

Legislative Bulletin.....February 3, 2004

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Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Year to Date Prior to Today's Bills: 1

Total Cost of Discretionary Authorizations: \$18.6 million in FY2004

Year to Date Prior to Today's Bills: \$84 million over five years

Total Amount of Revenue Reductions: \$0

Year to Date Prior to Today's Bills: \$317 million over five years

Total Increase in Mandatory Spending: \$0

Year to Date Prior to Today's Bills: \$23 million over five years

Total New State & Local Government Mandates: 0

Year to Date Prior to Today's Bills: 0

Total New Private Sector Mandates: 0

Year to Date Prior to Today's Bills: 4

H.Res. 507—Expressing the profound sorrow of the House of Representatives on the anniversary of the accident that cost the crew of the Space Shuttle Columbia their lives, and extending heartfelt sympathy to their families (Burgess)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 3rd, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 507 resolves that the House “does offer its gratitude to the seven Space Shuttle Columbia astronauts and its heartfelt sympathy to their families on the anniversary of their loss, with the reassurance that this sacrifice will not have been made in vain, but will strengthen this Nation's resolve to continue their journey of discovery.”

The resolution also includes findings that “the seven crew members of STS-107, Rick D. Husband (Commander), William C. McCool (Pilot), Michael P. Anderson (Payload Commander), Kalpana Chawla (Mission Specialist), David M. Brown (Mission Specialist), Laurel B. Clark (Mission Specialist), and Ilan Ramon (Payload Specialist) exhibited unparalleled bravery and commitment to the goal of exploring space and advancing mankind's search for knowledge in the cosmos” and “these brave astronauts will never be forgotten by the National Aeronautics and Space Administration family and all those who believe in the importance of exploring our universe.”

Additional Background: The National Aeronautics and Space Administration (NASA) launched the space shuttle *Columbia* on its STS-107 mission on January 16, 2003. On February 1, 2003, as it descended to Earth after completing a 16-day scientific research mission, *Columbia* broke apart over northeastern Texas. All seven astronauts aboard were killed. They were Commander Rick Husband; Pilot William McCool; Mission Specialists Michael P. Anderson, David M. Brown, Kalpana Chawla, and Laurel Clark; and payload specialist Ilan Ramon, an Israeli.

Committee Action: H.Res. 507 was introduced on January 28, 2004, and referred to the Committee on Science, but no action on the resolution took place in the Committee.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

**H.Res. 157—Expressing the sense of the House of Representatives
regarding several individuals who are being held as prisoners of conscience
by the Chinese Government for their involvement in efforts to end the
Chinese occupation of Tibet (*Udall of New Mexico*)**

Order of Business: The resolution is scheduled for consideration on Tuesday, February 3, 2004, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 157 has 13 findings regarding Tibet and the Communist Chinese Government that “continues to imprison individuals as prisoners of conscience for their involvement in peaceful protests against the brutal Chinese occupation of Tibet” and “continues to exert control over religious and cultural institutions in Tibet, abusing human rights through torture, arbitrary arrest, and detention without public trial of Tibetans who peacefully expressed their political or religious views.” The findings note the Government’s detention of “hundreds of Tibetan nuns, monks and lay persons as prisoners of conscience for their efforts in speaking out against the Chinese occupation of Tibet” and also that “The

People's Republic of China has yet to demonstrate its willingness to abide by internationally accepted norms of freedom of belief, expression, and association by repealing or amending laws and decrees that restrict those freedoms.”

H.Res. 157 resolves, “That it is the sense of the House of Representatives that the Government of the People's Republic of China should, as a gesture of goodwill and in order to promote human rights, immediately release all prisoners of conscience, including Phuntsog Nyidron.”

Additional Information: Armed forces of the People's Republic of China invaded Tibet in 1949 and 1950 and have occupied it since then. According to the findings in the resolution, the U.S. Department of State and international human rights organizations report that the Government of the People's Republic of China “continues to commit widespread and well-documented human rights abuses in China and Tibet.” On October 14, 1989, Phuntsog Nyidron, a Tibetan Buddhist nun, and 5 other nuns from the Michungri Nunnery were arrested in Lhasa after chanting some slogans and marching in a procession as part of a peaceful demonstration that they organized to protest the Chinese occupation of Tibet. Phuntsog Nyidron and the other nuns were kicked, beaten and given electric shocks on their hands, shoulders, breasts, tongue, and face while in Chinese custody.

Committee Action: The resolution was introduced on March 20, 2003 and referred to the House Committee on International Relations. The Committee did not consider the resolution.

Cost to Taxpayers: The resolution has no cost.

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

Staff Contact: Sheila Moloney, sheila.moloney@mail.house.gov, (202) 226-9719.

H.R. 2264—Congo Basin Forest Partnership Act (*as amended by the Senate*) (Shaw)

Order of Business: The bill is scheduled to be considered on Tuesday, February 3rd, under a motion to suspend the rules and pass the bill. The House passed H.R. 2264 on October 7, 2003, by voice vote. The Senate then amended the bill and passed it by unanimous consent on December 9, 2003. The House is now taking up the Senate-amended version.

