



Legislative Bulletin.....June 27, 2005

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$285 million over five years

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: 1

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

H.R. 481 — Sand Creek Massacre National Historic Site Trust Act of 2005 (Musgrave)

Order of Business: The resolution is scheduled to be considered on Monday, June 27th under a motion to suspend the rules and pass the bill.

Summary: H.R. 481 would authorize the Secretary of the Interior to take into trust, 1,465 acres of land located in Kiowa Country, Colorado, which is currently owned by the Cheyenne and Arapaho Indian Tribes of Oklahoma. All rights, including all mineral rights, and the ranch house, metal-construction shop building, livestock corral and shelter, and water and wastewater system, would be under the control of the Secretary of Interior. According to the text, the trust property is to be part of the Sand Creek Massacre National Historic Site, and used “only for historical, traditional, cultural, and other uses in accordance with the Sand Creek Massacre National Historic Site Establishment Act of 2000.

Additional Information: According to Committee Report 109-107, “The Sand Creek Massacre National Historic Site was authorized in 2000 by Public Law 106-465 to recognize the national significance of the massacre in American history and its ongoing significance to the Cheyenne and Arapaho people and descendants of the massacre victims. The Act authorizes establishment of the national historic site once the National Park Service has acquired sufficient land to preserve, commemorate, and interpret the massacre site...The National Park Service has been working in partnership with the Cheyenne and Arapaho Tribes and the State of Colorado towards establishment of the Sand Creek Massacre National Historic Site.” According to the GSA, as of September 2004, the federal government owned 3.69% of Oklahoma.

Committee Action: On February 1, 2005, the bill was introduced and referred to House Committee on Resources, which considered and amended the bill, and reported it to the House, as amended, by a voice vote on June 8, 2005.

Cost to Taxpayers: According to CBO, “Any facility constructed with federal funds would be owned by the federal government and not taken into trust for the tribes. Based on information obtained from the National Park Service, CBO does not expect the Secretary to construct facilities on the tribes’ land over the 2005-2010 period. Therefore, CBO estimates that implementing H.R. 481 would have no significant effect 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 cites, Article 1, Section 8, (relating to the power to regulate commerce with the Indian Tribes) and Article IV, Section 3 (relating to rules and regulations respecting property and territory), of the United States Constitution.

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H.R. 1084 — To authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862 (Bradley)

Order of Business: The bill is scheduled for consideration on Monday, June 27, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1084 would require the National Park Service (NPS) to allow a memorial to be built at the Antietam National Battlefield in honor of certain forces that fought in the Battle of Antietam. The memorial would be designed and constructed without the use of federal funds by an entity selected by the NPS and approved by the Secretary of the Interior. The agency would be responsible for maintenance of the memorial and would be authorized to accept and use private contributions for that purpose.

Committee Action: H.R. 1084 was introduced on March 3, 2005, and referred to the Committee on Resources' Subcommittee on National Parks. The bill was considered in Committee and a mark-up session held on May 18, and it was reported to the House by unanimous consent on June 8, 2005 (H. Rept. [109-111](#)).

Cost to Taxpayers: CBO estimates that enacting H.R. 1084 would have no significant impact on the federal budget. The only financial responsibility that the NPS would have for the memorial would be the payment of maintenance expenses, which are likely to be negligible. Enacting the bill also could result in a negligible increase in revenues from private donations and in the direct spending of such amounts to pay for some of the costs of maintenance.”

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. According to CBO, H.R. 1084 “contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.”

Constitutional Authority: The Committee Report cited authority for this legislation under Article I, section 8 (powers of Congress), and Article IV, section 3 (likely relating to Congress' power to “dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States”) of the Constitution. No specific clause was cited.

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H.R. 1428 — National Fish and Wildlife Foundation Reauthorization Act of 2005 (Pombo)

Order of Business: The bill is scheduled for consideration on Monday, June 27, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1428 would amend the National Fish and Wildlife Foundation Establishment Act to reauthorize appropriations for the National Fish and Wildlife Foundation through FY2010. It would limit congressional notice requirements for Foundation grants to grants of federal funds in excess of \$10,000, and authorize the use of federal funds to match contributions made to Foundation grant recipients. It would repeal the National Fish and Wildlife Foundation Establishment Act after FY2015.

