded vote) 12/19/2007: Signed by President. Became Public Law No: 110-141
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Part II-Mandates in Pending Legislation

Title II of the Unfunded Mandate Reform Act (UMRA) of 1995 requires the Congressional Budget Office (CBO) to prepare mandate statements for bills approved by authorizing committees. In those statements, CBO must address whether a bill contains federal mandates and, if so, whether the direct costs of those mandates would be greater than the thresholds established in the law. The thresholds for 2007, which are adjusted annually for inflation, are \$66 million for intergovernmental mandates (state, local, or tribal governments) and \$131 million or more per year for the private sector.

Bill Number	Bill Title	Unfunded Mandate on State	Bill Status (Including Congressional Vote)
H.R. 2389	Small Energy Efficient Businesses Act	<p>According to a CBO score on July 10, 2007, H.R. 2389 would modify several existing Small Business Administration (SBA) loan and assistance programs and create new programs to encourage small businesses to invest in technologies to improve energy efficiency. Assuming appropriation of the necessary amounts, CBO estimates that implementing the provisions of H.R. 2389 would cost \$4 million in 2008 and \$121 million over the 2008-2012 period. Enacting this bill would not affect direct spending or revenues.</p> <p>H.R. 2389 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt certain state and local laws. CBO estimates that the preemption would impose insignificant additional costs on state, local, or tribal governments, which would be well below the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation). H.R. 2389 contains no private-sector mandates as defined in UMRA.</p>	<p>5/17/2007: Referred to the House Committee on Small Business. 5/23/2007: Committee Hearings Held. 5/23/2007: Ordered to be Reported by Voice Vote. <i>Text of H.R. 2389 was generally incorporated in H.R. 3221, Division A, the New Direction for Energy Independence, National Security, and Consumer Protection Act.</i> 7/30/2007: Introduced in House</p>

			<p>8/4/2007: Passed/agreed to in House: On passage Passed by recorded vote: 241 - 172 (Roll no. 832).</p> <p>Yeas: Boucher, Moran, Scott, Wolf</p> <p>Nays: Cantor, T. Davis, Drake, Forbes, Goodlatte</p> <p>Not Voting: J. Davis, Goode</p> <p>9/5/2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 340.</p>
H.R. 1315	Veterans' Benefits Improvement Act of 2007	According to a CBO score on July 26, 2007, H.R. 1315 would make several changes to programs for service members and veterans, including expanding eligibility for certain housing grants, extending the period of protection against foreclosure and rising interest rates on mortgages, and establishing a new scholarship program. Enacting H.R. 1315 would increase direct spending by requiring lenders to reduce interest rates on mortgages for some military members by an additional 180 days. That provision would modify the cost of some existing loan guarantees and would increase direct spending by \$8 million in 2008, CBO estimates. In addition, CBO estimates that implementing H.R. 1315 would result in discretionary costs of \$2 million over the 2008-	<p>3/5/2007: Referred to the House Committee on Veterans' Affairs.</p> <p>7/30/2007 Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p>

H.R. 1664	A bill to authorize grants for contributions toward the establishment of the Woodrow Wilson Presidential Library	<p>2012 period, assuming the availability of appropriated funds. Enacting the bill would have no effect on federal revenues.</p> <p>H.R. 1315 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p> <p>H.R. 1315 contains a private-sector mandate as defined in UMRA, but CBO estimates that the annual cost of the mandate would not exceed the threshold established in UMRA (\$131 million in 2007, adjusted annually for inflation). Section 3 would extend the period after release of a servicemember from active duty during which the member is protected from mortgage foreclosure under the Servicemembers Civil Relief Act (SCRA) from 90 days to 180 days. Furthermore, it would extend the existing period of interest rate limitation under the SCRA by 180 days. This would constitute a mandate upon mortgage collectors, and the cost of the mandate would be the loss associated with delayed mortgage payments, delayed foreclosure, and interest rate limitations. Based on historical separation rates, foreclosure rates, and mortgage interest rates, CBO estimates that the annual cost of the mandate would not exceed the threshold for private sector mandates established in UMRA (\$131 million in 2007, adjusted annually for inflation).</p> <p>According to a CBO score on July 26, 2007, H.R. 1664 would authorize the appropriation of such sums as necessary for grants to expand the facilities of the Woodrow Wilson Presidential Library, a private, nonprofit corporation located in Staunton, Virginia. The grant would be provided by the National Archives and Records Administration (NARA) and would equal 50 percent of the funds collected by the library from nonfederal sources for an expansion of the library.</p> <p>Based on information from the Woodrow Wilson Presidential Library and assuming appropriation of the necessary amounts,</p>	<p>8/3/2007: Referred to Senate committee: Read twice and referred to the Committee on Veterans' Affairs.</p>
			<p>3/23/2007: Sponsor introductory remarks on measure. (CR E633-634)</p> <p>3/23/2007: Referred to the House Committee on Oversight and Government Reform.</p> <p>9/24/2007:</p>

		<p>CBO estimates that implementing the bill would cost \$4 million over the 2008-2009 period. Enacting the bill would not affect direct spending or revenues.</p> <p>H.R. 1664 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	<p>On motion to suspend the rules and pass the bill Agreed to by voice vote. (No recorded vote)</p> <p>9/25/2007: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.</p>
H.R. 976	<p>An act to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes</p>	<p>According to a CBO score on July 26, 2007, CBO estimates that enacting this legislation would increase federal direct spending by \$35.2 billion over the 2008-2012 period and by \$71.0 billion over the 2008-2017 period. CBO and JCT estimate that net revenues would increase under the bill by \$36.1 billion over the next five years and \$72.8 billion over the 10-year period. A portion of that increase would be in off-budget revenues: \$0.8 billion for the 2008-2012 period and \$1.1 billion over the 2008-2017 period. On balance, the spending and revenue changes would reduce federal on-budget deficits by \$0.1 billion through 2012 and \$0.8 billion for the 2008-2017 period.</p> <p>CBO has reviewed the non-tax provisions of the bill—titles I through VI, excluding section 411, and title VII—for mandates and determined that they contain no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would affect the way states administer SCHIP and Medicaid, but because of the flexibility in those programs, the new requirements would not be intergovernmental mandates as UMRA</p>	<p>2/9/2007: Introduced in House</p> <p>2/15/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-14.</p> <p>2/16/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by recorded vote (2/3 required): 360 - 45 (Roll no. 102).</p> <p>Yeas: Boucher, Cantor, Tom Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p>

		<p>defines that term. In general, state, local, and tribal governments would benefit from the continuation of existing SCHIP grants, the creation of new grant programs, and broader flexibility and options in some programs.</p> <p>According to JCT, the tax provisions of the bill contain no intergovernmental mandates as defined in UMRA. JCT has determined that the tax provisions of the bill contain a private-sector mandate, as defined in UMRA, by increasing the excise tax rate on cigarettes and other tobacco products. The costs of that mandate would be similar to the estimated budget effects of the provision (as shown in the attached table), and thus would significantly exceed the threshold established in UMRA for private-sector mandates in each year (the threshold is \$131 million in 2007, and is adjusted annually for inflation).</p>	<p>Not voting: J. Davis</p> <p>8/2/2007: Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Yea-Nay Vote. 68 - 31. Record Vote Number: 307.</p> <p>Yeas: Warner, Webb</p> <p>Nays: 0</p> <p>10/2/2007: Presented to President.</p> <p>10/3/2007: Vetoed by President.</p> <p>10/18/2007: Failed of passage in House over veto: On passage, the objections of the President to the contrary notwithstanding Failed by the Yeas and Nays: (2/3 required): 273 - 156 (Roll no. 982).</p>
H.R. 2874	Veterans' Health Care Improvement Act of 2007	According to the CBO Score on July 27, 2007, H.R. 2874 contains provisions that would both increase and decrease spending for veterans' health care. The bill would expand certain health care benefits available for veterans and would create new programs to help low-income	6/27/2007: Referred to the House Committee on Veterans' Affairs.

H.R. 1011	Virginia Ridge and Valley Act of 2007	<p>veterans and veterans in rural areas.</p> <p>H.R. 2874 also would extend for two years the authority of the Department of Veterans Affairs (VA) to collect certain payments for medical care. The bill also would require VA to implement a new program to provide readjustment counseling and mental health care services to recent veterans. CBO does not have sufficient information about how VA might implement this requirement to estimate the cost. CBO estimates that the net effect of implementing the remainder of H.R. 2874 would be to reduce costs for veterans' health care by \$22 million in 2008 and to increase costs by \$199 million over the 2008-2012 period, assuming the availability of appropriated funds. Enacting the bill would not affect direct spending or revenues.</p> <p>H.R. 2874 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA); any costs to state, local, or tribal governments would be incurred voluntarily.</p>	<p>7/30/2007: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p> <p>7/31/2007: Received in the Senate.</p> <p>8/3/2007: Read twice and referred to the Committee on Veterans' Affairs.</p>
		<p>According to the CBO Score on July 30, 2007, H.R. 1011 would designate several wilderness, wilderness study, potential wilderness, and scenic areas on approximately 50,000 acres of federal lands within the Jefferson National Forest in Virginia. Under the bill, the Forest Service would develop management plans for the proposed scenic areas within the next two years. Finally, the legislation would prohibit timber harvesting and new mineral leasing within the scenic areas.</p> <p>Based on information provided by the Forest Service, CBO estimates that implementing H.R. 1011 would cost approximately \$3 million over the 2008-2012 period, assuming appropriation of the necessary amounts. Of this amount, \$2 million would be used by the agency for planning, marking the newly designated areas, developing trails, and preparing legal descriptions and maps. The</p>	<p>2/13/2007: Referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture</p> <p>10/23/2007: On passage Passed by voice vote. (No recorded vote)</p> <p>10/24/2007: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.</p>

H.R. 3162	Children's Health and Medicare Protection Act of 2007	<p>remaining \$1 million would be spent over the next five years to administer the new areas. According to the Forest Service, the lands affected by H.R. 1011 currently generate no significant receipts but do contain timber valued at \$2 million that may be harvested in the future. Such sales proceeds can be spent by the Forest Service without further appropriation. Thus, CBO estimates that enacting this legislation could affect both offsetting receipts and direct spending, but we estimate that the net effect of any changes would be negligible over the next 10 years. Enacting the bill would not affect revenues.</p> <p>H.R. 1101 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.</p> <p>According to CBO Score on July 30, 2007, the CBO estimates that enacting this legislation would increase federal direct spending by \$27.5 billion over the 2008-2012 period and by \$132.6 billion over the 2008-2017 period. CBO and JCT estimate that net revenues would increase under the bill by \$28.9 billion over the next five years and \$59.7 billion over the 10-year period. (A portion of that increase would be in off-budget revenues: \$0.8 billion for the 2008-2012 period and \$2.4 billion over the 2008-2017 period.) On balance, the spending and revenue changes would reduce federal deficits by \$1.4 billion through 2012, but would increase federal deficits by \$72.9 billion for the 2008-2017 period. The two attached tables provide estimates of year-by-year changes and a summary of the estimated change in enrollment of children under the State Children's Health Insurance Program (SCHIP) and Medicaid.</p>	
			<p>7/24/2007: Referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means 8/1/2007: On passage Passed by the Yeas and Nays: 225 – 204 Yeas: Boucher, Moran, Scott Nays: Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Wolf</p>

H.R. 3246	Regional Economic and Infrastructure Development Act of 2007	<p>CBO and JCT have reviewed the bill and determined that it contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would affect the way states administer SCHIP and Medicaid, but because of the flexibility in those programs, the new requirements would not be intergovernmental mandates as defined in UMRA.</p>	<p>Not voting: J. Davis</p> <p>9/4/2007: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 338.</p>
	Regional Economic and Infrastructure Development Act of 2007	<p>According to a CBO score on Aug. 22, 2007, H.R. 3246 would authorize the appropriation of \$1.25 billion over the 2008-2012 period to establish five regional commissions that would award grants to state and local governments, Indian tribes, and nonprofit organizations to promote economic and infrastructure development among member states.</p> <p>Assuming the appropriation of the specified amounts, CBO estimates that implementing H.R. 3246 would cost \$655 million over the 2008-2012 period. Enacting this bill would not affect direct spending or revenues.</p> <p>H.R. 3246 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	<p>7/31/2007: Introduced in House</p> <p>9/7/2007: Reported (Amended) by the Committee on Transportation. H. Rept. 110-321, Part I.</p> <p>9/7/2007: Committee on Financial Services discharged.</p> <p>10/4/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 264 - 154 (Roll no. 946).</p> <p>Yeas: Boucher, Drake, Moron, Scott</p> <p>Nays: Wolf, Goode, Goodlatte, Tom Davis, Forbes, Cantor</p>

H.R. 1908	Patent Reform Act of 2007	<p>According to a CBO score on Sept. 4, 2007, H.R. 1908 would amend various provisions of current law that regulate how the Patent and Trademark Office (PTO) awards patents. The bill would alter the rule that prioritizes the award of a patent from the “first to invent” to the “first inventor to file.” As a result, PTO would change certain procedures followed in awarding patents and procedures that allow individuals to challenge the validity of patents that have been awarded. The bill would authorize PTO to collect certain fees to offset most of the costs associated with these new procedures. Several provisions of H.R. 1908 would alter intellectual property protections associated with brand name drugs and could affect when competing versions of generic drugs ultimately enter the market. Subject to appropriation of the necessary amounts, CBO estimates that implementing the bill would have a net discretionary cost of \$3 million in 2008 and \$11 million over the 2008-2012 period.</p> <p>H.R. 1908 would impose intergovernmental and private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA), on certain patent applicants. The mandates imposed would include following new application requirements and prohibiting tax planning methods from being patentable. <u>Required Search Reports</u> - The bill would direct the Patent and</p>	<p>Not voting: J. Davis</p> <p>10/4/2007: Referred to Senate Committee on Environment and Public Works.</p> <p>4/18/2007: Introduced in House</p> <p>9/4/2007: Reported (Amended) by the Committee on Judiciary. H. Rept. 110-314.</p> <p>9/7/2007: Passed/agreed to in House: On passage Passed by recorded vote: 220 - 175 (Roll no. 863).</p> <p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: Goode</p> <p>Not Voting: J. Davis</p> <p>9/11/2007: Read the second time. Placed on Senate Legislative</p>
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H.R. 1851	Section 8 Voucher Reform Act of 2007	<p>Trademark Office to establish regulations that would require certain patent applicants to submit a search report, analysis, and other information relevant to receiving a patent. Most patent applicants, including public universities, would be required to follow the new application process. According to PTO, the cost for applicants to research and provide such information would be about \$5,000 to \$10,000 per search report; however, some applicants already provide similar information in their applications. Based on the number of patent applications per year, CBO expects that the direct cost to comply with the mandate would exceed the annual threshold for private-sector mandates established in UMRA in each of the first five years the mandate is in effect. CBO estimates that the costs to public universities of complying with the mandates would not exceed the annual threshold for intergovernmental mandates established in UMRA. <u>Prohibiting Tax Planning Methods</u> – The bill also would prohibit tax planning methods from being patentable. CBO estimates that the costs of complying with this mandate for state, local, and tribal entities would be small.</p> <p>According to a CBO score on Sept. 5, 2007, H.R. 1851 would amend the United States Housing Act of 1937 to change certain aspects of the Department of Housing and Urban Development's (HUD's) rental assistance programs.</p> <p>The act would alter calculations of income, tenant rent, and public housing authority (PHA) funding; change requirements for the inspection of housing units; and adjust requirements for the targeting of housing assistance. CBO estimates that implementing this legislation would have a net cost of \$2.5 billion over the 2008-2012 period, assuming appropriation of the necessary amounts.</p>	Calendar under General Orders. Calendar No. 348.
			<p>3/29/2007: Introduced in House 6/28/2007: Reported (Amended) by the Committee on Financial Services. H. Rept. 110-216. 7/12/2007: Passed/agreed to in House by the Yeas and Nays: 333 - 83 (Roll no. 629).</p>

