



Legislative Bulletin.....October 9, 2013

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H.J. Res. 91 — Honoring the Families of Fallen Soldiers Act (Frelinghuysen, R-NJ)

Order of Business: H.J. Res. 91 is scheduled to be considered on October 9, 2013, under a motion to suspend the rules and pass the bill, which requires a two-thirds vote for passage.

Summary:

[H.J. Res 91](#) – Honoring the Families of Fallen Soldiers Act

- This bill provides funding for death gratuities and related survivor benefits for survivors of deceased military service members of the Department of Defense for fiscal year 2014.
- This bill will provide for the payment of death gratuity, reimbursement for funeral and burial expenses, payment or reimbursement of authorized funeral travel related to the dignified transfer of remains and unit memorial service and the temporary continuation of a basic allowance for housing for dependants of members who have died on active duty
- Funds are appropriated at the Fiscal Year 2013 post-sequester level through December 15, 2013, or the passage of a superseding appropriations act, whichever comes first. There is no Congressional Budget Office cost estimate for this bill.

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

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

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No

Constitutional Authority: According to the sponsor, “Congress has the power to enact this legislation pursuant to the following: The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ‘No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .’ In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ‘The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .’ Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.” Congressman Frelinghuysen’s statement in the Congressional Record can be viewed [here](#).

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H.J. Res. 90 — Flight Safety Act (Rogers, R-KY)

Order of Business: H.J. Res. 90 will be considered under a closed rule, [H. Res. 373](#), on October 9, 2013.

Summary: This bill is related to the government slowdown. To see an RSC timeline of the legislation related to the government slowdown, click [here](#).

H.J. Res. 90 – Flight Safety Act:

- This bill provides funding for the Federal Aviation Administration (FAA), provided only the amount necessary to keep current staffing levels is used AND the agency takes all necessary action to reduce administrative expenses.
- The [FAA’s](#) “mission is to provide the safest, most efficient aerospace system in the world.”
- Funds are appropriated at the Fiscal Year 2013 post-sequester level through December 15, 2013, or upon the passage of a superseding appropriations act, whichever comes first. CBO estimates that the annualized cost of this bill is \$11.892 billion (in budget authority). The CBO cost estimate can be viewed [here](#).

- The FAA contingency shutdown plan states that “initially the safety workforce would be limited to safety critical staff whose job is to perform urgent continued operational activity to protect life and property. If extended beyond a limited duration, FAA would bring back additional parts of the workforce to better manage safety risk. A total of 2,800 would be excepted based on the percentage of continued operational safety work. Employees doing certification and operational support work would remain on furlough.” See text of the memo [here](#).

Outside Groups: At press time, no outside group positions were available.

Administration Position: At press time, no statement from the White House was available.

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

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

Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10th Amendment?: No.

Does the Bill Delegate Any Legislative Authority to the Executive Branch?: No.

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