



## Legislative Bulletin.....September 13, 2004

### Contents:

- H.Con.Res. 407**—Saluting the life and courage of the late Commander Lloyd "Pete" Bucher, United States Navy (retired), who commanded the U.S.S. Pueblo (AGER-2) at the time of its capture by North Korea on January 23, 1968
- H.Con.Res. 363**—Concurrent resolution expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic
- H.Res. 667**—Expressing support for freedom in Hong Kong
- H.Res. 760**—Condemning the series of terrorist attacks against the Russian Federation that occurred in late August and early September 2004
- H.R. 3478**—National Archives and Records Administration Efficiency Act
- H.R. 4632** — To designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the "Archie Spigner Post Office Building"
- H.Res. 717** — Honoring former President William Jefferson Clinton on the occasion of his 58th birthday
- S.Con.Res. 127** — Expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion
- H.R. 4836** — To name the Department of Veterans Affairs medical center in Amarillo, Texas, as the "Thomas E. Creek Department of Veterans Affairs Medical Center"
- H.R. 1318** — To name the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the "Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic"
- H.R. 4027**—To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center
- H.R. 4481**—Wilson's Creek National Battlefield Boundary Adjustment Act of 2004
- S. 1576**—Harpers Ferry National Historical Park Boundary Revision Act of 2004
- H.R. 2457**—Castillo de San Marcos National Monument Preservation and Education Act
- H.R. 3056**—To clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Key Unit P25 on Otherwise Protected Area P25P
- H.R. 2400**—To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam
- H.R. 5008**—To provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004

### Summary of the Bills Under Consideration Today:

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

**Total Cost of Discretionary Authorizations:** CBO estimates that the bills would cost between \$15 to \$20 million over 5 years

**Effect on Revenue:** \$0

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

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

**Total New Private Sector Mandates:** 0

**H.Con.Res. 407—Saluting the life and courage of the late Commander Lloyd "Pete" Bucher, United States Navy (retired), who commanded the U.S.S. Pueblo (AGER-2) at the time of its capture by North Korea on January 23, 1968 (Akin)**

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 407 would resolve that Congress:

- “salutes the life and courage of the late Commander Lloyd ‘Pete’ Bucher, United States Navy (retired), who commanded the U.S.S. Pueblo (AGER-2) at the time of its capture by North Korea on January 23, 1968, and who passed away on January 28, 2004;
- “praises Commander Bucher for his exemplary bravery and sacrifice, which were an inspiration to his crew and the United States, while he and his crew were held in captivity for 11 months in North Korea;
- “praises the bravery of the crew of the U.S.S. Pueblo; and
- “expresses its heartfelt sympathy to the family and friends of Commander Bucher.”

**Additional Background:** The resolution notes that the U.S.S. Pueblo, while under the command of Commander Bucher and in international waters conducting an intelligence mission off the coast of North Korea, was attacked by three North Korean torpedo boats and a North Korean sub chaser on January 23, 1968. The attack resulted in the death of one Navy sailor and the capture of Commander Bucher, his crew, and the U.S.S. Pueblo. Commander Bucher and his crew were starved and tortured for eleven months, and were repeatedly beaten, burned on steam radiators, and otherwise brutally treated by their North Korean captors. The focus of the North Korean brutality was on the Commander. On December 23, 1968, the crew of the U.S.S. Pueblo was released, some of whom were crippled or nearly blind because of the brutality and malnourishment they endured.

Commander Bucher died in January of this year.