		<p>Enacting the legislation also would decrease expenditures for some funds that have been previously appropriated, reducing direct spending by \$1 million over the 2008-2012 period.</p> <p>H.R. 1851 contains no intergovernmental or private-sector mandates as defined in U.M.R.A. State, local, and tribal governments would benefit from housing assistance activities authorized in the bill. Any costs those governments incur to comply with grant requirements would result from conditions of federal assistance.</p>	<p>Yeas: Boucher, T. Davis, Drake, Forbes, Moran, Scott, Wolf</p> <p>Nays: Cantor, Goode, Goodlatte</p> <p>Not voting: J. Davis</p> <p>7/16/2007: Referred to Senate committee</p>
<p>H.R. 1413</p>	<p>A bill to direct the Assistant Secretary of Homeland Security to address vulnerabilities in aviation security by carrying out a pilot program to screen airport workers</p>	<p>According to a CBO score on Sept. 5, 2007, H.R. 1413 would direct the Assistant Secretary of Homeland Security, through the Transportation Security Administration (TSA), to test and evaluate alternative means of screening certain individuals employed at airports. Under the bill, TSA would establish pilot projects at seven airports to screen all individuals with unescorted access to secure areas of airports and areas where access is controlled by TSA (known as sterile areas). The legislation would require the agency to initiate those projects within 120 days of enactment, operate them for at least 180 days, and, after ending the projects, report on their results within 90 days.</p> <p>Based on information from TSA on the cost of similar activities to develop and test screening systems, CBO estimates that implementing H.R. 1413 would cost \$10 million over the 2008-2009 period, assuming appropriation of the necessary amounts. Enacting H.R. 1413 would not affect direct spending or</p>	<p>3/8/2007: Introduced in House</p> <p>12/11/2007: Reported (Amended) by the Committee on Homeland Security. H. Rept. 110-482.</p> <p>12/11/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.</p> <p>12/12/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and</p>

H.R. 1943	Stop AIDS in Prison Act of 2007	<p>revenues. H.R. 1413 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.</p> <p>According to a CBO score on Sept. 7, 2007, H.R. 1943 would amend current law to require the Bureau of Prisons (BOP) to test all incoming and outgoing inmates for the human immunodeficiency virus (HIV). The legislation would offer an opt-out provision to most inmates. Presently, BOP performs HIV testing on those inmates who are sentenced to six months or more in prison if they are determined to be at risk for HIV. CBO estimates that implementing H.R. 1943 would cost about \$3 million in fiscal year 2008 and \$12 million over the 2008-2012 period, assuming appropriation of the necessary funds. Enacting H.R. 1943 would not affect direct spending or revenues.</p> <p>H.R. 1943 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	Transportation.
H.R. 3096	Vietnam Human Rights Act of 2007	<p>According to a CBO score on Sept. 7, 2007, H.R. 3096 would authorize funding, totaling an estimated \$20 million over the 2008-2010 period, to promote freedom, democracy, and human rights in Vietnam. In total, CBO estimates that implementing the bill would cost \$11 million in 2008 and \$20 million over the 2008-2012 period, assuming that the authorized and estimated amounts are appropriated near the start of each fiscal year and that outlays will follow historical spending patterns for similar activities. Enacting the bill would not affect direct spending or revenues.</p> <p>H.R. 3096 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the</p>	<p>7/19/2007: Introduced in House</p> <p>9/18/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 414 - 3 (Roll no. 877).</p>

H.R. 2895	National Affordable Housing Trust Fund Act of 2007	<p>budgets of state, local, or tribal governments. H.R. 3096 contains a private-sector mandate as defined in UMRA. The bill would prohibit an increase in some non-humanitarian assistance to Vietnam above the amount provided in fiscal 2007, unless the President determines and certifies that the government of Vietnam has met certain human rights requirements specified in the bill. Under the bill, non-humanitarian assistance would include sales (including exports of defense-related items) by the private sector under the Arms Export Controls Act. According to the Department of State, there are currently no such business activities authorized with the government of Vietnam; nor are there any pending requests for such business activities. Consequently, CBO estimates that the cost to comply with the mandate would be little if any, and would fall well below the annual threshold for private-sector mandates established by UMRA (\$131 million in 2007, adjusted annually for inflation).</p> <p>According to a CBO score on Sept. 12, 2007, H.R. 2895 would establish a National Affordable Housing Trust Fund for the Department of Housing and Urban Development (HUD) to provide assistance to state and local governments and Indian tribes. Such assistance would include grants, loans, and interest rate buy-downs that would be used to construct, rehabilitate, and preserve affordable housing for low-income families. Budgetary resources for the new trust fund would be provided by other legislation. (Potential spending from the new trust fund could be triggered by either H.R. 2895 or other pending legislation, depending on the order in which such multiple bills are enacted.) This bill also would prohibit the Federal Housing Administration (FHA) from increasing fees for certain loan guarantees CBO estimates that implementing H.R. 2895 would result in a loss</p>	<p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>9/19/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Foreign Relations.</p>
			<p>6/28/2007: Introduced in House 10/2/2007 Reported (Amended) by the Committee on Financial Services. H. Rept. 110-362.</p> <p>10/10/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 264 - 148 (Roll no. 958).</p> <p>Yeas: Boucher, T. Davis, Moran, Scott</p>

H.R. 1955	Violent Radicalization and Homegrown Terrorism Prevention Act of 2007	<p>of \$192 million in discretionary offsetting collections over the next five years stemming from the prohibition of fee increases for certain FHA guaranties. Because enacting H.R. 2895 by itself would result in no transfers, deposits, or appropriations to the proposed trust fund, CBO estimates that enacting the bill would not affect direct spending or revenues (unless other legislation providing resources for that fund is enacted first).</p> <p>H.R. 2895 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p> <p>According to a CBO score on Sept. 17, 2007, H.R. 1955 would direct the Department of Homeland Security (DHS) to establish a university-based Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States. The bill also would establish a commission to investigate the causes of terrorist acts committed by persons raised or living in the United States and would require DHS to prepare reports on certain issues relating to domestic terrorism. CBO estimates that implementing H.R. 1955 would cost \$22 million over the 2008-2012 period, assuming appropriation of the necessary amounts. Enacting H.R. 1955 would not affect direct spending or revenues.</p> <p>H.R. 1955 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	<p>Nays: Cantor, Drake, Forbes, Goode, Goodlatte</p> <p>Not voting: J. Davis</p> <p>10/15/2007: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
			<p>4/19/2007: Introduced in House</p> <p>10/16/2007: Reported (Amended) by the Committee on Homeland Security. H. Rept. 110-384, Part I.</p> <p>10/23/2007: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 404 - 6 (Roll no. 993).</p> <p>Yeas: Boucher, Cantor, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p>

H.R. 3121	Flood Insurance Reform and Modernization Act of 2007	<p>According to a CBO score on Sept. 20, 2007, H.R. 3121 would authorize the National Flood Insurance Program (NFIP) of the Federal Emergency Management Agency (FEMA) to enter into and renew flood insurance policies through 2013. Under current law, that authority would expire at the end of 2008. The legislation also would increase the amount that FEMA can borrow from the U.S. Treasury to cover expenses of the NFIP from \$20.8 billion to \$21.5 billion. As a result, CBO estimates that enacting H.R. 3121 would increase direct spending by \$725 million in 2009. By raising certain civil penalties on lending institutions, CBO estimates that the bill would increase revenues by \$1 million per year. Finally, H.R. 3121 would authorize the appropriation of nearly \$2.8 billion over the 2008-2012 period for mapping regions of the country at risk of flooding and for other activities. CBO estimates that implementing those provisions would increase discretionary spending by about \$1.8 billion over the 2008-2012 period, assuming the appropriation of the specified amounts. H.R. 3121 contains no intergovernmental mandates as defined in</p>	<p>Nays: 0</p> <p>Not voting: T. Davis, J. Davis</p> <p>10/24/2007: Received in the Senate and referred to the Committee on Homeland Security and Governmental Affairs.</p> <p>7/19/2007: Introduced in House 9/24/2007 Reported (Amended) by the Committee on Financial Services. H. Rept. 110-340. 9/27/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 263 - 146 (Roll no. 921).</p> <p>Yeas: Boucher, T. Davis, Drake, Forbes, Scott</p> <p>Nays: Cantor, Goode, Goodlatte, Wolf</p> <p>Not voting: J. Davis, Moran</p>
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H.R. 3567		<p>the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. H.R. 3121 would impose a private-sector mandate, as defined in UMRA, on certain mortgage lenders. Based on information from FEMA and industry sources, CBO expects the direct costs to comply with the mandate would be small and fall below the annual threshold for private-sector mandates established in UMRA (\$131 million in 2007, adjusted annually for inflation).</p> <p>According to a CBO score on Sept. 24, 2007, H.R. 3567 would reauthorize the Small Business Administration's (SBA's) New Markets Venture Capital Program (NMVC), amend its surety guarantee program, and change certain investment limits imposed on SBA's small business investment program. The bill also would establish the Angel Investment Program to provide venture capital to certain groups working with small businesses in their communities. Finally, the SBA would be required to produce a number reports for the Congress about the effectiveness of the program changes authorized by the bill.</p> <p>Based on information from SBA, CBO estimates that implementing H.R. 3567 would cost \$8 million in 2008 and \$102 million over the 2008-2012 period, assuming appropriation of the necessary and specified amounts. Enacting H.R. 3567 would not affect direct spending or revenues.</p> <p>H.R. 3567 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would benefit state and local governments by authorizing grants to develop in investment program for small business.</p>	<p>9/28/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
Small Business Expansion Act of 2007			<p>9/18/2007: Introduced in House 9/25/2007 Reported by the Committee on Small Business. H. Rept. 110-347. 9/27/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 325 - 72 (Roll no. 923). Yeas: Boucher, T. Davis, Drake, Forbes, Goodlatte, Scott, Wolf Nays: Cantor, Goode Not voting: J. Davis, Moran 9/28/2007: Referred to Senate committee: Received in the</p>

H.R. 2787	CJ's Home Protection Act of 2007	<p>According to a CBO score on Sept. 27, 2007, H.R. 2787 would require the Department of Housing and Urban Development (HUD) to issue a new standard requiring that each manufactured home delivered for sale be supplied with a weather radio that meets certain performance specifications and can receive broadcasts of emergency information related to local weather conditions. Under current law, a committee representing both producers and users of manufactured housing makes recommendations to HUD on regulations concerning such homes. H.R. 2787 would require the committee to develop a proposed standard meeting the requirements specified in the bill; HUD would be required to finalize the standard within 90 days of receiving that proposal. Based on information from HUD, CBO estimates that implementing H.R. 2787 would have no significant net effect on spending subject to appropriation in any year. Enacting H.R. 2787 would not affect direct spending or revenues. The bill's requirement that each manufactured home delivered for sale be equipped with a weather radio would extend an existing preemption of state and local authority that prohibits state and local governments from establishing, or continuing in effect, laws regarding the safety of manufactured homes if those standards are not identical to the federal standards. CBO has identified safety standards for manufactured homes in at least one state that are similar but not identical to the requirements in H.R. 2787. Preempting such state laws is an intergovernmental mandate as</p>	<p>Senate and Read twice and referred to the Committee on Small Business and Entrepreneurship.</p> <p>6/20/2007: Introduced in House 10/30/2007: Reported (Amended) by the Committee on Financial Services. H. Rept. 110-415. 10/30/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p> <p>11/1/2007: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
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		<p>defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the mandate would impose no significant costs on state, local, or tribal governments and would be well below the threshold established by UMRA.</p> <p>H.R. 2787 would impose a private-sector mandate on manufacturers of manufactured housing. The bill would require all manufactured homes delivered for sale to be supplied with weather radios equipped with a tone alarm and specific alert message encoding, and in compliance with the Consumer Electronics Association's performance standards for public alert receivers. Based on information from industry sources, the cost of such radio equipment could amount to \$30 per radio and up to \$50 when including the overhead costs associated with supplying each radio, such as storage, shipment fees, and taxes. CBO expects that the direct cost of the mandate would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p>	
S. 781	Do-Not-Call Registry Fee Extension Act of 2007	<p>According to a CBO score on Sept. 24, 2007, S. 781 would authorize the Federal Trade Commission (FTC) to continue to collect and spend fees to operate and enforce the "do-not-call" registry. The registry contains a list of consumers who telemarketing firms are prohibited from calling because the consumers have notified the FTC that they do not wish to receive such calls. The bill also would require the FTC to prepare two reports about the use and effectiveness of the registry. Based on information from the FTC, CBO estimates that the FTC would collect a total of \$107 million under the bill over the 2008-2012 period and spend \$105 million over that period, assuming</p>	<p>3/6/2007: Introduced in Senate 12/12/2007: Committee on Commerce, Science, and Transportation. Reported by Senator Inouye with an amendment in the nature of a substitute. With written report No. 110-244. 12/17/2007: Passed/agreed to in Senate: Passed Senate with an</p>

H.R. 1727	Christopher and Dana Reeve Paralysis Act	<p>appropriation actions consistent with the bill. Over the five-year period, CBO estimates that implementing S. 781 would decrease net spending subject to appropriation by \$2 million. Enacting S. 781 would not affect direct spending or revenues.</p> <p>S. 781 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.</p> <p>S. 781 would amend the Do-Not-Call Implementation Act (Public Law 108-10) to make permanent the authority of the FTC to collect fees in order to implement and enforce the "Do-Not-Call" registry. The authority to collect those fees is set to expire at the end of fiscal year 2007. Under current law, telemarketing firms are required to periodically update their phone number databases to reflect the updated list of numbers that are added to the "Do-Not-Call" list. The bill would permanently extend the authority of the FTC to collect fees from those firms for using this list. The duty on telemarketing firms to pay those fees would constitute a new mandate. CBO estimates that extending the fees would amount to approximately \$107 million over the next five years.</p> <p>Consequently, the costs of the mandate would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million, adjusted annually for inflation).</p> <p>According to a CBO score on Oct. 2, 2007, H.R. 1727 would authorize the appropriation of \$25 million a year for fiscal years 2008 through 2011 for the Secretary of Health and Human Services (HHS) to undertake activities to improve the quality of life of those with paralysis and to establish a population-based database to be used for paralysis research. The bill also would</p>	<p>amendment by Unanimous Consent. (No recorded vote)</p> <p>12/17/2007: Held at the desk.</p>
			<p>3/28/2007: Introduced in House 10/15/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-378.</p>