The Foundation is a nonprofit corporation established by federal law to provide grants for activities related to conserving and managing fish, wildlife, plants, and other natural resources.

Committee Action: H.R. 1428 was introduced on March 17, 2005, and referred to the Committee on Resources' Subcommittee on Fisheries and Oceans. The bill was considered in Committee and a mark-up session held on May 18, and it was reported to the House by voice vote on June 8, 2005 (H. Rept. [109-112](#)).

Cost to Taxpayers: According to CBO, H.R. 1428 would authorize \$30 million a year for federal support of the National Fish and Wildlife Foundation (\$150 million for FY2006-FY2010). This represents a \$5 million increase over the current \$25 million annual authorization. According to CBO, of the \$25 million authorized in FY05, \$7 million was actually appropriated.

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. According to CBO, H.R. 1428 "contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments."

Constitutional Authority: The Committee Report cited authority for this legislation under Article I, Section 8 (the powers of Congress) of the Constitution. No specific clause was cited.

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H.R. 2362 — National Geologic Mapping Reauthorization Act of 2005 (Gibbons)

Order of Business: The bill is scheduled for consideration on Monday, June 27, 2005, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2362 would reauthorize the national geologic mapping program and extend current deadlines for plans, reports, and other requirements established by the National Geologic Mapping Act of 1992. The geologic mapping program is carried out jointly by the U.S. Geological Survey (USGS) and state geological authorities. Under this program, federal and state geologists "are developing a comprehensive geological map of the United States and a related database of environmental and scientific information."

Committee Action: H.R. 2362 was introduced on May 16, 2005, and referred to the Committee on Resources. The bill was considered and a mark-up session held, and it was reported to the House by unanimous consent on June 8, 2005 (H. Rept. [109-113](#)).

Cost to Taxpayers: CBO estimates that “carrying out the 1992 act, as amended by H.R. 2362, would cost \$21 million in fiscal year 2006 and \$255 million over the 2006-2010 period,” subject to appropriation. CBO estimates that an additional \$65 million would be spent after 2010, and that enacting this bill would have no effect on revenues or direct spending. Under current law, the program’s authorization will expire at the end of fiscal year 2005.

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. According to CBO, H.R. 2362 “contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.”

Constitutional Authority: The Committee Report cited authority for this legislation under Article I, Section 8 (the powers of Congress) of the Constitution. No specific clause was cited.

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H.R. 38 — To designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System (*Baird*)

Order of Business: The bill is scheduled to be considered on Monday, June 27th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 38 would “designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System.” The 20-mile segment of the river, which is the main stem of the White Salmon River and Cascade Creek, Washington, is to be administered by the Secretary of Agriculture.

Additional Information: According to Committee Report 109-125, “The Columbia River Gorge National Scenic Area Act directed the Forest Service to study the Upper White Salmon River for possible designation as a component of the National Wild and Scenic Rivers system. The study determined that the Upper White Salmon River and one of its tributaries, Cascade Creek, are eligible for inclusion. The Forest Service study found 38.4 miles suitable for ‘wild and scenic’ designation. H.R. 38 designates 20 of those miles, but does not include 18.4 miles due to some controversy and private property rights concerns.”

Committee Action: On January 4, 2005, the bill was introduced and referred to House Committee on Resources, which considered and reported to the House, as amended, by a voice vote on May 18, 2005.

Cost to Taxpayers: The bill authorizes “such sums as may be necessary.” CBO “estimates that enacting H.R. 38 would have no significant impact on the federal budget and would not affect direct spending or revenues.” ”

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 cites, Article 1, Section 8, (relating to the power to regulate commerce with the Indian Tribes) of the United States Constitution.

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H.R. 1512 — To direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System (*Frank*)

Order of Business: The bill is scheduled to be considered on Monday, June 27th under a motion to suspend the rules and pass the bill.