**Committee Action:** On April 21, 2004, the resolution was referred to the Committee on Armed Services, which referred it to its subcommittee on Total Force on May 25<sup>th</sup>. Neither body took official action on 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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**H.Con.Res. 363— Concurrent resolution expressing the grave concern of Congress regarding the continuing gross violations of human rights and**

## **civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic (Ros-Lehtinen)**

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Con.Res. 363 would resolve that Congress:

- “condemns the consistent pattern of gross violations of internationally recognized human rights by the Government of the Syrian Arab Republic;
- “calls on the international community to adopt a resolution at the upcoming session of the United Nations General Assembly which details the dismal human rights record of Syria;
- “expresses its support for the people of Syria in their daily struggle for freedom, respect for human rights and civil liberties, democratic self-governance, and the establishment of the rule of law;
- “encourages the President and the Secretary of State to reach out to dissidents, human rights activists, and the nonviolent democratic opposition in Syria, and to assist them in their efforts; and
- “urges the adoption and pursuit of these and other policies to seek a democratic government in Syria that will—
  - bring freedom and democracy to the people of Syria;
  - cease the illegal occupation by Syria of the Lebanese Republic;
  - abandon support for terrorism by Syria;
  - not pursue research, development, acquisition, production, transfer, or deployment of biological, chemical, or nuclear weapons, will provide credible assurances that such behavior will not be undertaken in the future, and will agree to allow United Nations and other international observers to verify such assurances; and
  - live in peace and security with the international community.”

**Additional Background:** The resolution details the human rights offenses committed or facilitated by the Government of Syria, including:

- use of torture;
- arbitrary arrest and detention;
- holding political prisoners;
- preventing public criticism of the Government;
- intimidating human rights groups working in Syria;
- reducing sentences for “honor” killings; and
- overall oppression of the Lebanese people.

**Committee Action:** On February 11, 2004, the resolution was referred to the International Relations Committee, which referred it to its Middle East and Central Asia Subcommittee on May 11<sup>th</sup>. On May 12<sup>th</sup>, the Subcommittee marked up and referred the resolution to the full committee by unanimous consent. On June 24<sup>th</sup>, the Committee by unanimous consent agreed to seek House floor consideration for the resolution under suspension of the rules.

**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. 667—Expressing support for freedom in Hong Kong (Cox)**

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 667 would resolve that the House:

- “declares that the people of Hong Kong should be free to determine the pace and scope of constitutional developments; and
  - “calls upon the President of the United States to--
- call upon the People’s Republic of China, the National People’s Congress, and any groups appointed by the Government of the People’s Republic of China to guarantee that all revisions of Hong Kong law reflect the wishes of the people of Hong Kong as expressed through a fully democratically elected legislature and chief executive; --declare that the continued lack of a fully democratically elected legislature in Hong Kong is contrary to the vision of democracy set forth in the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People’s Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984 (the Sino-British Joint Declaration of 1984); and --call upon the Government of the People’s Republic of China to honor its treaty obligations under the Sino-British Joint Declaration of 1984.”

**Additional Background:** The resolution notes that on April 6, 2004, the Standing Committee of the National People’s Congress of the People’s Republic of China declared itself, as opposed to the people of Hong Kong, the final arbiter of democratic reform and, on April 26, 2004, declared that universal suffrage would not apply to the election of the third Chief Executive in 2007 or to the election of all members of the fourth Legislative Council in 2008.

**Committee Action:** On June 9, 2004, the resolution was referred to the International Relations Committee, which, on June 24<sup>th</sup>, agreed by unanimous consent to seek House floor consideration for the resolution under suspension of the rules.

**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. 760—Condemning the series of terrorist attacks against the Russian Federation that occurred in late August and early September 2004 (Royce)**

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.Res. 760 would resolve that the House:

- “deplores the series of terrorist attacks against the Russian Federation that occurred in late August and early September 2004;
- “expresses its heartfelt condolences to the families of the individuals murdered in the terrorist attacks, expresses its sympathies to the individuals injured in the attacks, and conveys its hope for the rapid and complete recovery of all such injured individuals; and
- “stands in solidarity with the Russian people in efforts to combat terrorism throughout the world.

