



**Legislative Bulletin.....June 1, 2004**

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**Summary of the Bills Under Consideration Today:**

*Year to Date figures do not yet include DOD Authorization Bill.*

**Total Number of New Government Programs:** 0

*Year to Date Prior to Today’s Bills: 17*

**Total Cost of Discretionary Authorizations:** \$29.5 million over 5 years

*Year to Date Prior to Today’s Bills: At least \$205.35 billion<sup>#</sup> over five years*

**Total Amount of Revenue Reductions:** \$0

*Year to Date Prior to Today’s Bills: \$96 billion over five years*

**Total Change in Mandatory Spending:** \$0

*Year to Date Prior to Today’s Bills: \$9.9 billion over five years*

**Total New State & Local Government Mandates:** 0

*Year to Date Prior to Today’s Bills: 15<sup>#</sup>*

**Total New Private Sector Mandates:** 0

*Year to Date Prior to Today’s Bills: 12*

<sup>#</sup> This figure does not include H.R. 3873, the Child Nutrition Improvement and Integrity Act.

**H.Con.Res. 295—Congratulating and saluting Focus: HOPE on the occasion of its 35<sup>th</sup> anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States (Conyers)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 295 resolves that Congress:

- “(1) congratulates and salutes Focus: HOPE for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States; and
- “(2) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to Focus: HOPE and Ms. Eleanor M. Josaitis for appropriate display.”

**Additional Background:** Focus: HOPE is a nationally recognized civil and human rights organization in Detroit, Michigan. According to its website, the group’s mission is to use intelligent and practical action to fight racism, poverty and injustice. Achievements include:

- A food program for eligible mothers, children, and senior citizens,
- Education and training in manufacturing, engineering, and information technology,
- Arts programs to increase understanding of different cultures,
- Children's day care and education,
- A manufacturing operation that gives students hands-on work experience
- Conference facilities, and
- Volunteer and outreach initiatives.
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Focus: HOPE celebrated its 35<sup>th</sup> anniversary in 2003. For more information about Focus: HOPE, click here: <http://www.focushope.edu/>

According to Guidestar ([www.guidestar.org](http://www.guidestar.org)), Focus: HOPE received \$13.75 million in government grants in 2002.

**Committee Action:** The resolution was not considered by committee.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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**H.Res. 612 — Recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004 (Cantor)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, June 1, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The resolution has nine findings regarding a recent Virginia fire and fire in general and resolves:

“That the House of Representatives recognizes and honors the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, and commends them for their dedicated service to the people of the Commonwealth of Virginia.”

**Additional Information:** According to the resolution’s findings, on March 26, 2004, the Carver Community of Richmond, Virginia, and Virginia Commonwealth University experienced a devastating fire resulting in the condemnation and destruction of numerous buildings and property. Strong winds quickly spread the fire through several city blocks and a section of the Virginia Commonwealth University campus. Local firefighters were joined by firefighters from fire stations throughout the region, and public, private, and civic organizations “worked as a seamless team preserving and protecting human lives, defending property, and providing food and comfort to all affected.”

**Committee Action:** The resolution was introduced on April 29, 2004, and referred to the House Committee on Government Reform, though the Committee did not consider the resolution.

**Cost to Taxpayers:** None.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Staff Contact:** Sheila Moloney, [sheila.moloney@mail.house.gov](mailto:sheila.moloney@mail.house.gov); 202-226-9719.

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**H.Con.Res. 417—Honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world’s foremost Air and Space Supremacy Force (Porter)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 417 resolves that “it is the sense of Congress that the United States Air Force should continue to honor and learn from the example provided by the Tuskegee Airmen as it faces the challenges of the 21st century and the war on terror.”

The resolution contains several findings, including that “the United States is currently combating terrorism around the world and is highly dependent on the global reach and presence provided by the Air Force” and “these operations require the highest skill and devotion to duty from all personnel involved.” The resolution goes on to state, “the Tuskegee Airmen proved that such skill and devotion, and not skin color, are the determining factors in aviation” and “the example of the Tuskegee Airmen has encouraged millions of Americans of every race to pursue careers in air and space technology.”

