



Legislative Bulletin.....February 2, 2005

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Summary of the Bill Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.Res. 56—Commending the Palestinian people for conducting a free and fair presidential election on January 9, 2005 (Blunt/Pence)

Order of Business: The resolution is scheduled to be considered on Wednesday, February 2nd, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 56 would resolve that the House:

- “commends the Palestinian people for conducting a free and fair presidential election on January 9, 2005;
- “congratulates the new Palestinian President, Mahmoud Abbas;
- “urges the new Palestinian leadership to continue to advance democratic ideals by reforming the Palestinian political structure, advancing human rights, and ending corruption;
- “strongly condemns terrorism and urges President Mahmoud Abbas, who has previously disavowed terrorism, to immediately take steps to dismantle the Palestinian terrorist infrastructure, confiscate unauthorized weapons, arrest and bring terrorists to justice, consolidate and control the many Palestinian security organizations, and end the incitement to violence and hatred in the Palestinian media, educational institutions, mosques, and other institutions;
- “urges Arab states to take active steps to encourage and assist the Palestinian Authority in bringing an end to terrorism and an end to anti-Israel incitement in their own media; and
- “encourages all interested parties to take advantage of this historic opportunity to remove obstacles to achieving a lasting peace in the Middle East.”

Additional Background: On January 9, 2005, in an election process facilitated by the Israeli Government, the Palestinian people elected Mahmoud Abbas as the second President of the Palestinian Authority.

Committee Action: The resolution was introduced on February 1, 2005, referred to the House Committee on International Relations, and no official committee action was taken on it.

Cost to Taxpayers: The resolution would authorize no expenditure.

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.

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H.Res. 57— Urging the European Union to maintain its arms embargo on the People’s Republic of China (Hyde)

Order of Business: The concurrent resolution is scheduled to be considered on Wednesday, February 2nd, under suspension of the rules.

Summary: H.Res. 57 has 13 findings and resolves that the Congress:

“(1) reaffirms the United States arms embargo on the People’s Republic of China and related findings and statements of policy set forth in title IX of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246);

“(2) finds that policies by the United States and other countries which promote the development of democracy in the People’s Republic of China, and not the development of Chinese military capabilities, will help assure a stable, peaceful, and prosperous Asia and Pacific region;

“(3) deplors the recent increase in arms sales by member states of the European Union (EU) to the People’s Republic of China and the European Council’s decision to finalize work toward lifting its arms embargo on China, actions that place European security policy in direct conflict with United States security interests and with the security interests of United States friends and allies in the Asia and Pacific region;

“(4) declares that such a development in European security policy is inherently inconsistent with the concept of mutual security interests that lies at the heart of United States laws for transatlantic defense cooperation at both the governmental and industrial levels and would necessitate limitations and constraints in these relationships that would be unwelcome on both sides of the Atlantic;

“(5) requests the President in his forthcoming meetings with European leaders to urge that they reconsider this unwise course of action and, instead, work expeditiously to close any gaps in the European Union’s arms embargo on the People’s Republic of China, in the national export control systems of EU member states, and in the EU’s Code of Conduct on Arms Exports in order to prevent any future sale of arms or related technology to China; and

“(6) requests the President to inform Congress of the outcome of his discussions with European leaders on this subject and to keep Congress fully and currently informed of all developments in this regard.”

Additional Background: According to the resolution’s findings, both the U.S. and the E.U. have maintained an arms embargo since 1989 after China’s deadly, unprovoked, brutal, and indiscriminate assault on thousands of peaceful and unarmed demonstrators and onlookers in and around Tiananmen Square. The findings note that the U.S.’s National Security Strategy (approved by the President on September 17, 2002), concludes that the People’s Republic of China remains strongly committed to national one-party rule by the Communist Party and is not truly accountable to the needs and aspirations of its citizens, while preventing the Chinese people to think, assemble, and worship freely. Also noted is the China’s military buildup near the Taiwan Strait, repeated determinations regarding Chinese firms engaged in illicit transactions with strategic technology (including the U.S.’s December 20, 2004, determination that seven entities of China should be subject to sanctions under the U.S. law

for the transfer to Iran of certain controlled equipment and technology), and a concern that U.S.-E.U. transatlantic armament and defense industry cooperation may be subject to increased risks of diversion to the People's Republic of China through an armament cooperation between the E.U. and China.

Committee Action: The resolution was introduced yesterday, February 1, 2005, referred to the House Committee on International Relations, which took no official committee action on it.

Cost to Taxpayers: The resolution would authorize no expenditure.

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.