		<p>authorize the Director of the National Institutes of Health (NIH) to award grants for the cost of planning, establishing, improving, and providing basic operating support to consortia focused on paralysis research and for multicenter networks focused on paralysis rehabilitation.</p> <p>CBO estimates that implementing the bill would cost \$10 million in 2008 and \$93 million over the 2008-2012 period, assuming the appropriation of the authorized amounts. Enacting H.R. 1727 would not affect direct spending or revenues.</p> <p>H.R. 1727 contains no intergovernmental or private-sector mandates as defined in UMRA. Grants and research activities authorized in the bill for the study and treatment of paralysis and other physical disabilities would benefit state and local governments. Any costs to those governments to comply with grant conditions would be incurred voluntarily.</p>	<p>10/15/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (no recorded vote)</p> <p>10/16/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.</p>
S. 742	Ban Asbestos in America Act of 2007	<p>According to a CBO score on Oct. 3, 2007, S. 742 would amend the Toxic Substances Control Act and the Public Health Service Act to require the Environmental Protection Agency (EPA) and agencies within the Department of Health and Human Services (HHS) to reduce the health risks posed by products containing asbestos. CBO estimates that implementing this legislation would cost \$112 million over the 2008-2012 period, assuming appropriation of the necessary amounts. Enacting the legislation would not affect direct spending or revenues.</p> <p>S. 742 contains both intergovernmental and private-sector mandates, as defined in UMRA, because it would prohibit importing, manufacturing, processing, or commercially distributing materials that contain asbestos. In addition, within two</p>	<p>3/1/2007: Introduced in Senate</p> <p>8/2/2007: Committee on Environment and Public Works. Reported by Senator Boxer with an amendment in the nature of a substitute. Without written report.</p> <p>10/3/2007: By Senator Boxer from Committee on Environment and Public Works filed written report. Report No.</p>

		<p>years of enactment, the bill would require the disposal of prohibited products left unsold or not otherwise in the possession of an end user. Many products used in the United States contain asbestos, including brake pads and linings, roofing materials, ceiling tiles, and cement. While there is limited information about the amount of such products imported or used commercially in the United States, according to EPA and industry sources, substitutes with comparable cost are generally available to replace those products that contain asbestos. Therefore, CBO expects that the costs to comply with the mandates would not exceed the annual thresholds established in UMRA (\$66 million for intergovernmental mandates and \$131 million for private-sector mandates in 2007, adjusted annually for inflation). In addition, S. 742 would create a \$10 million grant program to assist nonprofit hospitals, universities, and research institutions in conducting research and providing treatment for asbestos-related diseases. Any costs those entities might incur, including matching funds, would be incurred voluntarily.</p>	<p>110-189. 10/4/2007: Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent. (No recorded vote) 10/5/2007: Received in the House.</p>
H.R. 2295	ALS Registry Act	<p>According to a CBO score on Oct. 4, 2007, H.R. 2295 would modify the Public Health Service Act to authorize funding for the establishment of a national registry for the collection and storage of data on amyotrophic lateral sclerosis (ALS). It would authorize the appropriation of \$25 million for 2008 and \$16 million a year over the 2009-2012 period for the Centers for Disease Control and Prevention for those activities. Based on historical patterns of spending for similar activities, CBO estimates that implementing H.R. 2295 would cost \$10 million in 2008 and \$75 million over the 2008-2012 period,</p>	<p>5/14/2007: Introduced in House 10/15/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-379. 10/16/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as</p>

		<p>assuming appropriation of the authorized amounts. Enacting the bill would not affect direct spending or revenues.</p> <p>H.R. 2295 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. Grants and other activities authorized in the bill to collect, analyze, and report data on ALS would benefit state and local governments.</p>	<p>amended Agreed to by the Yeas and Nays: (2/3 required): 411 - 3 (Roll no. 970).</p> <p>Yeas: Boucher, Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>10/31/2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 457.</p>
H.R. 2419	Farm, Nutrition and Bioenergy Act of 2007	<p>According to a CBO score on Oct. 5, 2007, H.R. 2419 would amend and extend major programs administered by the U.S. Department of Agriculture (USDA), including programs dealing with farm income support, food and nutrition, land conservation, trade promotion, rural development, agricultural research, forestry, energy production, horticulture, and crop insurance.</p> <p>Most of the current farm programs expire between September 30, 2007, and August 31, 2008. For the purposes of Congressional budget scorekeeping, the direct spending costs of this legislation are measured against the baseline projections underlying the Congressional budget resolution for fiscal year 2008, which</p>	<p>5/22/2007: Introduced in House</p> <p>7/23/2007: Reported (Amended) by the Committee on Agriculture. H. Rept. 110-256, Part I.</p> <p>7/27/2007: Passed/agreed to in House: On passage Passed by recorded vote: 231 - 191 (Roll no. 756).</p>

	<p>assume that most farm programs continue to operate in the future as they did just prior to their expiration. On that basis, CBO estimates that enacting H.R. 2419 would increase USDA's mandatory spending for farm programs by \$5.9 billion over the 2008-2012 period and \$14.2 billion over the 2008-2017 period. The act also would result in additional collections, mainly from firms that explore for petroleum and natural gas on the Outer Continental Shelf (OCS). Those collections would partially offset added farm spending under H.R. 2419, resulting in net additional direct spending of \$3.5 billion over the 2008-2012 period and \$7.7 billion over the 2008-2017 period.</p> <p>The baseline projections for the farm programs covered by this act total \$280 billion over the 2008-2012 period and \$597 billion over the 2008-2017 period. Including those sums, net direct spending authorized by the bill for USDA farm programs totals an estimated \$286 billion over the 2008-2012 period and \$611 billion over the 2008-2017 period. Enacting H.R. 2419 would also increase revenues by an estimated \$3.7 billion over the 2008-2012 period and \$7.5 billion over the 2008-2017 period.</p> <p>H.R. 2419 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) because it would impose costs on at least one state by increasing the stringency of certain conditions of assistance under the Food Stamp program and would preempt state laws restricting the interstate transport of meat and poultry inspected under a new program authorized by the legislation. CBO estimates that the total cost of complying with those mandates would not exceed the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation). In</p>	<p>Yeas: Boucher, Forbes, Scott,</p> <p>Nays: Cantor, T. Davis, Drake, Goode, Goodlatte, Moran, Wolf</p> <p>Not voting: J. Davis</p> <p>12/14/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 79 - 14. Record Vote Number: 434.</p> <p>Yeas: Warner, Webb</p> <p>Nays: 0</p> <p>12/14/2007: Resolving differences -- Senate actions: Senate insisted on its amendment, requested a conference.</p>
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H.R. 1483	Celebrating America's Heritage Act	<p>general, state, local, and tribal governments would benefit from the continuation of the existing Food Stamp program, the creation of new grant programs, and broader flexibility and options in some areas.</p> <p>H.R. 2419 also contains private-sector mandates as defined in UMRA. Based on information from USDA and industry researchers, CBO estimates that the aggregate direct costs of complying with those mandates would fall below the annual threshold established in UMRA (\$131 million in 2007, adjusted annually for inflation). In addition, CBO estimates that persons holding certain deepwater OCS leases would make additional payments to the government totaling about \$5.8 billion over the 2008-2017 period. It is unclear whether those payments would be the result of new mandates as defined in UMRA.</p>	
		<p>According to a CBO score on Oct. 10, 2007, H.R. 1483 would establish six national heritage areas (NHAs), which are nonfederal lands and communities managed privately in conjunction with the National Park System. For each of the new areas, the bill would authorize the appropriation of \$1 million annually, up to \$15 million over 15 years. In addition, the bill would increase the ceiling on authorizations of appropriations for nine existing NHAs. Assuming appropriation of the authorized amounts, CBO estimates that the National Park Service (NPS) would spend \$6 million in 2008 and \$46 million over the 2008-2012 period to implement H.R. 1483. An additional \$60 million would be spent after 2012. Enacting H.R. 1483 would have no significant effect on revenues or direct spending.</p> <p>The bill contains no intergovernmental or private-sector mandates</p>	<p>3/12/2007: Introduced in House 10/18/2007: Reported (Amended) by the Committee on Natural Resources. H. Rept. 110-388. 10/24/2007: Passed/agreed to in House: On passage Passed by recorded vote: 291 - 122 (Roll no. 996).</p> <p>Yeas: Boucher, Cantor, T. Davis, Moran, Scott, Wolf</p>

		<p>as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. The authorization levels in the table include \$1 million annually for each of the six NHAs that would be established by the bill:</p> <ul style="list-style-type: none"> • Journey Through Hallowed Ground NHA in Maryland and Virginia; • Niagara Falls NHA in New York; • Muscle Shoals NHA in Alabama; • Freedom’s Way NHA in Massachusetts and New Hampshire; • Abraham Lincoln NHA in Illinois; and • Santa Cruz Valley NHA in Arizona. <p>Assuming appropriation of the authorized amounts, CBO estimates that the NPS would spend \$6 million in 2008 and \$30 million over the 2008-2012 period to assist the NHAs with planning and development. We estimate that \$60 million would be spent for this purpose after 2012.</p>	<p>Nays: Drake, Forbes, Goode, Goodlatte</p> <p>Not voting: J. Davis</p> <p>10/25/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.</p>
H.R. 1721	Virginia Graeme Baker Pool and Spa Safety Act	<p>According to a CBO score on Oct. 10, 2007, H.R. 1721 would require the Consumer Product Safety Commission (CPSC) to undertake several initiatives intended to improve the safe use—especially among children—of swimming pools, spas, and similar products. It would require the agency to issue regulations designed to reduce the risk of entrapment in all pools and spas manufactured or distributed within the United States. It would establish a new grant program within the CPSC to assist states in enforcing pool and spa safety standards that meet certain federal guidelines. The bill also would authorize funding of a public education program about pool safety.</p>	<p>3/27/2007: Introduced in House</p> <p>10/9/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-365.</p> <p>10/9/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended</p>

		<p>Assuming appropriation of the specified amounts, CBO estimates that implementing the bill would cost \$4 million in 2008 and \$40 million over the 2008-2012 period. Enacting H.R. 1721 would not affect direct spending or receipts.</p> <p>H.R. 1721 contains private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would prohibit the manufacture, distribution, or sale of swimming pool or spa drain covers that do not meet the standards for entrapment protection established in a rule set by the CPSC. It also would require the American National Standards Institute to notify the CPSC of plans to revise the industry standard for entrapment protection. Based on information from the CPSC and industry sources, CBO estimates that the aggregate direct cost of those mandates would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p> <p>H.R. 1721 contains no intergovernmental mandates as defined in UMRA. The bill would authorize funding for grants to states for implementing and enforcing state laws that govern pool and spa safety. In order to receive the grants, states would have to have laws that comply with federal guidelines.</p>	<p>Agreed to by voice vote.</p> <p>10/15/2007: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 417.</p>
H.R. 507	Vision Care for Kids Act of 2007	<p>According to a CBO score on Oct. 12, 2007, H.R. 507 would direct the Centers for Disease Control and Prevention (CDC) to administer grants to states to increase examinations of children for vision problems, arrange for treatment of any problems detected, and conduct education to promote detection of vision disorders. For those purposes it would authorize the appropriation of \$65 million over the 2009-2013 period. Based on historical patterns of</p>	<p>1/17/2007: Introduced in House</p> <p>10/15/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-376.</p> <p>10/15/2007:</p>

		<p>spending for similar activities, CBO estimates that implementing H.R. 507 would cost \$38 million over the 2009-2012 period and \$65 million over the 2009-2017 period, assuming appropriation of the authorized amount. In addition to those discretionary costs, CBO estimates that the additional eye examinations resulting from H.R. 507 would lead to some additional spending for Medicaid, which pays for vision services for eligible children. Any such increase in Medicaid spending would depend upon future appropriations for the CDC grant program.</p> <p>The bill contains no intergovernmental or private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA). Any costs to states would be incurred voluntarily.</p>	<p>Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.</p> <p>10/16/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.</p>
<p>S. 2338</p>	<p>FHA Modernization Act of 2007</p>	<p>According to a CBO score on Oct. 12, 2007, this legislation would amend the National Housing Act to provide the Federal Housing Administration (FHA) with new authorities aimed at expanding FHA's share of the market for mortgage insurance. This legislation also would permanently remove the statutory limitation on the number of reverse mortgages that FHA can insure and would make other changes to the Home Equity Conversion Mortgage (HECM) program. In addition, this legislation would authorize the appropriation of funds to support various improvements to FHA's administrative functions and would modify FHA's loan guarantee program for manufactured housing. CBO estimates that implementing this legislation would result in a net cost of \$22 million in 2008 and a net increase in offsetting collections (a credit against discretionary spending) of \$1.6 billion over the 2008-2012 period, assuming that appropriation laws necessary to implement the FHA programs and the Mortgage-</p>	<p>11/13/2007: Introduced in Senate 11/13/2007: Committee on Banking, Housing, and Urban Affairs. Original measure reported to Senate by Senator Reid for Senator Dodd. With written report No. 110-227. Additional views filed. 12/14/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 93 - 1. Record Vote Number: 432.</p> <p>Yeas: Warner, Webb</p>

H.R. 3773	RESTORE Act of 2007	<p>Backed Securities (MBS) program of the Government National Mortgage Association (GNMA) are enacted. Enacting this legislation could affect direct spending and revenues because the bill would impose criminal penalties for certain fraudulent acts committed against FHA. Criminal fines are recorded as revenues, then deposited in the Crime Victims Fund, and later spent (as direct spending). CBO estimates that any increase in criminal penalties would not be significant. The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p> <p>According to a CBO score on Oct. 12, 2007, H.R. 3773 would modify a number of rules and procedures the government must follow when conducting electronic surveillance. In particular, the bill would amend several sections added to the Foreign Intelligence Surveillance Act (FISA) by the Protect America Act of 2007 (Public Law 110-55). Under H.R. 3773, the government would have to apply to the Foreign Intelligence Surveillance Court (FISC) for authorization to conduct electronic surveillance on non-U.S. persons (individuals who are neither U.S. citizens nor permanent residents) outside the United States in instances when such surveillance could result in the government also obtaining the communications of individuals in the United States. Several sections of the bill would, if implemented, increase discretionary costs. However, CBO does not have access to the information necessary to estimate the impact on the budget of implementing H.R. 3773. Any changes in federal spending under the bill would be subject to the appropriation of the necessary funds. Enacting H.R. 3773 would not affect direct spending or revenues. The Unfunded Mandates Reform Act excludes from the application of</p>	<p>Nays: 0</p> <p>12/17/2007: Held at the desk.</p>
		<p>10/9/2007: Introduced in House</p> <p>10/12/2007: Reported (Amended) by the Committee on Judiciary. H. Rept. 110-373, Part I.</p> <p>10/12/2007: Reported (Amended) by the Committee on Intelligence (Permanent). H. Rept. 110-373, Part II.</p> <p>11/15/2007: Passed/agreed to in House: On passage Passed by recorded vote: 227 - 189 (Roll no. 1120).</p> <p>Yeas: Boucher, Moran,</p>	

H.R. 970	Dextromethorphan Distribution Act of 2007	<p>that act any legislative provisions that are necessary for national security. CBO has determined that section 4 of H.R. 3773, which would authorize certain electronic surveillance without a court order in an emergency situation, falls under that exclusion and has not reviewed it for intergovernmental mandates.</p> <p>Other provisions of H.R. 3773 contain intergovernmental mandates as defined in UMRA. The bill would protect individuals from lawsuits if they comply with certain federal requests for information. That exemption would preempt some state and local liability laws, but CBO estimates this preemption would impose no costs on state, local, or tribal governments. The bill also would allow federal law enforcement officers to compel providers of communications services, including public institutions such as libraries, to provide information about their customers and users. Based on information from a recent survey of public libraries, CBO estimates that the number of requests likely would be small and that the total costs to public entities would be well below the annual threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation).</p> <p>H.R. 3773 contains a private-sector mandate as defined in UMRA because it requires certain entities to assist the government with electronic surveillance. Because CBO has no information about the prevalence of electronic surveillance and the cost of compliance for private-sector entities assisting the government with electronic surveillance, CBO has no basis for estimating the costs of the mandate or whether the costs would exceed the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p> <p>According to a CBO score on Oct. 12, 2007, H.R. 970 would restrict the distribution, receipt, and possession of unfinished dextromethorphan to certain entities registered with the Secretary</p>	<p>Scott</p> <p>Nays: Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte, Wolf</p> <p>Not voting: J. Davis</p> <p>12/3/2007: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 517.</p>
			<p>2/8/2007: Introduced in House 10/15/2007: Reported (Amended) by the</p>