**Additional Background:** In 1941, the Army Air Force began a program of training in Alabama to train black Americans as pilots. The Tuskegee Airmen were trained as fighter pilots, with 992 men graduating from pilot training, 450 of whom were sent overseas for combat assignment. During the same period, approximately 150 lost their lives while in training or on combat flights.

**Committee Action:** The resolution was not considered by committee.

**Cost to Taxpayers:** The resolution authorizes no expenditure.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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## **H.J.Res. 93 — Recognizing the 60th anniversary of the Allied landing at Normandy during World War II (Smith of New Jersey)**

**Order of Business:** The resolution is scheduled for consideration on Tuesday, June 1, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The resolution has six findings regarding the 60<sup>th</sup> anniversary of D-Day, June 6, 1944, and resolves:

“That Congress—

“(1) recognizes the 60th anniversary of the Allied landing at Normandy during World War II; and

“(2) requests the President to issue a proclamation calling on the people of the United States to observe the anniversary with appropriate ceremonies and programs to honor the sacrifices of their fellow countrymen to liberate Europe.”

**Additional Information:** June 6, 2004, marks the 60th anniversary of D-Day, the first day of the Allied landing at Normandy during World War II by American, British, and Canadian troops. The D-Day landing, known as Operation Overlord, was the most extensive amphibious operation ever to occur, involving on the first day of the operation 5,000 naval vessels, more than 11,000 sorties by Allied aircraft, and 153,000 members of the Allied Expeditionary Force. American troops suffered over 6,500 casualties on D-Day. This began, what Allied Supreme Commander Dwight D. Eisenhower called, a “‘Crusade in Europe’ to end Nazi tyranny and restore freedom and human dignity to millions of people.”

**Committee Action:** The resolution was introduced on April 29, 2004, and referred to the House Committee on Armed Services, though the Committee did not consider the resolution.

**Cost to Taxpayers:** None.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Staff Contact:** Sheila Moloney, [sheila.moloney@mail.house.gov](mailto:sheila.moloney@mail.house.gov); 202-226-9719.

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**H.R. 4317 — To name the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the “Charles Wilson Department of Veterans Affairs Outpatient Clinic” (*Turner of Texas*)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The bill designates the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the “Charles Wilson Department of Veterans Affairs Outpatient Clinic.”

**Additional Information:** Charles Wilson was a Democratic United States Congressman from District Two in Texas. The East Texas Congressman was a veteran of the Korean War, was known for a “hawkish foreign policy” and helped direct CIA funding to the mujahideen in Afghanistan. He retired from the United States House of Representatives in 1994 and is currently a lobbyist.

**Committee Action:** The bill was introduced on May 6, 2004, and referred to the House Committee on Veterans' Affairs, though the Committee did not consider the resolution.

**Cost to Taxpayers:** The only costs associated with a facility renaming are those for sign and map changes, none of which significantly affect the federal budget.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Constitutional Authority:** A committee report citing constitutional authority is unavailable.

**Staff Contact:** Sheila Moloney, [sheila.moloney@mail.house.gov](mailto:sheila.moloney@mail.house.gov); 202-226-9719.

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## **H.R. 4060 — Health, Safety, and Security of Peace Corps Volunteers Act of 2004 (Hyde)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The bill creates within the Peace Corps a new Office of the Ombudsman, establishes an independent Inspector General, and adds authorization requirements to existing authority for the Office of Safety and Security and the Office of Medical Services. The bill also requires semi-annual reports from the Ombudsman, a report on medical screening, a GAO report on managing Peace Corps operations and the current 5-year rule, and reports on work assignments and placement of volunteers.