**Additional Background:** On August 24, 2004, two Russian passenger airliners, Sibir Airlines Flight 1047 and Volga-Avia Express Flight 1303, exploded nearly simultaneously from bombs believed to have been carried aboard by passengers, killing 90 people. On August 31, 2004, a suicide bomber attacked the Rizhskaya subway station in Moscow, killing 10 people and injuring 51. On September 1, 2004, a group of approximately 30 terrorists seized Middle School No. 1 in Beslan, Russia, on the first day of school and took more than 1,180 parents, teachers, and children hostage for 52 hours with no food or water. This siege resulted in more than 335 dead, including 156 children, hundreds wounded and 190 still unaccounted for. The resolution notes that the attacks were reportedly planned by Shamil Basayev, a Chechen rebel commander, and financed by Abu Omar as-Seyf, a radical Islamist, believed to be associated with al-Qaeda.

**Committee Action:** On September 8, 2004, the resolution was referred to the International Relations Committee, which took no official 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.R. 3478—National Archives and Records Administration Efficiency Act (Putnam)**

**Order of Business:** The bill is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3478 would ease certain administrative burdens on the National Archives and Records Administration (NARA), as follows:

- Eliminate the current regulations for extending the time-periods for which agencies can hold federal records borrowed from NARA and thus clear the way for accelerated procedures to be implemented.
- Enable NARA to charge fees for the non-governmental, educational use of NARA building spaces by outside groups.
- Allow NARA to enter into cooperative agreements with state and local governments and non-profit organizations to carry out NARA programs.
- Provide for the purchase of uniforms for certain NARA service employees.

**Additional Background:** The National Archives and Records Administration (NARA), created by Congress in 1934, is charged with identifying, acquiring, preserving, and providing access to the permanently valuable records of the federal government.

**Committee Action:** On November 7, 2003, the bill was referred to the Government Reform Committee, which then referred it to its Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census a few days later. On November 19, 2003, the Subcommittee marked up and forwarded by voice vote the bill to the full Committee, which marked up the bill on November 20, 2003. On that day, the Committee ordered the bill reported to the full House by voice vote, and on December 8<sup>th</sup>, the Committee filed Report 108-403.

**Cost to Taxpayers:** CBO estimates that H.R. 3478 would have no significant effect on spending subject to appropriation or on direct spending.

**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.

**Constitutional Authority:** The Government Reform Committee, in House Report 108-403, cites constitutional authority in Article I, Section 8, Clause 1 (common defense and general welfare).

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**H.R. 4632 — To designate the facility of the United States Postal Service located at 19504 Linden Boulevard in St. Albans, New York, as the “Archie Spigner Post Office Building” (Meeks)**

**Order of Business:** The bill is scheduled to be considered on Monday, September 13, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The bill designates the facility located at 19504 Linden Boulevard in St. Albans, New York, as the “Archie Spigner Post Office Building.”

**Additional Information:** Archie Spigner was a City Councilman from Southeast Queens from 1974 until he retired in 2001.

**Committee Action:** The bill was introduced on June 21, 2004, and referred to the House Committee on Government Reform. The Committee considered the bill and reported it the full House by unanimous consent on July 21.

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

**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.

**Constitutional Authority:** Although no committee report citing constitutional authority is available, Article I, Section 8, Clause 7 of the Constitution grants Congress the authority to establish Post Offices and post Roads.

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## **H.Res. 717 — Honoring former President William Jefferson Clinton on the occasion of his 58th birthday- *As Amended (Maloney)***

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13, 2004, under a unanimous consent agreement with one hour of debate.

**Summary:** The resolution has nine findings regarding William Jefferson Clinton, the 42<sup>nd</sup> President of the United States, who celebrated his 58<sup>th</sup> birthday on August 19. The findings including:

“Whereas William Jefferson Clinton established a record of public service as Attorney General of Arkansas, Governor of Arkansas, and Chairman of the National Governors Association;

“Whereas William Jefferson Clinton rallied the members of the North Atlantic Treaty Organization to put an end to ethnic cleansing in the Balkans and to depose the murderous regime of Slobodan Milosevic, actions which eventually led to the signing of the Dayton Peace Accords;

“Whereas William Jefferson Clinton played a major role in the Good Friday Peace Accords which finally brought peace to war-torn Northern Ireland; and

“Whereas, in the words of President George W. Bush, William Jefferson Clinton ‘showed a deep and far-ranging knowledge of public policy, a great compassion for people in need, and the forward-looking spirit the Americans like in a President.’”