		<p>of Health and Human Services. It also would deem the product to be adulterated in circumstances that violate the new requirements. Dextromethorphan is an active ingredient commonly found in cough medications available over-the-counter and is subject to abuse by some individuals (particularly teenagers and young adults). “Unfinished” dextromethorphan generally refers to the bulk powdered form of the raw product.</p> <p>H.R. 970 would impose a mandate on the private sector as defined in the Unfunded Mandates Reform Act (UMRA) by requiring people receiving, possessing, or distributing unfinished dextromethorphan to register with the Secretary of Health and Human Services. It would also be the duty of the person selling unfinished dextromethorphan to confirm that the buyer is also registered or exempt from registration. CBO estimates that the aggregate cost of complying with those mandates would not exceed the threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation). The bill contains no intergovernmental mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.</p>	<p>Committee on Energy and Commerce. H. Rept. 110-377. 10/15/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p> <p>10/16/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.</p>
S. 680	Accountability in Government Contracting Act of 2007	<p>According to a CBO score on Oct. 16, 2007, S. 680 would address federal acquisition practices, amend rules regarding the use of noncompetitive contracts, and impose additional reporting requirements on federal agencies regarding noncompetitive and sole-source contracts. The bill also would authorize appropriations for contract oversight, training, planning, and administration. Assuming appropriation of the amounts authorized or estimated to be necessary, CBO estimates that implementing the legislation</p>	<p>2/17/2007: Introduced in Senate 10/15/2007: Committee on Homeland Security and Governmental Affairs. Reported by Senator Lieberman with an amendment in the nature of a substitute. Without written</p>

		<p>would result in additional discretionary outlays of \$14 million in 2008 and nearly \$70 million over the 2008-2012 period. Implementing the contracting reforms contained in the bill would increase discretionary costs (for contract administration) but also could result in lower procurement costs to the federal government for goods and services. CBO cannot estimate the net effect of those changes in contracting procedures. Any costs or savings realized by federal agencies under the bill would depend on future changes in the level of discretionary appropriations. In addition, CBO estimates that enacting S. 680 would increase direct spending by \$80 million over the 2008-2012 period and by \$180 million over the 2008-2017 period because it would authorize federal agencies to defer the recording of obligations on certain types of contracts. S. 680 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.</p>	<p>report. 10/22/2007: By Senator Lieberman from Committee on Homeland Security and Governmental Affairs filed written report. Report No. 110-201. 11/7/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent. (No recorded vote) 11/8/2007: Held at the desk.</p>
H.R. 814	Children's Gasoline Burn Prevention Act	<p>According to a CBO score on Oct. 18, 2007, H.R. 814 would require the Consumer Product Safety Commission (CPSC) to issue regulations requiring manufacturers of portable gasoline containers to comply with certain safety standards. Effective six months after enactment, all portable gasoline containers manufactured or sold in the United States would be required to meet child-resistance standards specified by ASTM International, a private standards organization. In addition, within two years the CPSC would be required to report to the Congress on compliance rates and the effectiveness of the new safety requirements. CBO estimates that implementing the bill would cost \$1 million,</p>	<p>2/5/2007: Introduced in House 10/9/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-367. 10/9/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice</p>

		<p>assuming appropriation of amounts necessary to issue the required report. Enacting H.R. 814 would not affect direct spending or revenues.</p> <p>H.R. 814 contains private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA), on companies that manufacture gasoline containers intended for use by consumers and the organization responsible for issuing the industry standard for those containers. Based on information from the CPSC and industry representatives, CBO expects that the direct cost to comply with the mandates in the bill would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p> <p>H.R. 814 contains no intergovernmental mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.</p>	<p>vote. (No recorded vote)</p> <p>10/15/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.</p>
H.R. 3775	Industrial Energy Efficiency Research and Development Act of 2007	<p>H.R. 3775 would authorize the appropriation of \$150 million a year over the 2009-2013 period to expand the Department of Energy's (DOE's) industrial technologies program to promote energy efficiency in the industrial sector. Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 3775 would cost \$68 million in 2009 and \$489 million over the 2009-2012 period. Spending of about \$260 million would occur after 2012. Enacting H.R. 3775 would not affect direct spending or revenues.</p> <p>H.R. 3775 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would authorize increased funding for a Department of Energy program to research and develop new technology for energy efficiency and waste</p>	<p>10/9/2007: Introduced in House</p> <p>10/22/2007: Reported (Amended) by the Committee on Science and Technology. H. Rept. 110-401.</p> <p>10/22/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p>

H.R. 3867	Small Business Contracting Program Improvements Act	<p>reduction. This program would benefit institutions of higher education, and any costs they might incur, including matching funds, would be incurred voluntarily.</p>	<p>10/23/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.</p>
		<p>According to a CBO score on Oct. 22, 2007, H.R. 3867 would make several changes to programs administered by the Small Business Administration (SBA) that help small businesses compete for government contracts. The bill would expand contracting opportunities for certain veterans and increase the size limits on federal contracts that would be eligible for small business preferences. In addition, H.R. 3867 would require background checks for participants in several contracting-preference programs, require SBA personnel to visit contractors participating in its HUBZone program, and expand the population of businesses that can protest the award to certain contracts. The bill also would impose penalties on small businesses that misrepresent the owner's status as a veteran disabled through military service. Based on information from SBA, CBO estimates that implementing H.R. 3867 would cost \$11 million in 2008 and \$72 million over the 2008-2012 period, subject to the availability of appropriated funds. Enacting H.R. 3867 would increase civil penalties and thus could affect revenues, but CBO estimates that such effects would not be significant. Enacting the bill would not affect direct spending.</p> <p>H.R. 3867 contains no intergovernmental or private-sector</p>	<p>10/17/2007: Introduced in House 10/22/2007: Reported by the Committee on Small Business. H. Rept. 110-400. 10/30/2007: Passed/agreed to in House: On passage Passed by recorded vote: 334 - 80 (Roll no. 1017).</p> <p>Yeas: Boucher, Drake, Forbes, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: Cantor, T. Davis, Goode</p> <p>Not voting: J. Davis</p> <p>11/1/2007:</p>

H.R. 3685	Employment Non-Discrimination Act of 2007	<p>mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.</p> <p>H.R. 3685 would prohibit employment discrimination based on sexual orientation. Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 3685 would cost \$28 million over the 2008-2012 period for the Equal Employment Opportunity Commission (EEOC) to handle additional discrimination cases.</p> <p>H.R. 3685 would prohibit state, local, and tribal governments from discriminating against employees and applicants for employment based on sexual orientation, and it would require those governments to post notices regarding such prohibitions. Those requirements would be intergovernmental mandates as defined in UMRA. The costs of the mandates would include the costs of posting notices and modifying employment procedures to avoid discriminatory practices. CBO assumes that the costs of notices would likely be relatively minor and would be made in the course of other routine updates. Similarly, changes to employment procedures likely would build on such things as ongoing training and updates to personnel manuals. Thus, CBO estimates that compliance costs would not be significant and would not exceed the thresholds established in UMRA (\$66 million in 2007, adjusted annually for inflation).</p> <p>Under H.R. 3685, by accepting any federal financial assistance, states would waive their sovereign immunity under the 11th</p>	<p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Small Business and Entrepreneurship.</p> <p>9/27/2007: Introduced in House</p> <p>10/22/2007: Reported by the Committee on Education and Labor. H. Rept. 110-406, Part I.</p> <p>10/22/2007: Committee on House Administration discharged.</p> <p>10/22/2007: Committee on Oversight and Government discharged.</p> <p>10/22/2007: Committee on Judiciary discharged.</p> <p>11/7/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 235 - 184 (Roll no. 1057).</p> <p>Yeas: Boucher, T. Davis, Moran, Scott</p> <p>Nays: Cantor, Drake,</p>
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		<p>Amendment and would be subject to suit for discriminatory practices. Because UMRA excludes conditions of federal assistance from the definition of an intergovernmental mandate, any costs resulting from potential suits would not be the result of complying with an intergovernmental mandate as defined in UMRA.</p> <p>The bill would impose a number of mandates on many private-sector employers, employment agencies, and labor organizations. It would prohibit employers from discriminating against any worker on the basis of sexual orientation in hiring, firing, pay, and other aspects of employment. The bill would also require employers to modify the notices they are required to post regarding federal laws that protect employees from discrimination and set minimum wages. CBO estimates that the direct costs of complying with those mandates would not exceed the annual threshold specified in UMRA (\$131 million in 2007, adjusted annually for inflation) in any of the first five years the mandates would be effective.</p>	<p>Forbes, Goode, Goodlatte, Wolf</p> <p>Not voting: J. Davis</p> <p>11/13/2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 479.</p>
H.R. 3890	Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007	<p>According to a CBO score on Oct. 29, 2007, H.R. 3890 would expand the current financial and diplomatic restrictions against government officials from Burma and would further restrict imports from that country. It also would authorize the appropriation of funds to aid individuals and organizations to promote democracy in Burma. CBO estimates that implementing H.R. 3890 would cost \$5 million in 2008 and \$36 million over the 2008-2012 period, assuming the appropriation of the necessary amounts. In addition, enacting the bill would have an insignificant effect on direct spending.</p> <p>H.R. 3890 would prohibit certain tax benefits for persons doing business with Burma. CBO reviewed the non-tax provisions of H.R. 3890 and</p>	<p>10/18/2007: Introduced in House</p> <p>10/31/2007: Reported (Amended) by the Committee on Foreign Affairs. H. Rept. 110-418, Part I.</p> <p>10/31/2007: Committee on Judiciary discharged.</p> <p>12/11/2007:</p>

H.R. 3920	Trade and Globalization Assistance Act of 2007	<p>determined that the provisions contain private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA). The bill would extend the one-year ban on imports from Burma until the Congress or the President terminates the ban. The bill also would expand the existing ban on Burmese imports to include any gems mined or extracted from Burma. CBO cannot estimate the cost of those mandates because information on the value of lost profits to importers resulting from the ban is not available. Thus, CBO cannot determine whether the aggregate direct cost of the mandates would exceed the annual threshold for private-sector mandates established in UMRA (\$131 million in 2007, adjusted annually for inflation). CBO has reviewed the non-tax provisions of H.R. 3890 and has determined that they contain no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.</p> <p>According to a CBO score on Oct. 29, 2007, H.R. 3920 would reauthorize and expand coverage for the Trade Adjustment Assistance (TAA) programs, which are scheduled to expire on December 31, 2007. The bill also would:</p> <ul style="list-style-type: none"> • Amend provisions in current law that authorize health care benefits for certain individuals, • Provide special transfers to states from the federal unemployment trust funds, • Extend an expiring provision of the Federal Unemployment Tax Act (FUTA), • Authorize new tax incentives for areas experiencing significant declines in manufacturing activity, and • Delay the implementation of tax rules related to the allocation of interest expenses. <p>CBO reviewed the non-tax and employment insurance provisions of the bill and determined that the bill would impose an intergovernmental</p>	<p>Passed/agreed to in House: Agreed to by voice vote. (No recorded vote) 12/19/2007: Senate Committee on Foreign Relations discharged by Unanimous Consent. 12/19/2007: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent. (No recorded vote)</p>
			<p>10/22/2007: Introduced in House 10/29/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-414, Part I. 10/29/2007: Committee on Education and Labor discharged. 10/29/2007: Committee on Energy and Commerce discharged. 10/31/2007: Passed/agreed to in House: On passage Passed by the</p>

		<p>mandate as defined in the Unfunded Mandates Reform Act (UMRA). The bill would allow the Secretary of Labor to subpoena information from state and local governments to determine whether their workers have been adversely affected by trade. CBO estimates that the costs to governments to comply with a subpoena would be small and well below the threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation). JCT reviewed the tax provisions of the bill and has determined those provisions contain no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). JCT determined that the tax provisions of the bill contain two private-sector mandates. CBO has determined that the employment insurance provisions of the bill also contain a private sector mandate. In aggregate, the costs of all the mandates in the bill would exceed the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).</p>	<p>Yeas and Nays: 264 - 157 (Roll no. 1025).</p> <p>Yeas: Boucher, Goode, Moran, Scott</p> <p>Nays: Cantor, T. Davis, Drake, Forbes, Goodlatte, Wolf</p> <p>Not voting: J. Davis</p> <p>11/5/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Finance.</p>
H.R. 3355	Homeowners' Defense Act of 2007	<p>According to a CBO score on Oct. 29, 2007, H.R. 3355 would authorize the appropriation of \$120 million over the 2008-2013 period to establish a National Catastrophe Risk Consortium to help coordinate the availability of reinsurance contracts between state reinsurance entities and the private market. The consortium also would act as an information repository for states on the risk of natural disasters and research on the standardization of risk-linked securities (for example, catastrophe bonds). Assuming the appropriation of the specified amounts, CBO estimates that implementing this provision would cost \$75 million over the 2008-2012 period.</p> <p>The bill also would establish two new federal direct loan programs</p>	<p>8/3/2007: Introduced in House</p> <p>10/31/2007: Reported (Amended) by the Committee on Financial Services. H. Rept. 110-419.</p> <p>11/8/2007: Passed/agreed to in House: On passage Passed by recorded vote: 258 - 155 (Roll no. 1074).</p> <p>Yeas: Boucher, Drake,</p>

H.R. 3887	William Wilberforce Trafficking Victims Protection Reauthorization Act of 2007	<p>within the Department of the Treasury for state reinsurance programs facing certain levels of insured losses following a natural disaster. CBO expects that such loans would be made very rarely and would involve a minimal subsidy cost under the terms specified in the legislation. CBO estimates that loans made under the bill would have an insignificant cost over the next five years. Enacting H.R. 3355 would not affect direct spending or revenues. This bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	<p>Forbes, Moran, Scott</p> <p>Nays: Cantor, T. Davis, Goode, Goodlatte, Wolf</p> <p>Not voting: J. Davis</p> <p>11/13/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
		<p>According to a CBO score on Nov. 1, 2007, H.R. 3887 would reauthorize several programs within the Departments of State, Labor, Justice, and Health and Human Services, and other agencies that combat trafficking in persons. CBO estimates that the bill would increase the responsibilities of the Department of Labor (DOL) with respect to foreign labor contractors and spending by the Department of Health and Human Services (HHS) on medical and foster care for certain unaccompanied alien children. In total, CBO estimates that implementing the bill would increase discretionary costs by about \$825 million over the 2008-2012 period, assuming appropriation of the specified and estimated amounts.</p> <p>Section 4 of Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has</p>	<p>10/18/2007: Introduced in House</p> <p>11/6/2007: Reported (Amended) by the Committee on Foreign Affairs. H. Rept. 110-430, Part I.</p> <p>12/4/2007: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 405 - 2 (Roll no. 1124).</p> <p>Yeas: Boucher, Cantor, Tom Davis, Drake, Forbes,</p>