The new Ombudsman will collect and as appropriate inquire into “complaints, questions, or concerns submitted by current or former volunteers regarding services or support provided by the Peace Corps,” regarding matters including safety, due process, benefits, or “on any matters of grievance.” The Ombudsman is required not to get involved in any on-going adjudication or litigation matters. He will be appointed by and will directly report to the Director of the Peace Corps

Under, H.R. 4060, the Office of Safety and Security of the Peace Corps shall be headed by the Associate Director of Safety and Security of the Peace Corps, who shall be responsible for all safety and security activities of the Peace Corps, including background checks of volunteers and staff, safety and security of volunteers and staff, safety and security of facilities, security of information technology, and other responsibilities.

Under the bill, the Inspector General would be appointed by the President and be Senate confirmed, would be paid at an executive level IV rate (currently \$114,500 per year) and would control his own budget.

**Additional Information:** The Peace Corps budget for FY04 is \$308 million. The Director of the Peace Corps March 24, 2004, testified to the International Relations Committee regarding H.R. 4060 stating, “We do not believe that it is in the best interest of this agency to pursue any of the legislative changes that we understand the committee plans to consider.” She continued, “we find it unnecessary to permanently institute an Office of the Ombudsman...[which] would be duplicative on many levels, diluting the authority already granted to the Office of the Inspector General [and]... we do not see the creation of such an office as an appropriate use of our agency’s funds.”

**Committee Action:** The bill was introduced on March 30, 2004, and was jointly referred to the House Committee on International Relations and the House Government Reform. Government Reform discharged the bill without considering it and the International Relations Committee considered the bill and reported it to the full House by voice vote on May 6, 2004.

**Cost to Taxpayers:** CBO estimates that implementing the bill would require the hiring of an additional four personnel (3 in the office of the Ombudsman and 1 additional senior officer) and would cost about \$500,000 each year, subject to appropriations. CBO estimates that the change in status of the Inspector General and the new reporting requirements would not significantly affect spending.

**Does the Bill Create New Federal Programs or Rules?:** The bill creates a new office within the existing Peace Corps structure and adds authorization structure to existing offices. The bill requires a number of new reports.

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

**Constitutional Authority:** The International Relations Committee, in Report 108-481, finds authority Article I, Section 8, Clause 18 (relating to making all laws necessary and proper for carrying into execution powers vested by the Constitution in the Government of the United States).

**Staff Contact:** Sheila Moloney, [sheila.moloney@mail.house.gov](mailto:sheila.moloney@mail.house.gov); 202-226-9719.

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## **H.R. 265—Mount Rainier National Park Boundary Adjustment Act of 2003 (Dunn)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 265 modifies the boundary of Mount Rainier National Park to include a noncontiguous area west of the existing park. The Secretary of Interior is authorized to acquire up to 800 acres within the new area, as well as a 1-acre parcel in a nearby town, by donation, purchase, or exchange. The new parkland would be used for the

development of camping and recreational facilities. The 1-acre parcel in Wilkeson, Washington, would be used for a visitor center.

**Additional Background:** According to the Resources Committee, the main entrance to the northwest area of Mount Rainier National Park is by a road that is often washed out by heavy rains, preventing visitors from accessing the park's western campgrounds. There is also long-term damage to the road and area campgrounds caused by the Carbon River.

H.R. 265 would allow a new road and campground facilities to be built on higher ground. The land to be acquired is a mixture of public and private land. The single private landowner, Plum Creek Timber, supports the legislation.

**Committee Action:** On October 21, 2003, the Subcommittee on National Parks, Recreation, and Public Lands forwarded H.R. 265 to full committee by voice vote. The full Resources Committee favorably reported the bill to the House by unanimous consent on October 29, 2003.

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 265 would cost about \$12 million over the next two years, with half of the amount used to purchase land and the remainder used to finance the development of the campground and visitor center.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Constitutional Authority:** The Committee on Resources, in House Report 108-495, cites Article I, Section 8, but fails to cite a specific clause.

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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## **H.R. 2912—To reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government (*Lucas*)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2912 clarifies that the Osage Tribe has the right to determine the tribe's membership roll and government rules in the same manner as other tribes.