H.Res. 717 states that it is resolved that the House of Representatives:

- “honors former President William Jefferson Clinton on the occasion of his 58th birthday and extends best wishes to him and his family.”

**Committee Action:** The resolution was introduced on July 14, 2004, and referred to the House Committee on Government Reform. The Committee considered the bill and reported it the full House by unanimous consent on July 21.

**Cost to Taxpayers:** None.

**Does the Bill Expand the Size and Scope of the Federal Government?:** While the Clinton Administration expanded both the size and scope of the Federal Government, this resolution does not.

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

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**S.Con.Res. 127 — Expressing the sense of Congress that the President should designate September 11 as a national day of voluntary service, charity, and compassion (*Sen. Schumer*)**

**Order of Business:** The resolution is scheduled to be considered on Monday, September 13, 2004, under a unanimous consent agreement with one hour of debate.

**Summary:** The resolution has nine findings, including:

“Whereas across the United States and around the world, people of all ages and walks of life collectively witnessed an event of immense tragedy on September 11, 2001;

“Whereas an unprecedented, historic bonding of the people of the United States arose from the collective shock, unifying the United States in a sustained outpouring of national spirit, pride, selflessness, generosity, courage, and service;

“Whereas it is fitting and essential to establish a lasting, meaningful, and positive legacy of service for future generations as a tribute to those heroes of September 11, 2001; [and]

“Whereas many citizens wish to memorialize September 11 by engaging in personal and individual acts of community service or other giving activities as part of a national day of recognition and tribute.”

S.Con.Res. 127 states that the Senate (the House of Representatives concurring) resolves that:

“(1) it is the sense of Congress that the President should designate September 11 as an annually recognized day of voluntary service, charity, and compassion; and

“(2) Congress urges the President to issue a proclamation calling upon the people of the United States to observe this day with appropriate and personal expressions of service, charity, and compassion toward others.”



**Committee Action:** The bill was introduced on July 15, 2004, and passed the full Senate by unanimous consent on September 10. It was not referred to or considered by a House committee.

**Cost to Taxpayers:** None.

**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.

**RSC Staff Contact:** Sheila Cole, sheila.cole@mail.house.gov, (202) 226-9719

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**H.R. 4836 — To name the Department of Veterans Affairs medical center in Amarillo, Texas, as the “Thomas E. Creek Department of Veterans Affairs Medical Center” (Thornberry)**

**Order of Business:** The bill is scheduled to be considered on Monday, September 13, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The bill designates the Department of Veterans Affairs medical center in Amarillo, Texas, as the “Thomas E. Creek Department of Veterans Affairs Medical Center.”

**Additional Information:** Lance Corporal Thomas E. Creek was awarded the Medal of Honor posthumously “[f]or conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty” while serving with the Marines in the Republic of Vietnam.”

On February 13, 1969, Lance Corporal Creek’s squad was providing security for a convoy, when an enemy command detonated mine destroyed one of the vehicles and halted the convoy. The Marines came under a heavy volume of hostile mortar fire followed by intense small arms fire from a well-concealed North Vietnamese Army force. Lance Corporal Creek quickly moved to a fighting position and aggressively engaged in the firefight and dashed across the fire-swept terrain where he was seriously wounded by enemy fire. At the same time, a North Vietnamese fragmentation grenade was thrown into the gully where he had fallen, landing between him and several companions. Fully realizing the inevitable results of his action, Lance Corporal Creek valiantly rolled on the grenade and absorbed the full force of the explosion with his own body, thereby saving the lives of five of his fellow Marines. As a result of his heroic action, his men were inspired to such aggressive action that the North Vietnamese were defeated and the convoy was able to continue its vital mission. (Source: <http://www.usmc.mil/moh.nsf/0/000003c919889c0385255fa200736aa0?OpenDocument>)

**Committee Action:** The bill was introduced on July 15, 2004, and referred to the House Committee on Veterans Affairs. The Committee considered the bill and reported it the full House by voice vote on July 21.