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H.Res. 60—Relating to the free election in Iraq held on January 30, 2005 (DeLay)

Order of Business: The resolution is scheduled to be considered on Wednesday, February 2nd, under a unanimous consent agreement providing one hour of debate and no opportunity for amendment.

Summary: H.Res. 60 would resolve that the House:

- “congratulates the people of Iraq, in particular those individuals who participated in the political process as voters, poll workers, observers, party workers, or candidates for the Transitional National Assembly, for having taken part in the historic and inspiring Iraqi election of January 30, 2005;
- “expresses its thanks to the Interim Government of Iraq and the Independent Electoral Commission of Iraq, Iraqi and Coalition security forces, and the civilian United States and international partners of the Government of Iraq for their tenacious efforts to create the conditions in which a free election could be held;
- “expresses its condolences to the families of those Iraqis who perished while attempting to exercise their right to choose their government or while protecting Iraqis who were doing so;
- “congratulates the candidates who were elected to Iraq's Transitional National Assembly which will be, when it is formed, the newest democratically-elected legislature in the world;
- “offers its continued support to the people and political institutions of Iraq, including the Iraqi Transitional National Assembly, as they deal with the consequences of decades of misrule by the former regime of Saddam Hussein;

- “expresses its gratitude to the United States Armed Forces for their ongoing valiant service to their country and commitment to the highest ideals and traditions of the people of the United States;
- “expresses its gratitude to the families of United States Armed Forces personnel, especially the families of those who have lost loved ones in Operation Iraqi Freedom, and to Armed Forces personnel wounded in the service of their country, for their sacrifices;
- “reaffirms that--
 - United States Armed Forces in Iraq will remain under the full authority, direction, and control of their United States commanders; and
 - United States Armed Forces will possess all necessary authority to fulfill their mission in Iraq effectively and to provide for their operational safety;
- “urges the people of the United States and other countries to celebrate this latest step in the restoration of freedom to the people of Iraq; and
- “reaffirms that the world is safer when democracy replaces tyranny.”

Additional Background: In April 2003, U.S. Armed Forces and other Coalition forces liberated the people of Iraq from the totalitarian regime of Saddam Hussein, and in June 2004, an Interim Government of Iraq assumed sovereign authority over Iraq.

Committee Action: The resolution was introduced on February 1, 2005, and referred to the House Committee on International Relations and Armed Services, neither of which took official committee action.

Cost to Taxpayers: The resolution would authorize no expenditure.

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.

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H. Con. Res. 36— Expressing the continued support of Congress for equal access of military recruiters to institutions of higher education (Rogers of Alabama).

Order of Business: The concurrent resolution is scheduled to be considered on Wednesday, February 2nd, under a closed rule allowing no amendments but one motion to recommit.

Summary: H. Con. Res. 36 resolves that the Congress:

- “remains committed to the achievement of military readiness through vigorous application of the requirements set forth in section 983 of title 10, United States Code,

relating to equal access for military recruiters at institutions of higher education, and will explore all options necessary to maintain this commitment;” and

- encourages the executive branch to “aggressively continue to pursue measures to challenge any decision impeding or prohibiting the operation of section 983 of title 10, United States Code.”

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Additional Background: The “Solomon Amendment” (Section 983 of Title 10, U.S. Code) denies funding from the Departments of Defense, Labor, Education, Health and Human Services, and Homeland Security to colleges and universities that prohibit Reserve Officer Training Corps (ROTC) access and military recruitment activities on their campus. This law was enacted in the 1990’s in response to some colleges and universities that continue to maintain Vietnam-era bans requiring ROTC to recruit off campus. On November 29, 2004, the US Court of Appeals for the Third Circuit issued a preliminary injunction blocking enforcement of the Solomon Amendment. In short, the court held that the Solomon Amendment infringes upon the First Amendment rights of the law schools. Recently, the Third Circuit issued a stay of its decision (leaving the law in place) while the Justice Department files an appeal to the U.S. Supreme Court.

The resolution’s findings note that “a lack of cooperation by institutions of higher education with the legitimate pursuit of the Federal military recruiting function carries with it the harmful effect of increasing Federal spending to achieve the required outcome, while at the same time compromising military personnel readiness and performance, which in turn conflicts with Federal responsibilities to provide for the Nation’s defense” and that “military recruiting will be significantly harmed if military recruiters are denied access to campuses and students that is at least equal in quality and scope to the access provided to any other employer.” It is also noted that, “the Government suffers irreparable injury any time it is prevented by a court from effectuating statutes enacted by Congress, the representatives of its people...”

Committee Action: The resolution was introduced on February 1, 2005, referred to both the House Armed Services and the House Education and the Workforce Committee, though neither committee considered the resolution.

Cost to Taxpayers: The resolution would authorize no expenditure.

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.

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