H.R. 513	National Heroes Credit Protection Act	<p>determined that section 236(d)(5) addresses the due process rights of aliens in certain legal proceedings and thus would fall within that exclusion. Therefore, CBO has not reviewed that section of the bill for intergovernmental and private-sector mandates. Other provisions of H.R. 3887 contain intergovernmental mandates as defined in UMR, but CBO estimates that the annual cost of those mandates would not exceed the threshold established in UMR.</p> <p>H.R. 3887 also would impose private-sector mandates, as defined in UMR, on foreign labor contractors and employers who use such contractors. (Foreign labor contractors include persons who recruit, solicit, or hire foreign workers living outside the United States for employment in the United States.) The bill would require foreign labor contractors to obtain a certificate of registration from DOL before engaging in contracting activities and to disclose certain information in writing about employment opportunities. In addition, the bill would require employers who use foreign labor contractors to use only those that have registered with DOL. Based on information from DOL, CBO estimates the aggregate direct cost to comply with those mandates would not exceed the annual threshold for private-sector mandates established in UMR.</p>	<p>Goode, Goodlatte, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: Moran, J. Davis</p> <p>12/5/2007: Received in the Senate and Read twice and referred to the Committee on the Judiciary.</p>
H.R. 513	National Heroes Credit Protection Act	<p>According to a CBO score on Nov. 2, 2007, H.R. 513 would amend the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) to require credit reporting agencies, upon request, to include a notation in a consumer report or credit score for reserve members of the U.S. Armed Forces when the results have been adversely affected during a deployment in support of a</p>	<p>1/17/2007: Introduced in House</p> <p>11/5/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the</p>

		<p>contingency operation. The bill would also require consumer reporting agencies to refer the explanation to other consumer reporting agencies and to notify the servicemember in writing of the inclusion of the explanation in the servicemember's file. H.R. 513 also would require potential creditors to consider such a deployment notation when evaluating negative credit information. CBO estimates that enacting H.R. 513 would have no significant effect on the federal budget. Enacting the bill would not affect direct spending or revenues.</p> <p>The requirements imposed on credit reporting agencies would be private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO expects the costs of the mandates would be minimal and unlikely to exceed the threshold for private-sector mandates established in UMRA. H.R. 513 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.</p>	<p>Yeas and Nays: (2/3 required): 349 - 0 (Roll no. 1035).</p> <p>Yeas: Boucher, Cantor, Tom Davis, Drake, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis, Forbes</p> <p>11/6/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.</p>
H.R. 1699	Danny Keysar Child Product Safety Notification Act	<p>According to a CBO score on Nov. 5, 2007, H.R. 1699 would require the Consumer Product Safety Committee (CPSC) to issue regulations requiring manufacturers of durable products for infants or toddlers to provide consumers with registration forms and to maintain a system for notifying consumers of product recalls and safety warnings. In addition, the CPSC would be required to conduct a study on the effectiveness of consumer registration forms in facilitating product recalls and report its findings to the Congress within four years of the bill's enactment. CBO estimates that implementing the bill would cost \$1 million, assuming availability of appropriated funds, to issue regulations, conduct the</p>	<p>3/26/2007: Introduced in House</p> <p>10/9/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-366.</p> <p>10/9/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice</p>

		<p>study of product registration, and issue the required report. Enacting H.R. 1699 would not affect direct spending or revenues. H.R. 1699 would impose mandates, as defined in the Unfunded Mandates Reform Act (UMRA), on manufacturers of certain products for infants or toddlers. The bill would require those manufacturers to provide consumers with product registration forms, maintain a record of contact information for registered consumers, and place information about the company and model on each product. Based on information from a study by the National Highway Traffic Safety Administration of a similar program involving car seats for children, CBO expects that the aggregate direct cost of the mandates in the bill would fall below the annual threshold established in UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation). H.R. 1699 contains no intergovernmental mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.</p>	<p>vote. (No recorded vote)</p> <p>10/15/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.</p>
H.R. 3997	Heroes Earnings Assistance and Relief Act of 2007	<p>According to a CBO score on Nov. 5, 2007, H.R. 3997 would provide tax relief to members of the military and volunteer firefighters, adjust the rules regarding the Supplemental Security Income (SSI) program, permanently extend the tax disclosure authority for the Department of Veterans Affairs, and adjust certain penalties that apply to tax reporting. JCT estimates that enacting the legislation would increase revenues by \$278 million over the 2008-2012 period and by \$35 million over the 2008-2017 period. CBO and JCT estimate that, under the bill, direct spending would increase by \$13 million over the 2008-2012 period and decrease by \$58 million over the 2008-2017 period.</p>	<p>10/30/2007: Introduced in House</p> <p>11/5/2007: Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-426.</p> <p>11/6/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3</p>

		<p>JCT has reviewed the tax provisions of the bill and determined that they contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO has reviewed the nontax provisions of the bill (title II) and determined that they contain no intergovernmental or private-sector mandates as defined in UMRA, but that those provisions would result in some spending increases by states for SSI supplemental payments and for Medicaid.</p>	<p>required): 410 - 0 (Roll no. 1042).</p> <p>Yeas: Boucher, Cantor, Tom Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>12/12/2007: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent. (No recorded vote)</p> <p>12/19/2007: Resolving differences -- Senate actions: Senate concurred in the House amendment to the Senate amendment with an amendment (SA 3890) by Unanimous Consent.</p>
H.R. 3403	911 Modernization and Public Safety Act of 2007	<p>According to a CBO score on Nov. 8, 2007, H.R. 3403 would amend current law to require companies offering Voice-over-Internet-Protocol (VoIP) services to provide emergency 911</p>	<p>8/3/2007: Introduced in House 11/13/2007: Reported (Amended) by the</p>

	<p>telephone service. The bill would direct the Federal Communications Commission (FCC) to develop regulations granting VoIP providers access to the network and systems needed to complete 911 or enhanced-911 calls. Enhanced-911 (E-911) service automatically associates a physical address with the calling party's telephone number. The bill also would direct the E-911 Implementation Coordination Office to create a plan for a transition to an emergency network that is Internet-based.</p> <p>H.R. 3403 contains several intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA), including limitations on the imposition and use of certain fees that state and local governments can levy on VoIP Services. CBO estimates that the costs of those provisions to state, local, and tribal governments would be small; while they would grow over time, they would not exceed the threshold established in UMRA in any of the first five years that the mandates are in effect.</p> <p>H.R. 3403 would impose private-sector mandates, as defined in UMRA, on certain entities in the telecommunications industry. The bill would require entities that own the 911 components necessary to transmit VoIP emergency calls to allow VoIP providers full access to those components. CBO estimates that the direct cost of complying with this mandate would be small. The bill also would impose a mandate on certain consumers and third-party users of VoIP services by eliminating an existing right to seek compensation in court. Because we lack information about the potential value of compensation in such cases, CBO has no basis for determining whether the aggregate cost of all the mandates in the bill would exceed the annual threshold for private-</p>
<p>Committee on Energy and Commerce. H. Rept. 110-442. 11/13/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 406 - 1 (Roll no. 1084).</p> <p>Yeas: Boucher, Cantor, Drake, Forbes, Goode, Goodlatte, Scott</p> <p>Nays: 0</p> <p>Not voting: J. Davis, T. Davis, Moran, Wolf</p> <p>11/14/2007: Referred to Senate Committee on Commerce, Science, and Transportation</p>	

H.R. 3221	Renewable Energy and Conservation Tax Act of 2007	<p>sector mandates.</p> <p>According to a CBO score on Nov. 9, 2007, H.R. 3221 would modify numerous federal energy policies, programs, and tax measures. CBO and the Joint Committee on Taxation (JCT) estimate that enacting the legislation would increase direct spending by \$0.9 billion over the 2008-2012 period and by \$1.7 billion over the 2008-2017 period. H.R. 3221 also would authorize appropriations over the 2008-2012 period for existing and new energy-related programs.</p> <p>CBO has reviewed the nontax provisions of H.R. 3221 and determined that they contain intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the annual cost of those mandates would not exceed the threshold established in UMRA (\$66 million for intergovernmental mandates in 2007, adjusted annually for inflation). JCT has reviewed the tax provisions of the act and determined that they contain no intergovernmental mandates within the meaning of UMRA.</p> <p>In addition, CBO has determined that the nontax provisions of H.R. 3221 contain numerous private-sector mandates as defined in UMRA. CBO expects that the mandates contained in the bill's titles on natural resources (title VII) and energy and commerce (title IX) would have the greatest impact on private-sector entities. For the provisions reviewed by CBO, we estimate that the cost of complying with the private-sector mandates, in aggregate, would exceed the annual threshold established in UMRA in at least one of the first five years the mandates are in effect.</p> <p>JCT has determined that the tax provisions of the bill contain two</p>	<p>7/30/2007: Introduced in House 8/4/2007: Passed/agreed to in House: On passage Passed by recorded vote: 241 - 172 (Roll no. 832).</p> <p>Yeas: Boucher, Moran, Scott, Wolf</p> <p>Nays: Cantor, T. Davis, Drake, Forbes, Goodlatte</p> <p>Not voting: J. Davis, Goode</p> <p>9/5/2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 340.</p>
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<p>H.R. 1534</p>	<p>Mercury Export Ban Act of 2007</p>	<p>private-sector mandates as defined in UMRA: (1) the denial of deduction for income attributable to domestic production of oil, natural gas, or primary products thereof; and (2) clarification of determination of foreign oil and gas extraction income. Based on information provided by JCT, CBO estimates that the costs of the mandates would significantly exceed the annual threshold established in UMRA.</p> <p>Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that are necessary for the ratification or implementation of international treaty obligations. CBO has determined that title VIII, subtitle D, part 2 of the bill falls within that exclusion because it would implement the Protocol of 1997 to the International Convention for the Prevention of Pollution from ships, 1973 (MARPOL). Consequently, CBO has not reviewed those provisions for the presence of mandates.</p>	
		<p>H.R. 1534 would ban the export of elemental mercury, prohibit federal agencies from selling or distributing mercury, and direct the Department of Energy (DOE) to provide permanent storage for domestic stocks of mercury under certain conditions. Under this bill, firms would be allowed to begin delivering mercury to DOE on January 1, 2010, and would be required to pay a one-time fee sufficient to cover most of the department's long-term costs of storing it. DOE would indemnify those entities from legal actions resulting from any actual or threatened release of mercury occurring after the materials are delivered to the federal facility. In addition, DOE's mercury storage operations would have to comply with various performance standards, including the Solid Waste</p>	<p>3/15/2007: Introduced in House 11/13/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-444. 11/13/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote</p>

		<p>Disposal Act. Finally, the bill would direct DOE and the Environmental Protection Agency (EPA) to prepare reports on issues related to the storage of domestic mercury and the disposition of global supplies.</p> <p>H.R. 1534 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.</p> <p>H.R. 1534 would impose a private-sector mandate, prohibiting the export of elemental mercury from the United States beginning in 2010. Based on information from the U.S. Geological Survey, CBO estimates that the cost of that mandate would fall below the annual threshold established in UMRA.</p>	<p>(No recorded vote)</p> <p>11/14/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.</p>
H.R. 3915	Mortgage Reform and Anti-Predatory Lending Act of 2007	<p>According to a CBO score on Nov. 9, 2007, H.R. 3915 would make numerous changes to federal laws that regulate mortgage practices with the aim of combating predatory lending practices and providing certain protections to borrowers and investors. Those changes include subjecting all mortgage originators to licensing and registration requirements, establishing minimum standards for creditors, and establishing various consumer protections, such as prohibiting excessive fees for certain types of mortgages. This legislation also would authorize the appropriation of \$221 million over the 2008-2012 period for the Department of Housing and Urban Development (HUD) to support efforts to promote homeownership counseling and for the Department of Justice (DOJ) to support efforts to combat mortgage fraud. Furthermore, CBO estimates that \$115 million would be required over the 2008-2012 period for HUD to establish an Office of Housing Counseling and support the development of regulations</p>	<p>10/22/2007: Introduced in House</p> <p>11/9/2007: Reported (Amended) by the Committee on Financial Services. H. Rept. 110-441.</p> <p>11/15/2007: Passed/agreed to in House: On passage Passed by the Yeas and Nays: 291 - 127 (Roll no. 1118).</p> <p>Yeas: Boucher, Moran, Scott, Wolf</p> <p>Nays: Cantor, T. Davis, Drake, Forbes, Goode, Goodlatte</p>

	<p>and provide monitoring and oversight of the Nationwide Mortgage Licensing System and Registry (NMLSR).</p> <p>H.R. 3915 contains intergovernmental mandates as defined in UMRA because it would impose new requirements on state regulators and would preempt state laws. Specifically, the bill would require states to ensure that mortgage originators who apply for state licenses or renewals meet minimum standards. According to industry sources and state banking and real estate agencies, in order to comply with those requirements, states would need to license employees of some financial institutions that are not currently required to be licensed under state law, perform ongoing administrative tasks related to the new mortgage licensing system, and train employees in federal mortgage law and the licensing system. The bill also would preempt state laws that allow individuals to seek compensation from entities that issue certain securities. CBO estimates that the cost to state and local governments of that preemption and the new requirements would average less than \$500,000 annually per state; therefore, the total costs would not exceed the threshold established in UMRA. The bill would benefit state and local governments by authorizing grants to provide homeownership and rental counseling.</p> <p>H.R. 3915 would impose several private-sector mandates as defined in UMRA on the mortgage finance industry, by creating a licensing and registration system for mortgage loan originators, setting new mortgage origination standards, and establishing requirements for high-cost mortgages. The incremental costs to comply those mandates are uncertain for several reasons. Many industry participants already comply with some of the bill's</p>	<p>Not voting: J. Davis</p> <p>12/3/2007: Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.</p>
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S. 1642	Higher Education Amendments of 2007	<p>requirements. In addition, the cost of some of the requirements would depend on federal regulations to be issued under the bill. CBO does not have sufficient information about current business practices or how the standards in the bill would affect industry income. Consequently, CBO cannot determine whether the aggregate direct cost of those mandates would exceed the annual threshold established in UMRA.</p> <p>According to a CBO score on Nov. 14, 2007, S. 1642 would reauthorize and amend most postsecondary education programs under the Higher Education Act of 1965 through 2013. Under the General Education Provisions Act, those authorizations would automatically be extended through 2014. The bill also would create several new programs and amend several other acts, including the Education of the Deaf Act of 1986 and the United States Institute of Peace Act. The bill would authorize the appropriation of such sums as may be necessary to carry out those programs.</p> <p>CBO estimates that enacting S. 1642 would increase direct spending by \$75 million in 2008 and would have a negligible effect on such spending over the 2008-2012 and 2008-2017 periods. Assuming the appropriation of the necessary funds, CBO estimates that implementing S. 1642 would increase discretionary outlays by \$1.9 billion in 2008 and \$53.2 billion over the 2008-2012 period.</p> <p>S. 1642 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would preempt certain state contract laws as they apply to Perkins educational loans. CBO estimates that the costs, if any, to state governments to comply with the preemption would be minimal and would not exceed the annual threshold established in UMRA (\$66 million in 2007, adjusted annually for inflation).</p> <p>The bill contains no private-sector mandates, as defined in UMRA.</p>	
			<p>6/18/2007: Introduced in Senate 7/10/2007: Committee on Health, Education, Labor, and Pensions. Reported by Senator Kennedy with an amendment in the nature of a substitute. Without written report. 7/24/2007: Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 95 - 0. Record Vote Number: 275. Yeas: Warner, Webb Nays: 0 11/15/2007: By Senator Kennedy from</p>