**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 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.

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

**RSC Staff Contact:** Sheila Cole, sheila.cole@mail.house.gov, (202) 226-9719.

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**H.R. 1318 — To name the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the “Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic” (Crowley)**

**Order of Business:** The bill is scheduled to be considered on Monday, September 13, 2004, under a motion to suspend the rules and pass the bill.

**Summary:** The bill designates the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the “Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic.”

**Additional Information:** Lance Corporal Thomas P. Noonan, Jr., was awarded the Medal of Honor posthumously “[f]or conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty” while serving with the Marines in the Republic of Vietnam.

On February 5, 1969, while the Marines commenced a slow and difficult descent down the side of a hill, made extremely slippery by the heavy rains, the leading element came under a heavy fire from a North Vietnamese Army unit occupying well-concealed positions in the rocky terrain. Four men were wounded, and repeated attempts to recover them failed because of the intense hostile fire. Lance Corporal Noonan moved from his position of relative security and, maneuvering down the treacherous slope to a location near the injured men, took cover behind some rocks. Shouting words of encouragement to the wounded men to restore their confidence, he dashed across the hazardous terrain and commenced dragging the most seriously wounded man away from the fire-swept area. Although wounded and knocked to the ground by an enemy round, Lance Corporal Noonan recovered rapidly and resumed dragging the man toward the marginal security of a rock. He was however, mortally wounded before he could reach his destination. His heroic actions inspired his fellow Marines to such aggressiveness that they initiated a spirited assault, which forced the enemy soldiers to withdraw. (Source: <http://www.usmc.mil/moh.nsf/0/0000033ba9f47a7385255fa4005ef038?OpenDocument>)

**Committee Action:** The bill was introduced on March 18, 2003, and referred to the House Committee on Veterans Affairs. The Committee considered the bill and reported it the full House by voice vote on July 21.

**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 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.

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

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**H.R. 4027—To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center (Ros-Lehtinen)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4027 authorizes the Secretary of Commerce to make property under the jurisdiction of the National Oceanic and Atmospheric Administration (NOAA) at Virginia Key, Florida, available to the University of Miami for use as a marine life science center. The property may be made available through easement, lease, license, or long-term agreement (NOAA would retain the title to the land). The University is required to enter into an agreement with the Secretary specifying the conditions for non-Federal use of the property and the retained federal interests in the property, establishing conditions for joint occupancy of facilities, and ensuring that there is no reduction of existing NOAA programs and services at Virginia Key.

**Additional Background:** Virginia Key is the site of NOAA's National Marine Fisheries Service Southeast Fisheries Science Center, NOAA's Office of Atmospheric Research Atlantic Oceanographic and Meteorological Laboratory, and the University of Miami's Rosentiel School of Marine and Atmospheric Science.

**Committee Action:** H.R. 4027 was introduced on March 24, 2004, and referred to the Committee on Resources. The Subcommittee on Fisheries Conservation, Wildlife, and Oceans reported the bill, as amended, by unanimous consent on June 3, 2004, and the full Committee reported the bill by unanimous consent on July 14, 2004.

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 4027 would have no significant impact on the federal budget.

**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.

**Constitutional Authority:** The Committee on Resources, in House Report 108-665, cites Article I, Section 8, but fails to cite a specific clause.

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## **H.R. 4481—Wilson’s Creek National Battlefield Boundary Adjustment Act of 2004 (Blunt)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 4481 would expand the boundary of the Wilson’s Creek National Battlefield by 615 acres, adding six parcels of land determined to be significant to the Battle of Wilson’s Creek. The Secretary of the Interior is authorized to acquire the lands by donation, by purchase from willing sellers, or by exchange. The bill authorizes “such sums” for the acquisition of the land.

**Additional Background:** Wilson’s Creek National Battlefield in Missouri was established as a national park on April 22, 1960, to commemorate the Battle of Wilson’s Creek, which took place on August 10, 1861. The current boundary of the park encompasses 1,750 acres.