**Additional Background:** In 1906, Congress passed the Osage Allotment Act, which defined legal membership of the Osage Tribe. Court decisions have interpreted this Act as taking away the Tribe's right to determine its own membership. H.R. 2912 seeks to



clarify that the Osage Tribe, like other federally recognized tribes, has the right to determine its own membership.

**Committee Action:** The Committee on Resources favorably reported H.R. 2912 to the full House on May 5, 2004, by unanimous consent.

**Administration Position:** A representative of the Bureau of Indian Affairs testified in support of the legislation on March 15, 2004:

<http://resourcescommittee.house.gov/archives/108/testimony/2004/jeanettehanna.htm>

**Cost to Taxpayers:** The Congressional Budget Office estimates that the bill would have no effect on the federal budget.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Constitutional Authority:** The Resources Committee, in House Report 108-502, cites Article I, Section 8, but fails to cite a specific clause. However, Article I, Section 8, Clause 3 gives Congress the power to “regulate commerce...with the Indian Tribes.”

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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## **S. 1233—National Great Black Americans Commemoration Act of 2003 (*Sen. Mikulski*)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

S. 1233 passed the Senate by unanimous consent on July 14, 2003.

**Summary:** S. 1233 would authorize \$15 million in assistance (available until expended) for Great Blacks in Wax Museum, Inc. to establish the National Great Blacks in Wax Museum and Justice Learning Center in Baltimore, Maryland. The federal share of the project may not exceed 25 percent of the total cost.

**Additional Background:** According to Guidestar ([www.guidestar.org](http://www.guidestar.org)), Great Blacks in Wax Museum, Inc. received \$142,500 in government grants in 2002.

**Committee Action:** The Committee on Resources considered S. 1233 on October 29, 2003, and favorably reported the bill to the full House by unanimous consent.

**Cost to Taxpayers:** The Congressional Budget Office estimates that the bill would cost \$15 million over the 2004-2007 period.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Constitutional Authority:** The Committee on Resources, in House Report 108-372, cites Article I, Section 8, but fails to cite a specific clause.

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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### **S. 618—Western Shoshone Claims Distribution Act (*Sen. Reid*)**

**Order of Business:** The bill is scheduled for consideration on Tuesday, June 1<sup>st</sup>, under a motion to suspend the rules and pass the bill.

S. 618 passed the Senate by unanimous consent on October 17, 2003.

**Summary:** S. 618 provides for the distribution of judgment funds awarded to the Western Shoshone Indians by the Indian Claims Commission. Under the bill, only U.S. citizens who have at least ¼ degree of Western Shoshone blood and have not been awarded funds from another judgment are eligible to receive funds. The Secretary of the Interior is required to establish a judgment roll of eligible individuals and distribute the judgment funds to those individuals in shares as equal as practicable.

The judgment funds are to be held in a newly established educational trust fund at the Department of the Treasury. Interest income from the trust must be used to provide education grants. A committee of tribe members would oversee the distribution of the grants.

**Additional Background:** In 1979, the U.S. Court of Claims awarded about \$26 million to the Western Shoshone Indians as payment for lands taken in 1872. Since that time, no funds have been distributed and additional claims for the tribe have been awarded. As of June 11, 2003, the total funds awaiting distribution to the tribe (including interest) was nearly \$144 million.

**Committee Action:** While a House committee did not consider S. 618, a similar bill, H.R. 884, was passed by the Committee on Resources on September 24, 2003, by a vote of 21-14.

**Cost to Taxpayers:** The Congressional Budget Office estimates that the bill would have no effect on the federal budget.

**Does the Bill Create New Federal Programs or Rules?:** No.

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

**Constitutional Authority:** Senate committee reports are not required to specify constitutional authority. However, Article I, Section 8, Clause 3 gives Congress the power to “regulate commerce...with the Indian Tribes.”

**Staff Contact:** Lisa Bos, [lisa.bos@mail.house.gov](mailto:lisa.bos@mail.house.gov), (202) 226-1630

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