H.R. 3998	America's Historical and Natural Resources Legacy Study Act	<p>According to a CBO score on Nov. 20, 2007, H.R. 3998 would direct the National Park Service (NPS) to conduct special resource studies of ten areas throughout the United States. The studies, which would be completed over a three-year period, would determine the suitability and feasibility of adding the areas to the National Park System. Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost \$3 million over the 2008-2010 period. Enacting the bill would have no effect on revenues or direct spending. Based on information provided by the NPS, CBO estimates that carrying out the 10 required studies would cost about \$300,000 each and would be completed over the next three years.</p> <p>The study areas include:</p> <ul style="list-style-type: none"> • The Harry S Truman Birthplace in Missouri, • Sites in 11 states and the District of Columbia associated with the Lewis and Clark expedition, • Sites in West Virginia associated with the Battle of Matewan, • The site of the Battle of Camden in South Carolina, • Counties in several states along the Mississippi River, • Fort San Geronimo in Puerto Rico, • The Wolf House in Arkansas, • The area known as the Rim of the Valley Corridor in California, • The Stranahan house, trading post, and campsite in Florida, and 	<p>Committee on Health, Education, Labor, and Pensions filed written report. Report No. 110-231. 7/26/2007: Held at the desk.</p> <p>10/30/2007: Introduced in House</p> <p>12/4/2007: Reported (Amended) by the Committee on Natural Resources. H. Rept. 110-462.</p> <p>12/4/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 326 - 79 (Roll no. 1123).</p> <p>Yeas: Boucher, T. Davis, Drake, Forbes, Scott, Wolf</p> <p>Nays: Cantor, Goode, Goodlatte</p> <p>Not voting: J. Davis, Moran</p> <p>12/5/2007:</p>
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H.R. 390	<p>Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act</p>	<ul style="list-style-type: none"> The Ox-bow Route of the Butterfield Overland Trail, which runs through eight states. H.R. 3998 contains no intergovernmental or private-sector mandates as defined in UMR A and would not affect the budgets of state, local, or tribal governments. <p>According to a CBO score on Nov. 27, 2007, H.R. 390 would require the National Archives and Records Administration (NARA) to establish a national database of historic records relating to slavery, emancipation, and post-Civil War reconstruction held by federal agencies. In addition, the legislation would require the National Historical Publications and Records Commission (NHPRC) to provide grants to states, colleges, universities, libraries, and genealogical associations to preserve similar local records. The legislation would authorize the appropriation of \$5 million for the national database and \$5 million for local preservation grants. CBO estimates that NARA would need \$1 million a year to update and maintain the database after it is established.</p> <p>Assuming appropriation of the necessary amounts and based on information from NARA, CBO estimates that implementing H.R. 390 would cost \$13 million over the 2008-2012 period. Enacting the legislation would not affect direct spending or revenues.</p> <p>H.R. 390 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.</p>	<p>Referred to Senate committee: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.</p> <p>1/10/2007: Introduced in House</p> <p>1/22/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 414 - 1 (Roll no. 45).</p> <p>Yeas: Boucher, cantor, Tom Davis, Drake, Forbes, Goode, Goodlatte, Moran, Scott, Wolf</p> <p>Nays: 0</p> <p>Not voting: J. Davis</p> <p>11/14/2007: Senate committee/subcommittee actions: Committee on Homeland Security and Governmental Affairs.</p>
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H.R. 2601	Do-Not-Call Registry Fee Extension Act of 2007	<p>According to a CBO score on Nov. 29, 2007, H.R. 2601 would authorize the Federal Trade Commission (FTC) to continue to collect and spend fees to operate and enforce the “do-not-call” registry. The registry contains a list of consumers whom telemarketers are prohibited from calling. The bill also would require FTC to prepare two reports for the Congress about the use and effectiveness of the registry.</p> <p>Based on information from the FTC, CBO estimates that the agency would collect a total of \$107 million under the bill over the 2008-2012 period and spend \$105 million over that period, assuming appropriation actions consistent with the bill. Over the five-year period, CBO estimates that implementing H.R. 2601 would decrease net spending subject to appropriation by \$2 million. Enacting H.R. 2601 would not affect direct spending or revenues.</p> <p>H.R. 2601 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.</p> <p>H.R. 2601 would impose a private-sector mandate, as defined in UMRA, by making permanent the authority of the FTC to collect fees from telemarketers. CBO expects that the cost of that mandate would fall below the annual threshold established in UMRA for private sector mandates (\$131 million, adjusted annually for inflation).</p>	<p>Ordered to be reported with an amendment favorably.</p> <p>6/6/2007: Introduced in House</p> <p>12/11/2007: Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 110-485.</p> <p>12/11/2007: Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (No recorded vote)</p> <p>12/12/2007: Referred to Senate Committee on Commerce, Science, and Transportation.</p>
H.R. 3454	A bill to provide for the conveyance of a	<p>According to a CBO score on Dec. 14, 2007, H.R. 3454 would require the Secretary of Agriculture to convey a small parcel of</p>	<p>8/4/2007: Introduced in House</p> <p>12/17/2007:</p>

<p>small parcel of National Forest System land in the George Washington National Forest in Alleghany County, Virginia, that contains the cemetery of the Central Advent Christian Church and an adjoining tract of land located between the cemetery and road boundaries</p>	<p>Forest Service land to the Central Advent Christian Church in Alleghany County, Virginia. The land that would be conveyed contains a cemetery used by the church as well as an adjoining tract of land. CBO estimates that implementing H.R. 3454 would have no significant impact on the federal budget. The church would pay for all costs of the conveyance. Enacting H.R. 3454 would not affect direct spending or revenues. H.R. 3454 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.</p>	<p>Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote. (No recorded vote) 12/18/2007: Received in the Senate.</p>
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Part III - Federal Regulatory Mandates

The Regulatory Information Service Center of the General Services Administration identified seventy-two (72) completed federal regulatory actions that may affect the states. The following sixty-three (63) may mandate specific requirements on the Commonwealth.

TITLE: Clear Title Program; Technical Changes

RIN: 0580-AA93

ABSTRACT: GIPSA is adopting as a final rule, with change, an interim rule that amended Clear Title regulations to allow States to use an approved unique identifier as an alternative to a social security number or taxpayer identification number in their systems providing clear title information. The change to the interim rule meets the express statutory requirement that an approved unique identifier be numerically organized on master lists. We are making additional changes to the clear title regulations as required by the amendments made by the 2002 Farm Bill. The primary effect of these changes will be to protect the identity of the producers of farm products. Secondary effects of the technical changes will be to improve the operation of the program and provide the States with more flexibility.

TITLE: After school Snacks Under the Child and Adult Care Food Program

RIN: 0584-AD27

ABSTRACT: The William F. Goodling Child Nutrition Reauthorization Act of 1998 amended the Richard B. Russell National School Lunch Act to authorize reimbursement for snacks served under

CACFP in after school care programs operated by at-risk centers. The after

school program must be organized primarily to provide care for children and have an educational or enrichment purpose. All snacks are served free to participants because

at-risk centers are located in eligible areas (that is, areas served by a school in which at least 50 percent of the enrolled children are certified for free or reduced price meals). (02-004)

TITLE: Procurement Requirements for the National School Lunch, School Breakfast, and Special Milk Programs

RIN: 0584-AD38

ABSTRACT: This rule makes changes in three areas: The school food authority's responsibility for proper procurement procedures and contracts; prohibitions on the school food authority's use of nonprofit school food service account funds for costs resulting from improper procurements and contracts; and the State agency's review and approval of school food authority procurement procedures and contracts. (03-001)

TITLE: Data Collection Related to Participation of Faith-Based and Community Organizations

RIN: 0584-AD43

ABSTRACT: Executive Order 13279, which was signed on December 12,

2002, instructs Federal agencies, to the extent permitted by law, to collect data regarding the participation of faith-based and community-based organizations in social service programs that receive Federal financial assistance. This rulemaking authorizes the Secretary of Agriculture to require State agencies to collect and submit data to the Food and Nutrition Service that identifies the faith-based and community organizations that participate in the Federal nutrition assistance programs. This rulemaking adds requirements to the following programs: Special Supplemental Nutrition Program for Women, Infants and Children, National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, Summer Food Service Program, Commodity Supplemental Food Program, and the Emergency Food Assistance Program. The data collection effort ends 5 years after the effective date of the final rule. (04-001)

TITLE: Amendment 14 to the Summer Flounder, Scup, and Black Sea Bass Fishery

RIN: 0648-AS22

ABSTRACT: Amendment 14 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management would establish a rebuilding plan for scup.

TITLE: Recreational Specifications for the 2007 Summer Flounder, Scup, and Black Sea Bass Fisheries

RIN: 0648-AU60

ABSTRACT: This action implements recreational management measures for the summer flounder, scup, and black sea bass fisheries for 2007.

TITLE: Package Size Limitation for Sodium Phosphates Oral Solution and Warning and Direction Statements for Oral and Rectal Sodium Phosphates for Over-the-Counter Laxative Use

RIN: 0910-AF73

ABSTRACT: Section 201.307 (21 CFR sec. 201.307) describes a final rule to limit the container size for sodium phosphates oral solution (dibasic sodium phosphate/monobasic sodium phosphate oral solution) to not greater than 90 milliliters (mL) (3 ounces (oz)) when used as an over-the-counter (OTC) laxative drug product. FDA limited the container size due to reports of deaths associated with an over dosage of sodium phosphates when packaged in a larger size container and a larger-than-intended dose was ingested inadvertently. In addition, this final rule required warning and direction statements to inform consumers that exceeding the recommended dose of oral and rectal sodium phosphates products in a 24-hour period could be harmful. FDA is initiating a review under section 610 of the Regulatory Flexibility Act for the regulation in section 201.307. The purpose of this review is to determine whether the regulation in section 201.307 should be continued without change, or whether it should be further amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize adverse impacts on a substantial number of small entities. FDA will consider, and is soliciting comments on the following: (1) The continued need for the regulation in section 201.307; (2) the nature of the complaints or comments received concerning the regulation in section 201.307; (3) the complexity of the regulation in section 201.307; (4) the extent to which the regulation in section

201.307 overlaps, duplicates, or conflicts with other Federal, State, or governmental rules; and (5) the degree to which technology, economic conditions, or other factors have changed for the products still subject to the package size and labeling regulation in section 201.307.

The section 610 review has been carried out along with a regulatory review under section 5 of Executive Order 12866, which calls for agencies to periodically review existing regulations to determine whether any should be modified or eliminated so as to make the Agency's regulatory program more effective in achieving its goals, less burdensome, or in greater alignment with the President's priorities and the principles set forth in the Executive order. During the review, FDA received one comment. This comment will be addressed on a future rulemaking.

TITLE: Over-the-Counter Drug Products Containing Analgesic/Antipyretic Active Ingredients for Internal Use: Required Alcohol Warning

RIN: 0910-AF74

ABSTRACT: Section 201.322 describes a regulation that requires an alcohol warning for all over-the-counter (OTC) drug products, labeled for adult use, containing internal analgesic/antipyretic active ingredients. The required warning statements advise consumers with a history of heavy alcohol use to consult a physician for advice about the use of OTC internal analgesic/antipyretic drug products. FDA issued the final rule after considering comments on the Agency's proposed regulation for OTC internal analgesic, antipyretic, and antirheumatic drug products: A proposed regulation to

establish an alcohol warning, recommendations from its Nonprescription Drugs Advisory Committee (NDAC) and Arthritis Drugs Advisory Committee (ADAC), and data submitted to the agency.

FDA is initiating a review under section 610 of the Regulatory Flexibility Act for the regulation in section 201.322. The purpose of this review is to determine whether the regulation in section 201.322 should be continued without change, or whether it should be further amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize adverse impacts on a substantial number of small entities. FDA proposed to remove section 201.322 in the Federal Register on December 26, 2006 (71 FR 77314). FDA will consider the comments received in response to that proposal and, in addition, is soliciting comments on the following: (1) The continued need for the regulation in section 201.322; (2) the nature of the complaints or comments received concerning the regulation in section 201.322; (3) the complexity of the regulation in section 201.322; (4) the extent to which the regulation in section 201.322 overlaps, duplicates, or conflicts with other Federal, State, or governmental rules; and (5) the degree to which technology, economic conditions, or other factors have changed for the products still subject to the labeling regulation in section 201.322.

The section 610 review has been carried out along with a regulatory review under section 5 of Executive Order 12866, which calls for agencies to periodically review existing regulations to determine whether any should be modified or eliminated so as to make the Agency's regulatory program more effective in

achieving its goals, less burdensome, or in greater alignment with the President's priorities and the principles set forth in the Executive order. This review concluded with the publication of proposed amendment of the tentative final monograph; required warnings and other labeling. 71 FR 77314

TITLE: Competitive Acquisition for Certain Durable Medical Equipment (DME), Prosthetics, Orthotics, and Supplies (CMS-1270-F)

RIN: 0938-AN14

ABSTRACT: Section 302 of the Medicare Modernization Act establishes DME competitive bidding. National competitive bidding will provide a program for using market forces to set Medicare payment amounts. This will create incentives for suppliers to provide quality items and services while at the same time providing Medicare with reasonable prices for payment. This rule also incorporates provisions from section 5105 of the DRA of 2005, which concerns beneficiary ownership of certain DMEs.

TITLE: Payment Error Rate Measurement (PERM) Program (CMS-6026-F)

RIN: 0938-AN77

ABSTRACT: This rule sets forth the State requirements to provide information for purposes of estimating improper payments under Medicaid and SCHIP. The Improper Payments Information Act of 2002 (IPIA) requires heads of Federal agencies to annually estimate and report to Congress estimates of improper payments for the programs they oversee and submit a report on actions the Agency is taking to reduce erroneous payments.

This rule also responds to the public comments on the August 28, 2006, interim final rule and sets forth State requirements for submitting claims and policies to the Federal contractor for purposes of conducting fee-for-service and managed care reviews. This rule also responds to public comments on the State requirements for conducting eligibility reviews and estimating payment error rates due to errors in eligibility determinations.

TITLE: Medicaid Prescription Drugs--Average Manufacturer Price (CMS-2238-FC)

RIN: 0938-AO20

ABSTRACT: This final rule implements sections 6001, 6002, and 6003 of the Deficit Reduction Act of 2005. This rule sets the Federal upper reimbursement limit (FUL) as 250 percent of the average manufacturer price (AMP) for drugs on the FUL list, and will clarify the requirements and manner in which AMPs are determined for multiple-source drugs and other drug payment revisions. This rule also lists the physician administered multiple-source drugs that the Secretary determines have the highest dollar volume of dispensing in Medicaid and will require manufacturers to include authorized generics when they report their AMP and best price for covered outpatient drugs to the Secretary.

TITLE: Redistribution of Unexpended State Children's Health Insurance Program (SCHIP) Funds From the Appropriation for Fiscal Year 2004 (CMS-2241-N)

RIN: 0938-AO28

ABSTRACT: This notice announces the procedure for redistribution of States'

unexpended FY 2004 allotments that remained at the end of FY 2004 to those States that fully expended the FY 2004 SCHIP allotment. These redistributed allotments will be available through the end of FY 2007.

TITLE: Inpatient Psychiatric Facility Prospective Payment System-- Update for Rate Year 2008 (CMS-1479-N)

RIN: 0938-AO40

ABSTRACT: This notice updates the Inpatient Psychiatric Facility Prospective Payment System for RY 2008. These changes are applicable for discharges occurring on or before July 1, 2007 through June 30, 2008.