According to the General Services Administration, the Federal Government owns 5.1% of the State of Missouri.

**Committee Action:** H.R. 4481 was introduced on June 2, 2004, and referred to the Committee on Resources. On July 14, 2004, the Committee favorably reported the bill by unanimous consent.

**Administration Position:** On June 15, 2004, a representative of the Department of the Interior testified in support of H.R. 4481 and stated that the expansion of the battlefield was included as part of the park’s General Management Plan and is the number one acquisition priority for the National Park Service’s Midwest Region.

<http://resourcescommittee.house.gov/archives/108/testimony/2004/paulhoffman4481.htm>

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 4481 will cost between \$5 million and \$10 million over the next five years.

**Does the Bill Expand the Size and Scope of the Federal Government?:** The bill increases land owned by the federal government.

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

**Constitutional Authority:** The Committee on Resources, in House Report 108-651, cites Article I, Section 8, and Article IV, Section 3, but fails to cite specific clauses.

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## **S. 1576—Harpers Ferry National Historical Park Boundary Revision Act of 2004 (Sen. Byrd)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

S. 1576 passed the Senate on May 19, 2004, by unanimous consent.

**Summary:** S. 1576 would add nine parcels of land, totaling approximately 1,240 acres, to Harpers Ferry National Historical Park. The land could be acquired by purchase from willing sellers, donation, or exchange. Current federal land would be acquired by transfer. The bill authorizes “such sums” for the acquisition of the land.

**Additional Background:** Harpers Ferry, located at the confluence of the Potomac and Shenandoah Rivers in West Virginia, became a national park in 1944. The park currently consists of about 2,505 acres.

The land authorized to be acquired under S. 1576 consists of 772 acres of current federal land (already managed through agreements by the National Park Service) and 368 acres of private land (177 acres owned by the Civil War Preservation Trust and 191 acres owned by individuals).

According to the General Services Administration, the Federal Government owns 8.2% of the State of West Virginia.

**Committee Action:** After passage in the Senate, S. 1576 was referred to the Committee on Resources. On July 8, 2004, the Subcommittee on National Parks, Recreation, and Public Lands reported the bill to the full Committee by unanimous consent. The full Resources Committee favorably reported the bill to the House by unanimous consent on July 14, 2004.

**Administration Position:** On June 15, 2004, a representative of the Department of the Interior testified in support of S. 1576 if it was amended to remove the acquisition of 191 acres of land owned by individual sellers. (The bill has not been amendment pursuant to this recommendation.) <http://resourcescommittee.house.gov/archives/108/testimony/2004/paulhoffman1576.htm>

**Cost to Taxpayers:** The Congressional Budget Office estimates that S. 1576 would cost \$5 million over the next two years.

**Does the Bill Expand the Size and Scope of the Federal Government?:** The bill increases land owned by the federal government.

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

**Constitutional Authority:** The Committee on Resources, in House Report 108-655, cites Article I, Section 8, and Article IV, Section 3, but fails to cite specific clauses.

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## **H.R. 2457—Castillo de San Marcos National Monument Preservation and Education Act (Mica)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2457 authorizes the National Park Service (NPS) to design and build a visitor center for the Castillo de San Marcos National Monument in Florida. If the preferred site for the visitor's center is outside the current boundary of the monument, NPS is authorized to acquire the land from willing sellers, by donation, purchase, or exchange. The project must be prioritized in the NPS 5-year, line-item construction program for it to proceed.

The bill also requires the Secretary of the Interior to convey 3.1 acres of land within the current boundary of the monument to the city of St. Augustine and adds 0.45 acres of private land to the monument.

**Additional Background:** The Castillo de San Marcos National Monument is the oldest existing permanent seacoast fortification in the continental United States.

**Committee Action:** H.R. 2457 was introduced on June 12, 2003, and referred to the Committee on Resources. On July 8, 2004, the Subcommittee on National Parks, Recreation, and Public Land reported the bill to the full Committee by unanimous consent. The full Resources Committee favorably reported the bill to the House by unanimous consent on July 14, 2004.

