

RESOLUTION OF INQUIRY RELATING TO CONTRACTS FOR
SERVICES OR CONSTRUCTION RELATED TO HURRICANE
KATRINA RECOVERY

NOVEMBER 3, 2005.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H. Res. 488]

The Committee on Transportation and Infrastructure, to whom was referred the resolution (H. Res. 488) requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery, having considered the same, report without recommendation.

PURPOSE OF THE LEGISLATION

The purpose of House Resolution 488 is to request that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery.

BACKGROUND AND NEED FOR THE LEGISLATION

H. Res. 488 is a resolution of inquiry, which, pursuant to clause 7 of rule XIII of the Rules of the House of Representatives, directs the Committee to act on the resolution within 14 legislative days, or a privileged motion to discharge the Committee is in order. H. Res. 488 was introduced and referred to the Committee on Transportation and Infrastructure on October 7, 2005, and was ordered reported without recommendation by the Committee on November 2, 2005.

Under the rules and precedents of the House, a resolution of inquiry is a means by which the House requests information from the President of the United States or the head of one of the executive departments.

On September 8, 2005, the President issued a proclamation suspending the provisions of the Davis-Bacon Act in the Hurricane Katrina disaster zone, which requires paying prevailing wages in federal contracts. On October 7, 2005, Representative Steve LaTourette (R-OH) along with Representatives Frank LoBiondo (R-NJ) and Thaddeus McCotter (R-MI) introduced H. Res. 488, which would require the President to transmit to Congress information about these contracts. On October 16, 2005 the Department of Labor announced that the suspension of Davis-Bacon would end on November 8, 2005.

SUMMARY OF THE LEGISLATION

The resolution requests that the President transmit to the House of Representatives, not later than 14 days after the date of adoption of the resolution, copies of any portions of any contracts in his possession for services or building or other construction related to Hurricane Katrina awarded by the Federal Emergency Management Agency, or any agency, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

No hearings were held in conjunction with ordering reported H. Res. 488.

On November 2, 2005, the Full Committee met in open session to consider H. Res. 488. The resolution was discharged from the Subcommittee on Economic Development, Public Buildings and Emergency Management and a motion by Mr. Shuster to order H. Res. 488 reported to the House without recommendation was agreed to by the Full Committee by voice vote with a quorum present. There were no recorded votes taken during Committee consideration of H. Res. 488.

ROLLCALL VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no rollcall votes taken in connection with ordering H. Res. 488 reported without recommendation.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

The Committee estimates that the costs associated with the resolution are insignificant.

COMPLIANCE WITH HOUSE RULE XIII

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the bill contains no measure that authorizes funding, so no

statement of general performance and objectives for which any measure authorizes funding is required.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

H. Res. 488 contains no federal mandates.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H. Res. 488 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act. (Public Law 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H. Res. 488 makes no changes in existing law.

○