TITLE: Citizenship Documentation Requirements (CMS-2257-F)

RIN: 0938-AO51

ABSTRACT: Enactment of section 6036 of the Deficit Reduction Act of 2005 (DRA) requires that, effective July 1, 2006, all new applicants for Medicaid must, declare that they are a citizen or national of the United States or an alien in a satisfactory immigration status. If claiming to be a citizen or national, submit to the State evidence of citizenship. Since 1987, aliens claiming to be in a satisfactory immigration status have had to provide evidence of the claimed status and have that status verified with the Department of Homeland Security (previously the Immigration and Naturalization Service). A regulation is needed in order to implement this provision of the DRA.

TITLE: Cost Limits for Governmentally-Operated Providers (CMS-2258-FC)

RIN: 0938-AO57

ABSTRACT: The final rule with comment will: (1) Clarify that only units of government are able to participate in the financing of the non-Federal share; (2) establish minimum requirements for documenting cost when using a certified public expenditure; (3) limit providers operated by units of government to reimbursement that does not exceed the cost of providing covered services to eligible Medicaid recipients; and (4) establish a new regulatory provision explicitly requiring that providers receive and retain the total computable amount of their Medicaid payments.

TITLE: Revised Payment System for Services Furnished in Ambulatory Surgical Centers (ASCs) Effective January 1, 2008 (CMS-1517-F)

RIN: 0938-AO73

ABSTRACT: This rule revises the method by which Medicare sets payment rates for ASC facility services and includes illustrative new payment rates for ASC services in accordance with that methodology. This rule finalizes policies proposed as part of the August 23, 2006, CY 2007 Outpatient Prospective Payment System rule.

TITLE: Extending Sunset Date for the Interim Final Regulation on Mental Health Parity (CMS-4094-F5)

RIN: 0938-AO83

ABSTRACT: In section 115(c) of the Tax Relief and Health Care Act of 2006, legislation was enacted that extended the PHS Act provisions of the Mental Health Parity Act (MHPA) to services furnished through December 31, 2007. As a result of this most recently enacted legislation, it is now necessary to again publish conforming changes to the interim final regulation published June 27, 2003. These changes would conform the

regulatory sunset date to the new statutory sunset date December 31, 2007, and would extend the duration of the increased cost exemption to be consistent with the new sunset date. The conforming changes would make absolutely no substantive changes to the existing regulation.

TITLE: Amendments to the Quick Disability Determination Process (3393F)

RIN: 0960-AG47

ABSTRACT: We propose to amend our regulations to extend the quick disability determination process (QDD), which is operating now in the Boston region, to all of the State disability determination services. We also propose to remove from the QDD process the existing requirements that each State disability determination service maintain a separate QDD unit and that each case referred under QDD be adjudicated within 20 days. These proposed actions stem from our continuing effort to improve our disability adjudication process.

TITLE: Child Care and Development Fund State Match Provisions

RIN: 0970-AC18

ABSTRACT: This rule revises the Child Care and Development Fund (CCDF) regulations to permit States to designate multiple public and/or private entities as eligible to receive private donations that may be certified as child care expenditures for purposes of receiving Federal CCDF matching funds.

TITLE: Child Care and Development Fund Error Rate Reporting

RIN: 0970-AC29

ABSTRACT: This rule will require States and selected territories to employ a case review process every 4 years in calculating a CCDF error rate.

TITLE: Convention on International Trade in Endangered Species (CITES)

RIN: 1018-AD87

ABSTRACT: This will be a revision to an existing rule that will incorporate decisions/resolutions made at the second through thirteenth meetings of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

TITLE: Protection of Bald Eagles; Definition of "Disturb"

RIN: 1018-AT94

ABSTRACT: This rule would establish a regulatory definition of "disturb." The Bald and Golden Eagle Protection Act prohibits take of eagles. Take is defined by the Act to include "disturb." This rule is necessary because the bald eagle has been removed from the list of threatened wildlife under the Endangered Species Act. The BGEPA has now become the primary law protecting bald eagles.

TITLE: Migratory Bird Permits; Removal of Migratory Birds From Buildings

RIN: 1018-AV10

ABSTRACT: We plan to finalize our proposal to allow property owners to remove migratory birds (other than Federally listed endangered or threatened species) from buildings without a Federal permit if the birds may pose a threat to either public health and safety or commercial interests.

TITLE: Migratory Bird Hunting; 2007 to 2008 Migratory Game Bird Hunting Regulations

RIN: 1018-AV12

ABSTRACT: We promulgate annual hunting regulations for certain migratory game birds for the 2007-2008 hunting season. We annually prescribe outside limits (frameworks), within which States may select hunting seasons. We also request proposals from Indian tribes that wish to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands, and proposals for the 2007-2008 spring/summer migratory bird subsistence season in Alaska. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

TITLE: Migratory Bird Permits; Regulations for Managing Resident Canada Goose Populations

RIN: 1018-AV15

ABSTRACT: In August 2006, we published final regulations (1018-AI32) authorizing State wildlife agencies to conduct indirect and/or direct population control management activities on resident Canada geese, including the take of birds. The intent of this rule was to allow State wildlife management agencies sufficient flexibility to deal with problems caused by resident Canada geese and to guide and direct Canada goose population growth and management activities in the conterminous United States. We now plan to clarify and slightly modify several program requirements regarding

eligibility, definitions, methodologies, and dates.

TITLE: Boating and Water Use Activities

RIN: 1024-AD07

ABSTRACT: This part was last updated comprehensively in the early 1980s. This regulation will help to address new and emerging technology, clarify some regulations for the benefit of the public and enforcement staff, implement changes to reduce safety concerns, and make NPS regulations more consistent with State regulations in order to reduce confusion with the public.

TITLE: Guidelines for the PROTECT Act Amendments to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act

RIN: 1105-AB08

ABSTRACT: Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law No. 103-322, 108 Stat. 1796, 2038 (codified at 42 U.S.C. 14071) contains the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (the "Wetterling Act"). The Wetterling Act sets minimum national standards for State sex offender registration and community notification programs and directs the Attorney General to issue guidelines for such programs. The main set of current Wetterling Act guidelines was published on January 5, 1999, in the Federal Register (64 FR 572, with corrections at 64 FR 3590), and a supplementary set of guidelines for the Campus Sex Crimes Prevention Act amendment to the Wetterling Act was published on October 25, 2002, in the Federal Register (67 FR 65598). States that fail

to comply with the Wetterling Act's requirements (as implemented and explained in the Attorney General's guidelines) are subject to a mandatory 10 percent reduction of the formula grant funding available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. 3756), which is administered by the Bureau of Justice Assistance of the Department of Justice.

Subsequent to the publication of the current Wetterling Act guidelines, the Wetterling Act was amended by sections 604 and 605 of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003, or PROTECT Act, Public Law 108-21, 117 Stat. 650, 688 (2003).

These amendments provide that the means by which a State provides information to the public concerning registered sex offenders must include an Internet site and add child pornography production and distribution offenses to the list of crimes against children for which registration is required under the Wetterling Act's standards.

Supplementary guidelines are necessary to take account of the PROTECT Act amendments to the Wetterling Act.

TITLE: Regulations Under the Pam Lychner Sexual Offender Tracking and Identification Act

RIN: 1110-AA04

ABSTRACT: The FBI is issuing regulations to carry out the Pam Lychner Sexual Offender Tracking and Identification Act of 1996. These regulations include guidelines as to the operation and use of the national sex offender registry established by the FBI and the notice to be provided to the FBI in the event a registered sex offender moves interstate.

TITLE: Offset of Tax Refund Payments To Collect Past-Due

Support

RIN: 1510-AB16

ABSTRACT: The Department of the Treasury, Financial Management Service, is amending 31 CFR part 285.3, which governs the offset of federal tax refund payments to collect past-due child support obligations. We are removing the definition of Qualified Child in paragraph (a) due to a change in the statutory definition enacted as part of the Deficit Reduction Act of 2005, Public Law 109-171. This statutory change will allow for the use of the tax refund offset program to collect past-due child support on behalf of children who are no longer minors. We are also amending paragraph (c), which describes past-due support obligations that qualify for the tax refund offset program, by removing the requirement that the support be owed to or on behalf of a qualified child.

TITLE: Contributions To Purchase Certain Retirement Annuities or Custodial Accounts Under Section 403(b)

RIN: 1545-BB64

ABSTRACT: This regulation revises and updates the current section 403(b) regulations to reflect the numerous statutory revisions to this section of the Internal Revenue Code since these regulations were first promulgated in 1964. Section 403(b) concerns the income tax exclusion for contributions to purchase certain retirement annuities or custodial accounts made for their employees by certain tax-exempt employers or State-sponsored educational institutions.

TITLE: Disclosures to Subcontractors

RIN: 1545-BC92

ABSTRACT: Amending existing regulations on disclosure of returns and return information in connection with procurement of property and services for tax administration purposes.

TITLE: Section 3121(a)(5)(D) Regulation (Salary Reduction Agreement) (Temporary)

RIN: 1545-BF35

ABSTRACT: The temporary regulation defines the term "salary reduction agreement" within the meaning of section 3121(a)(5)(D) as a plan or arrangement whereby payment will be made by an employer to an annuity described in section 403(b) if an employee elects to reduce his compensation or if an employee agrees as a condition of employment to make a mandatory contribution that reduces his compensation.

TITLE: Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions

RIN: 1545-BG44

ABSTRACT: Temporary regulations provide guidance to States and local governments that issue qualified zone academy bonds and to banks, insurance companies, and other taxpayer hold those bonds regarding the program requirements for qualified zone academy bonds under section 1397E of the Internal Revenue Code.

TITLE: Deemed IRAs in Governmental Plans/Qualified Non-bank Trustee Rules

RIN: 1545-BG46

ABSTRACT: Finalizing temporary regulations allowing governmental entities to act as non-bank trustees for deemed IRAs which are part of the entities' qualified plan.

TITLE: Chemical Facility Anti-Terrorism Standards

RIN: 1601-AA41

ABSTRACT: Section 550 of the Homeland Security Appropriations Act of 2007 provided the Department of Homeland Security with authority to promulgate ?interim final regulations? for the security of certain chemical facilities in the United States. See Public Law No. 109-295, section 550 (Oct. 4, 2006). In accordance with section 550, these regulations will establish risk-based performance standards and require vulnerability assessments and the development and implementation of site security plans.

TITLE: Flood Mitigation Assistance

RIN: 1660-AA00

ABSTRACT: The final rule adopts, without substantive change, the interim rule that implemented sections 553 and 554 of the National Flood Insurance Act of 1968, as amended, to provide grants under the National Flood Mitigation Fund to States and communities for planning assistance and for mitigation projects that reduce the risk of flood damages to structures covered under contracts for flood insurance.

TITLE: Hazard Mitigation Planning and Hazard Mitigation Grant Program

RIN: 1660-AA17

ABSTRACT: The Federal Emergency Management Agency plans to adopt as final, without substantive change, interim rules that establish requirements

for Hazard Mitigation Planning and the Hazard Mitigation Grant Program pursuant to section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

TITLE: Energy Efficiency Standards for Electric Distribution Transformers

RIN: 1904-AB08

ABSTRACT: Prior to enactment of the Energy Policy Act of 2005 (EPACT 2005), the Energy Policy and Conservation Act (EPCA) did not establish energy efficiency standards for electric distribution transformers. EPCA directed DOE to determine whether standards for electric distribution transformers were warranted. However, as a result of amendments adopted in EPACT 2005, Public Law No. 109-58, section 135(c)(4), EPCA now contains standards for low voltage dry-type electric distribution transformers, but not other types of distribution transformers. This rulemaking will determine whether it is appropriate to establish standards for these other types of electric distribution transformers.

TITLE: Test Procedures for Residential Air Conditioners and Heat Pumps

RIN: 1904-AB55

ABSTRACT: With this rulemaking, the Department of Energy (DOE) is amending its test procedure for residential central air conditioners and heat pumps. The rulemaking implements test procedure changes in such areas as small-duct, high-velocity systems, multiple-split systems, two-capacity units, and the referencing of current ASHRAE standards. The amendments also clarify issues

associated with sampling and rating both tested and untested systems. DOE believes that the amendments will not cause products to fail to meet the energy standards in effect either before or after January 23, 2006.

TITLE: Modification to the Public Hearing and Submittal Requirements for State Implementation Plans

RIN: 2004-AA02

ABSTRACT: The current regulation as written requires States to hold public hearings for any revision to State implementation plans. States currently hold public hearings whether or not the public attends and participates in these hearings. Many of these plan revisions are minor or non-controversial in nature, and no member of the public or the regulated community attends or participates in the hearing. These hearings consume both valuable time and resources. Rather than requiring a public hearing for all SIP revisions, the proposed revision will allow States to determine those actions for which there may be little or no interest by the public or the regulated community and, for those actions, to provide the public the opportunity to request a public hearing. If no request for public hearing is made, then the State would have fulfilled the requirements and no public hearing is required to be held. Whether or not a public hearing is held, the State is required to provide a 30-day period for the written submission of comments from the public. EPA believes this rule revision will have no effect on public participation in the rulemaking process, but will help State agencies reduce costs by not needing to pay for facilities for public hearings for which no one is interested in attending and participating. In addition, it will increase efficiency by

allowing limited staff resources to be devoted to productive activities rather than staffing a hearing that is not attended.

This proposed revision will also establish the minimum required number of electronic (1) and hard copies (2) to be submitted with all official SIP submittals or preliminary requests for EPA review from the current requirement of submitting five hard copies. With today's use of electronic processing and the use of the Internet these revisions align the regulatory requirements with the way States and EPA interact and with the way information is made available to the public. Rulemaking dockets are now available electronically, providing greater access to the public because there are no geographic or time limits on where or when documents may be obtained. Previously, when the dockets were comprised solely of hard copies of documents, the public needed to travel to specified locations to review the docket and the docket was available only during business hours. These revisions will reduce costs for States but will not interfere with the public's access to SIP revisions being reviewed by EPA. Rather, as described above, the availability of electronic files simplifies access for the public. Since the promulgation of 40 CFR EPA Regional Offices 3, 4, 7 and 8 have relocated. EPA is updating addresses to provide the public with the current address.

TITLE: Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions

RIN: 2020-AA42

ABSTRACT: The Environmental Protection Agency is proposing to amend its procedures for implementing the requirements of the National Environmental Policy Act of 1969 (NEPA). The proposed rule would also include minor, technical amendments to the Agency's procedures for implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions."

TITLE: Addition of Toxicity Equivalency (TEQ) Reporting and Quantity Data for Individual Members of the Dioxin and Dioxin-like Compounds Category Under EPCRA, Section 313

RIN: 2025-AA12

ABSTRACT: Under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) (i.e., the Toxics Release Inventory (TRI)), dioxin and dioxin-like compounds are reported in units of grams for the category. This project will add toxic equivalency (TEQ) reporting for the category and quantity data for individual members of the category to the grams only reporting currently required for the category under EPCRA section 313. TEQs are a weighted quantity measure based on the toxicity of each dioxin congener relative to the most toxic dioxin congeners, 2,3,7,8-tetrachlorodibenzo-p-dioxin and 1,2,3,7,8-pentachlorodibenzo-p-dioxin. The addition of TEQ reporting will allow better understanding of the releases and waste management quantities currently reported to the TRI for dioxin and dioxin-like compounds. TEQ reporting will also make it easier to compare TRI data on dioxin and dioxin-like compounds with other EPA activities which present data on dioxin and dioxin-like compounds in terms of

TEQs. Several industry groups have written OMB supporting the addition of TEQ reporting to TRI.