**Administration Position:** On July 22, 2003, a representative of the National Park Service testified and recommended deferring action on H.R. 2457 during the 108<sup>th</sup> Congress. “[B]ecause the National Park Service (NPS) is in the process of completing a General Management Plan (GMP) which will include an examination of the long-identified need for a Visitor Center at the Monument, **we believe this legislation is premature** and that the GMP process should be finalized before moving such a proposal. Additionally, in order to help us make further progress on the President’s Initiative to eliminate the deferred maintenance backlog, **we recommend that the subcommittee defer action** on H.R. 2457 during the 108th Congress” (emphasis added). <http://resourcescommittee.house.gov/archives/108/testimony/jarvis2457.htm>

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 2457 would cost about \$5 million over the 2006-2009 period.

**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.

**Constitutional Authority:** The Committee on Resources, in House Report 108-639, cites Article I, Section 8, and Article IV, Section 3, but fails to cite specific clauses.

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**H.R. 3056—To clarify the boundaries of the John H. Chafee Coast Barrier Resources System Cedar Key Unit P25 on Otherwise Protected Area P25P (Brown-Waite)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 3056 would revise the map of the John H. Chafee Coast Barrier Resources System Cedar Key Unit (P25) in Florida to exclude private property mistakenly included within the Coastal Barrier Unit.

**Committee Action:** H.R. 3056 was introduced on September 10, 2003, and referred to the Committee on Resources. On July 14, the Resources Committee favorably reported the bill to the House by unanimous consent.

**Administration Position:** On September 25, 2003, a representative of the Department of Interior testified in support of H.R. 3056.  
<http://resourcescommittee.house.gov/archives/108/testimony/clintriley.htm>

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 3056 would have no significant impact on the federal budget.

**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.

**Constitutional Authority:** The Committee on Resources, in House Report 108-641, cites Article I, Section 8, but fails to cite a specific clause.

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## **H.R. 2400—To amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam (*Del. Bordallo*)**

**Order of Business:** The bill is scheduled for consideration on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** H.R. 2400 amends the Organic Act of Guam by establishing a unified judicial system, independent of the legislature, consisting of an appellate court (Supreme Court) and a trial court (Superior Court). The Supreme Court would be the highest court of the judicial branch and have administrative authority over all local courts.

**Additional Background:** The current Supreme Court of Guam was established by the Guam legislature in 1992, subordinate to the other branches of government and subject to changes by the executive and legislative branches. According to the Resources Committee, this happened due to an unintended oversight of the Omnibus Territories Act of 1984, which authorized the Guam legislature to create an appellate court.

**Committee Action:** H.R. 2400 was introduced on June 10, 2003, and referred to the Committee on Resources. On July 14, 2004, the Committee favorably reported the bill to the House by unanimous consent.

**Cost to Taxpayers:** The Congressional Budget Office estimates that H.R. 2400 would have no significant impact on the federal budget.

**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.

**Constitutional Authority:** The Committee on Resources, in House Report 108-638, cites Article IV, Section 3, but fails to cite a specific clause.

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**H.R. 5008—To provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 30, 2004 (Manzullo)**

**Order of Business:** The bill is scheduled to be considered on Monday, September 13<sup>th</sup>, under a motion to suspend the rules and pass the bill.

**Summary:** Extends through September 30, 2004 the authority to operate programs under the Small Business Act and the Small Business Investment Act. These programs were most recently extended through June 4, 2004, by Public Law 108-217. H.R. 5008 would also allow the Government to contract with an agent to collect SBA fees for guaranteeing loans to state and local development companies. This agent would be allow to keep the interest earned on collected fees before having to contractually transfer them to the federal government.

**Additional Background:** The House and Senate are currently working on long-term reauthorization bills for the Small Business Administration.

**Committee Action:** On September 7, 2004, the bill was referred to the Small Business Committee, which did not officially consider the bill.

**Cost to Taxpayers:** The bill does not increase spending above the baseline.

**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.

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

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