Summary: H.R. 1512 directs the Secretary of Interior to “conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System. The study is to determine “whether the historic areas in Taunton:

- “can be managed, curated, interpreted, restored, preserved, and presented as an organic whole under management by the National Park Service or under an alternative management structure;
- “have an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use;
- “reflect traditions, customs, beliefs, and historical events that are valuable parts of the national story;
- “provide outstanding opportunities to conserve natural, historic, cultural, architectural, or scenic features;
- “provide outstanding recreational and educational opportunities; and
- “can be managed by the National Park Service in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a unit of the National Park System consistent with State and local economic activity.”

The Secretary of the Interior is to “submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.”

Committee Action: On April 6, 2005, the bill was introduced and referred to the House Committee on Resources, which took no official action.

Cost to Taxpayers: The bill authorizes “such sums as may be necessary. A CBO estimate was available 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.

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H.Con.Res. 188 — Honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia (Miller of Florida)

Order of Business: The bill is scheduled to be considered on Monday, June 27th under a motion to suspend the rules and pass the bill.

Summary: June 25, 2005, marks the ninth anniversary of the terrorist bombing of the Khobar Towers United States military housing compound in Dhahran, Saudi Arabia, on June 25, 1996. Nineteen members of the United States Air Force were killed in the bombing, 300 other Americans were injured, and those guilty of the attack have yet to be brought to justice. The resolution resolves, “That on the occasion of the ninth anniversary of the terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia, the Congress—

“recognizes the service and sacrifice of the 19 members of the United States Air Force who died in that attack;

“calls upon every American to pause and pay tribute to those brave airmen;

“extends its continued sympathies to the families of those who died; and

“assures the members of the Armed Forces serving anywhere in the world that their well-being and interests will at all times be given the highest priority.”

Additional Information: The 19 airmen killed while serving their country were Captain Christopher Adams, Staff Sergeant Daniel Cafourek, Sergeant Millard Campbell, Senior Airman Earl Cartrette, Jr., Technical Sergeant Patrick Fennig, Captain Leland Haun, Master Sergeant Michael Heiser, Staff Sergeant Kevin Johnson, Staff Sergeant Ronald King, Master Sergeant Kendall Kitson, Jr., Airman First Class Christopher B. Lester, Airman First Class Brent Marthaler, Airman First Class Brian McVeigh, Airman First Class Peter Morgera, Technical Sergeant Thanh Nguyen, Airman First Class Joseph Rimkus, Senior Airman Jeremy Taylor, Airman First Class Justin Wood, and Airman First Class Joshua Woody.

Committee Action: On June 23, 2005, the bill was introduced and referred to the House Committee on Armed Services, which took no official action.

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.

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H.Res. 199— Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995 — as introduced (Smith of New Jersey)

Order of Business: The resolution is scheduled to be considered on Monday, June 27th under a motion to suspend the rules and pass the bill.

Summary: H.Res. 199 resolves that it is the sense of the House of Representatives that:

- “the thousands of innocent people executed at Srebrenica in Bosnia and Herzegovina in July 1995, along with all individuals who were victimized during the conflict and genocide in Bosnia and Herzegovina from 1992 to 1995, should be solemnly remembered and honored;
- “the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide;
- “foreign nationals, including United States citizens, who have risked and in some cases lost their lives in Bosnia and Herzegovina while working toward peace should be solemnly remembered and honored;
- “the United Nations and its member states should accept their share of responsibility for allowing the Srebrenica massacre and genocide to occur in Bosnia and Herzegovina from 1992 to 1995 by failing to take sufficient, decisive, and timely action, and the United Nations and its member states should constantly seek to ensure that this failure is not repeated in future crises and conflicts;
- “it is in the national interest of the United States that those individuals who are responsible for war crimes, genocide, crimes against humanity, and grave breaches of the 1949 Geneva Conventions, committed in Bosnia and Herzegovina, should be held accountable for their actions;
- “all persons indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) should be apprehended and transferred to The Hague without further delay, and all countries should meet their obligations to cooperate fully with the ICTY at all times; and
- “the United States should continue to support the independence and territorial integrity of Bosnia and Herzegovina, peace and stability in southeastern Europe as a whole, and the right of all people living in the region, regardless of national, racial, ethnic or religious background, to return to their homes and enjoy the benefits of democratic institutions, the rule of law, and economic opportunity, as well as to know the fate of missing relatives and friends.”