TITLE: National Primary Drinking Water Regulations for Lead and Copper: Short-Term Regulatory Revisions and Clarifications

RIN: 2040-AE83

ABSTRACT: This action (proposed in the Federal Register on July 18, 2006 (71 FR 40827)) is minor as it makes minor additions and clarifications to an existing regulation. EPA undertook several activities in 2004 to determine whether a national problem exists related to elevated drinking water lead levels comparable to that in the District of Columbia. This evaluation, while it did not reveal a national problem comparable to DC, highlighted areas for improvement and clarification to the existing lead and copper rule and associated guidance materials. Several short-term actions will be initiated in 2005 and completed during the 2005 to 2006 time frame. EPA also identified several regulatory changes that will be considered as part of identifying more comprehensive changes to the rule. These considerations are longer-term as they require additional data collection, research, analysis, and stakeholder involvement to support decisions. These longer-term regulatory changes will be examined by a separate workgroup under an additional regulatory action. This action addresses the regulatory revisions to be completed in the 2005 to 2006 time frame. Regulatory changes to be addressed include clarifications about sample collection; clarifications to definitions for monitoring and compliance periods; modifications regarding public water system

notification to their state of treatment changes prior to the change; revisions to language related to criteria for reduced monitoring; revisions to language regarding consideration of lead service line replacement for compliance purposes; revisions to language related to flushing guidance; and additional requirements for consumer notification of lead monitoring results.

TITLE: Concentrated Animal Feeding Operations--Amendment to the Compliance Dates

RIN: 2040-AE92

ABSTRACT: While EPA is currently making revisions to the 2003 CAFO regulations in light of the 2005 Second Circuit Court of Appeals in Water keeper Alliance et al. v. EPA, 399 F.3d 486, this separate, expedited rule is necessary in order to: 1) Ensure that permit application deadlines are subsequent to final rule revisions; and 2) make the permit application and the nutrient management plan (NMP) due dates coincidental in response to the court's decision.

TITLE: Cooperative Agreements and Superfund State Contracts for Superfund Response Actions

RIN: 2050-AE62

ABSTRACT: 40 CFR part 35 subpart O prescribes requirements for administering cooperative agreements (CAs) awarded to States, Indian tribes, and political subdivisions to conduct remedial actions, non-time-critical removal actions, pre-remedial activities, and other response activities authorized by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) section 104(a)-(j). In addition, subpart O prescribes requirements for the Superfund State

Contract that is necessary whenever EPA or a political subdivision is the lead agency for a CERCLA remedial action. Subpart O was promulgated on June 5, 1990, and became effective on July 5, 1990. Since then, the Superfund program has demonstrated several process improvements that are not authorized under the current regulation. For example, the 16 Block Funding Reform pilots established during 1997 to 2000 generated at least 60 approved requests for deviations from subpart O and 40 CFR part 31. The revisions to subpart O make it possible to use the process innovations tested in the pilot projects without having to obtain deviations. The revisions are also expected to update cross-references to other regulations that have changed, and eliminate references to obsolete forms and regulations.

TITLE: Criteria for Safe and Environmentally Protective Use of Granular Mine Tailings

RIN: 2050-AG27

ABSTRACT: The 2005 Transportation Equity Act requires EPA to establish criteria for the safe and environmentally protective use of granular mine tailings (chat) from the Tar Creek, Oklahoma Mining District in cement and concrete products and in transportation construction projects.

TITLE: Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Requirements--Extension of Compliance Dates

RIN: 2050-AG36

ABSTRACT: The Environmental Protection Agency extended the dates by which facilities must prepare or amend Spill Prevention, Control, and Countermeasure Plans (SPCC Plans),

and implement those Plans. This action allows the Agency time to promulgate further revisions to the July 17, 2002 SPCC rule before owners and operators are required to meet requirements of the rule related to preparing or amending, and implementing SPCC Plans. EPA expects to propose further revisions to the SPCC rule in 2007.

TITLE: Clean Air Fine Particle Implementation Rule

RIN: 2060-AK74

ABSTRACT: In 1997, EPA promulgated National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM-2.5). EPA designations of 39 non attainment areas for the PM2.5 standards became effective on April 5, 2005. The Clean Air Fine Particle Implementation Rule, which was proposed in the Federal Register on November 1, 2005, includes requirements and guidance for State and local air pollution agencies to follow in developing State implementation plans (SIPs) designed to bring areas into attainment with the 1997 standards. These SIP development activities include technical analyses to identify effective strategies for reducing emissions contributing to PM-2.5 levels, and the adoption of regulations as needed in order to attain the standards. Estimates show that compliance with the standards will prevent thousands of premature deaths from heart and lung disease, tens of thousands of hospital admissions and emergency room visits, and millions of absences from school and work every year.

TITLE: Prevention of Significant Deterioration, Non attainment New Source Review, and Title V: Treatment of Corn Milling Facilities

Under the "Major Emitting Facility"**Definition**

RIN: 2060-AN77

ABSTRACT: Given widespread concerns about our Nation's fuel supply and Congress's recent recognition of the enormous role that domestically produced ethanol can play in reducing our dependence on foreign oil (by Congress's enactment of the renewable fuels standard in the Energy Policy Act of 2005), EPA will examine the treatment of ethanol production facilities under the New Source Review and title V operating permit programs. Specifically, a source emitting greater than the major source threshold may be subject to New Source Review, operating permits, and other regulations. A source in one of 27 listed source categories (including chemical process plants) has a major source threshold of 100 tons per year. Conversely, sources not in the one of the 27 listed source categories have a major source threshold of 250 tons per year. EPA will determine through this rulemaking whether ethanol production facilities were originally intended to be in the chemical process plants source category when these categories were developed.

TITLE: Phase 2 of the Final Rule To Implement the 8-Hour Ozone National Ambient Air Quality Standard-- Notice of Reconsideration

RIN: 2060-AO00

ABSTRACT: In this notice, EPA would announce its decision to reconsider and take additional comment on three provisions in the final Phase 2 8-hour ozone implementation rule: (1) The determination that electric generating units (EGUs) that comply with rules implementing the Clean Air Interstate Rule (CAIR) and are located in States

where all required CAIR emissions reductions are achieved from EGUs meet the 8-hour ozone State implementation plan (SIP) requirement for application of reasonably available control technology (RACT) for nitrogen oxide (NOx) emissions; (2) a new source review (NSR) requirement allowing sources to use certain emission reductions as offsets under certain circumstances; and (3) an NSR provision addressing when requirements for the lowest achievable emission rate (LAER) and emission offsets may be waived. These issues are also issues in a petition for judicial review; the court has granted EPA a stay of litigation on these 3 issues until 12/15/06, so the reconsideration action must be completed by then.

TITLE: Ambient Air Monitoring Regulations: Correcting and Other Amendments

RIN: 2060-AO06

ABSTRACT: EPA recently finalized changes to the ambient air monitoring regulations in 40 CFR parts 50, 53, and 58 in support of revisions to the PM National Ambient Air Quality Standards that were finalized in a concurrent rulemaking. Additional changes were made in monitoring regulations to implement portions of the National Ambient Air Monitoring Strategy, to take advantage of new continuous particulate matter monitoring technological developments, to update quality assurance procedures, and to more accurately reflect the roles of EPA and other control authorities in designing, reviewing, and modifying ambient air networks. Following the publication of the final monitoring rule, several passages containing potentially ambiguously worded rule and/or preamble text were discovered.

Additionally, several text blocks pertaining to PM10 monitoring network design were found to be missing, having been inadvertently omitted from the final rule draft. In this Direct Final action, EPA will clarify the specific instances of ambiguous rule wording, restore omitted text, and document Federal Register printing errors in tables and equations that occurred when the final rule was published on October 17, 2006.

TITLE: Pesticides; Data Requirements for Biochemical and Microbial Products

RIN: 2070-AD51

ABSTRACT: EPA will issue a final rule that updates the data requirements necessary to register a biochemical or microbial pesticide product. The revisions will codify data requirements to reflect current regulatory and scientific standards. The data requirements will cover all scientific disciplines for biochemical and microbial pesticides, including product chemistry and residue chemistry, toxicology, and environmental fate and effects. The revision will not include plant incorporated protectants.

TITLE: Design-Build Contracting

RIN: 2125-AF12

ABSTRACT: Pursuant to SAFETEA-LU, this rulemaking would eliminate the prohibition on States issuing requests for proposals, proceeding with awards of design-build contracts, or issuing notices to proceed with preliminary design work under design-build contracts prior to compliance with section 102 of the National Environmental Policy Act of 1969 (NEPA) and requiring State Departments of Transportation or local transportation agencies to receive

approval from the Secretary of Transportation before carrying out such activity. This rulemaking would also preclude a design-build contractor from proceeding with final design or construction of any permanent improvement prior to completion of the section 102 NEPA process.

TITLE: Self-Insurance Plans Under the Indian Housing Block Grant Program (FR-4897)

RIN: 2577-AC58

ABSTRACT: NAHASDA requires Indian Tribes and tribally designated housing entities (TDHEs) who are recipients of HUD funds to provide adequate insurance for housing that benefits from HUD assistance. Experience has shown that private insurance companies have often been unwilling or unable to provide this service at a cost that Tribes and TDHEs can afford. This rule would establish standards for Tribes and TDHEs to establish self-funded risk management entities to fulfill this vital function.

TITLE: Criminal Background Checks (AmeriCorps and Senior Corps)

RIN: 3045-AA44

ABSTRACT: The Corporation for National and Community Service plans to publish regulations that require Corporation grantees in AmeriCorps State/National Foster Grandparents and Senior Companions programs to conduct and document criminal background checks on grant-funded employees and program participants who, on a recurring basis, have access to children or other vulnerable populations.

TITLE: Coverage Under the Age Discrimination in Employment Act

RIN: 3046-AA78

ABSTRACT: In *General Dynamics Land Systems v. Cline*, 540 U.S. 581 (2004), the U.S. Supreme Court held that the Age Discrimination in Employment Act of 1967 (ADEA) only prohibits age-based discrimination against relatively older individuals. It rejected the Commission's position that the ADEA also prohibits age-based discrimination against relatively younger individuals who are age 40 or over. The Commission has revised relevant portions of its regulations to conform to the holding in *Cline*.

TITLE: Cognitive Radio Technologies

RIN: 3060-AI23

ABSTRACT: The notice of proposed rulemaking seeks to facilitate opportunities for flexible, efficient, and reliable spectrum use employing cognitive radio technologies. The Commission seeks to ensure that our rules and policies do not inadvertently hinder development and deployment of such technologies, but instead enable a full realization of their potential benefits. The Report and Order modified the Commission's rules to reflect ongoing technical developments in cognitive radio technologies. In light of the Commission's experience with these rules, the Commission modified and clarified the equipment rules to further facilitate the development and deployment of software defined and cognitive radios.

The Memorandum Opinion and Order responded to two petitions concerning the rules adopted in the Report and Order in this proceeding (*Cognitive Radio Report and Order*). The Commission granted a petition for clarification filed by Cisco Systems, Inc.

(*Cisco*) requesting that the Commission clarify the requirement to approve certain devices as software defined radios, and its policy on the confidentiality of software that controls security measures in software defined radios. The Commission also granted in part and denied in part a petition for reconsideration filed by Marcus Spectrum Solutions (MSS) requesting that the Commission clarify the rules concerning the submission of radio software source code, clarify the rules concerning the certification of software defined amateur radio equipment, and initiate a further proceeding to adopt regulatory requirements for high-power, high-speed digital-to-analog (D/A) converters.

TITLE: Interference Temperature Operation

RIN: 3060-AI25

ABSTRACT: The notice of proposed rulemaking proposes technical rules that would establish interference temperature limits and procedures for assessing the interference temperature to permit expanded unlicensed operation in the 6525-6700 MHz and 12.75-13.25 GHz bands.

The Order terminated the Interference Immunity Performance Specifications proceeding. The Commission found that with the passage of time, the NOI and record in this proceeding became outdated. Further, to the extent receiver interference immunity performance specifications are desirable they may be addressed in proceedings that are frequency band or service specific. As there did not appear to be a need for further Commission action, the Commission terminated this proceeding without prejudice to its substantive merits.

TITLE: Implementation of Section 210 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 To Amend Section 338 of the Communications Act

RIN: 3060-AI64

ABSTRACT: In this document the Commission establishes final rules implementing section 210 of the Satellite Home Viewer Extension and Reauthorization Act of 2004, which amends section 338(a)(4) of the Communications Act to require satellite carriage of the analog signals and digital signals of local stations in Alaska and Hawaii. Satellite carriers with more than five million subscribers must carry these signals to substantially all of their subscribers in each station's local market by December 8, 2005 for analog signals and by June 8, 2007 for digital signals.

TITLE: Revision of Fee Schedules; Fee Recovery for FY 2007

RIN: 3150-AI00

ABSTRACT: The final rule amends the Commission's licensing, inspection, and annual fees charged to NRC licensees and applicants for an NRC license. The rulemaking is necessary to recover, through the assessment of fees, approximately 90 percent of the NRC's budget authority for Fiscal Year (FY) 2007, less the amounts appropriated from the Nuclear Waste Fund, and for Waste Incidental to Reprocessing and generic homeland security activities as required by the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended.

To address fairness and equity concerns related to charging NRC license holders for agency budgeted costs that do not provide a direct benefit to the licensee,

the FY 2001 Energy and Water Development Appropriations Act amended OBRA-90 to decrease the NRC's fee recovery amount by 2 percent per year beginning in FY 2001, until the fee recovery amount was 90 percent in FY 2005. The FY 2006 Energy and Water Development Appropriations Act, as amended by the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act 2006, extended this 90 percent fee recovery requirement through FY 2006. Section 637 of the Energy Policy Act of 2005 made the 90 percent fee recovery requirement permanent beginning in FY 2007. The dollar amount to be recovered for FY 2007 is approximately \$670.5 million. OBRA-90, as amended, requires that the fees for FY 2007 be collected by September 30, 2007.

TITLE: Update NRC Size Standards; Revision

RIN: 3150-AI15

ABSTRACT: The direct final rule revises the Commission's regulations to implement updated NRC size standards for qualifying an NRC licensee as a small entity under the Regulatory Flexibility Act. This action is necessary to conform NRC's size standards with recent changes to the Small Business Administration's size standards.

TITLE: Covered Securities Pursuant to Section 18 of the Securities Act

RIN: 3235-AJ73

ABSTRACT: The NASDAQ Stock Market (NASDAQ) filed a proposed rule change with the Commission to amend its quantitative listing standards for National Capital Market (NCM)

securities. The Commission believes that NASDAQ's proposed NCM listing standards would be substantially similar to those of a Named Market as designated in section 18 of the Securities Act.

The Commission proposed an amendment to Rule 146(b) under that Act to designate securities traded on the NCM as covered securities for purposes of section 18 of the Act and also proposed technical amendments to Rule 146(b) to account for the name changes of the Pacific Exchange to NYSE Arca, Inc., and the National Market System of the NASDAQ to NASDAQ Global Market. The Commission approved the rule change on April 24, 2007.

TITLE: Oversight of Credit Agencies

RIN: 3235-AJ78

ABSTRACT: The Commission adopted rules to implement provisions of the Credit Rating Agency Reform Act of 2006 ("the Act"). The Act defines the term "nationally recognized statistical rating organization" as a credit rating agency registered with the Commission, provides the Commission with authority to implement registration, recordkeeping, financial reporting, and oversight rules with respect to registered credit rating agencies, and directs the Commission to adopt final rules effective no later than 270 days after its enactment on June 26, 2006.