Additional Information: According to the resolution’s findings, “in July 1995 thousands of men and boys who had sought safety in the United Nations-designated ‘safe area’ of Srebrenica in Bosnia and Herzegovina under the protection of the United Nations Protection Force (UNPROFOR) were massacred by Serb forces operating in that country. Approximately 20 percent of Srebrenica’s total population at the time—at least 7,000 and perhaps thousands more—was either executed or killed, and Bosnian Serb forces deported women, children, and the elderly in buses, held Bosniak males over 16 years of age at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then summarily executed and buried the captives in mass graves.”

“Bosnian Serb forces, hoping to conceal evidence of the massacre at Srebrenica, subsequently moved corpses from initial mass grave sites to many secondary sites scattered throughout parts of northeastern Bosnia and Herzegovina under their control.” On May 25, 1993, the UN Security Council adopted Resolution 827 the International Criminal Tribunal for the former Yugoslavia (ICTY), and “charging the ICTY with responsibility for investigating and prosecuting individuals suspected of committing war crimes, genocide, crimes against humanity and grave breaches of the” Geneva Convention.

Numerous members of the Bosnian Serb forces “have been indicted for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica.”

“The international community, including the United States, has continued to provide personnel and resources, including through direct military intervention, to prevent further aggression and ethnic cleansing, to negotiate the General Framework Agreement for Peace in Bosnia and Herzegovina (initialed in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995, and to help ensure its fullest implementation, including cooperation with the International Criminal Tribunal for the former Yugoslavia.”

Committee Action: On April 6, 2005, the bill was introduced and referred to the House Committee on International Relations, which considered it at the subcommittee level on May 26, 2005, but was not considered by the full 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.

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H.Con.Res. 155 — Urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections—as introduced (Smith of New Jersey)

Order of Business: The resolution is scheduled to be considered on Monday, June 27th, under a motion to suspend the rules and pass the bill.

Summary: The bill states, that Congress:

- “welcomes the opportunity for the Republic of Albania to demonstrate its willingness and preparedness to take the next steps in European and Euro-Atlantic integration by holding parliamentary elections on July 3, 2005, that meet the Organization for Security and Cooperation in Europe (OSCE) standards for free and fair elections as defined in the 1990 Copenhagen Document;

- “firmly believes that the citizens of Albania, like all people, should be able to choose their own representatives in parliament and government in free and fair elections, and to hold these representatives accountable through elections at reasonable intervals;
- “supports commitments by Albanian political parties to adhere to a basic code of conduct for campaigning and urges such parties and all election officials in Albania to adhere to laws relating to the elections, and to conduct their activities in an impartial and transparent manner, by allowing international and domestic observers to have unobstructed access to all aspects of the election process, including public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;
- “supports assistance by the United States to help the people of Albania establish a fully free and open democratic system, a prosperous free market economy, and its rightful place in European and Euro-Atlantic institutions, including the North Atlantic Treaty Organization (NATO); and
- “encourages the President to communicate to the Government of Albania, to all political parties and candidates, and to the people of Albania the high importance attached by the Government of the United States to this parliamentary election as a central factor in determining the future relationship between the United States and Albania.”

Additional Information: The President of Albania has called for elections to Albania's parliament, known as the People's Assembly, to be held on July 3, 2005. According to the resolution's findings, the Government of Albania “has improved the country's electoral and legal framework and enhanced the capacity to conduct free and fair elections [and] meeting the standards in the Copenhagen Document for free and fair elections is absolutely essential to Albania's desired integration into European and Euro-Atlantic institutions, including full membership in the North Atlantic Treaty Organization (NATO), as well as to Albania's progress in addressing official corruption and combatting organized crime.”

Committee Action: On May 17, 2005, the bill was introduced and referred to the House Committee on International Relations, which took no official action.

Cost to Taxpayers: The resolution authorizes 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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