Summary (changes made by the Senate in red-bold strikethrough): H.R. 2264 would authorize \$18.6 million for ~~each of~~ fiscal years 2004 ~~and 2005~~ for the Congo Basin Forest Partnership (CBFP) program, \$16.0 million of which ~~each year~~ would be made available to the Central Africa Regional Program for the Environment (CARPE) of the United States Agency for International Development (USAID), which implements the CBFP. The original House authorization language (for FY2004 *and* FY2005) was the exact authorization language that passed the House as part of the Millennium Challenge Account, Peace Corps Expansion, and Foreign Relations Authorization Act of 2003 (H.R. 1950), which passed on July 16, 2003, by a vote of 382-42:

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=369> The Senate-amended version now only authorizes appropriations for FY2004.

Additional Background: In September 2002, Secretary of State Colin Powell launched the CBFP in Johannesburg, South Africa. H.R. 2264 points out that the CBFP “promotes the conservation and sustainable use of the region's forests, for example, by working to combat poaching, illegal logging, and other unsustainable practices, and giving local populations an economic stake in the preservation of the forests, including through the development of ecotourism.”

The bill contains 15 other findings, including:

- “The construction of logging roads and other developments are putting intense hunting pressure on wildlife. At current hunting levels, most species of apes and other primates, large antelope, and elephants will disappear from the Congo Basin, with some becoming extinct.”
- “If current deforestation and wildlife depletion rates are not reversed, the six countries of the Congo Basin most immediately, but also the world, will pay an immense economic, environmental, and cultural price.”
- “The United States has an interest in seeing political stability and economic development advance in the Congo Basin countries. This interest will be adversely impacted if current deforestation and wildlife depletion rates are not reversed.”

The bill states that the U.S. contribution to the CBFP will focus on conserving 11 landscapes in six countries—Cameroon, the Central African Republic, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, and the Republic of Congo—identified by a recent forest summit as being of the greatest biological importance to the region. The CBFP also receives financial support from other non-African governments, the European Commission, the International Bank for Reconstruction and Development, and numerous nongovernmental organizations.

According to testimony from Department of State officials, the CBFP program spearheaded by USAID "has sparked shared coordination efforts by USDA, U.S. Forest Service, U.S. Fish and Wildlife, U.S. Park Service, NASA, and others."

For additional information visit:

State Department: <http://www.state.gov/g/oes/rls/fs/2003/23208.htm>

USAID: <http://gopher.info.usaid.gov/about/wssd/congo.html>

USDA: <http://svinet2.fs.fed.us/global/globe/africa/basin.htm>

Committee Action: On September 25, 2003, the International Relations Committee marked up and reported the original bill to the House floor by unanimous consent. The Senate-amended bill has not been considered in Committee.

Possible Conservative Concerns: Last year, some conservatives expressed concern that the proposed supplemental request for the reconstruction of Iraq was not offset by reductions in existing or future federal spending. One proposal would have offset the reconstruction funds with reductions in lower-priority international affairs spending (including spending by USAID). Some conservatives might regard the CBFP as a lower-priority program that should not be authorized or funded in the current financial environment. For more information on last year's offset proposal, visit this webpage:

<http://www.house.gov/burton/RSC/word/ToomeyHensarling10603.pdf>

Cost to Taxpayers: The Senate-amended bill would authorize \$18.6 million in FY2004.

Does the Bill Create New Federal Programs or Rules?: The bill would authorize a U.S. contribution to a multinational forest preservation program in Africa.

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

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.J.Res. 84—Recognizing the 93rd birthday of Ronald Reagan (Gibbons)

Order of Business: The joint resolution is scheduled to be considered on Tuesday, February 3rd, under a motion to suspend the rules and pass the bill.

Summary: H.J.Res. 84 would resolve that, “Congress, on behalf of the American people, extends its birthday greetings and best wishes to Ronald Reagan on his 93d birthday.”

Additional Background: The resolution points out that Ronald Reagan is the first former President ever to attain the age of 93. President Reagan is currently suffering with Alzheimer’s disease. For talking points on the life and legacy of President Reagan, please visit this RSC webpage: <http://johnshadegg.house.gov/RSC/Reagan04.PDF>

Committee Action: On January 20, 2004, the resolution was referred to the Government Reform Committee but was not considered.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

H.Res. 274—Honoring John Stockton (*Matheson*)

Order of Business: The resolution is scheduled for consideration on Tuesday, February 3rd, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 274 resolves that the House:

- “(1) honors John Stockton for an outstanding career;
- “(2) congratulates John Stockton on his retirement; and
- “(3) thanks John Stockton for his contributions to basketball, to the State of Utah, and to the Nation.”

Additional Background: John Stockton retired in 2003 after 19 seasons playing professional basketball for the Utah Jazz. Some highlights of Stockton’s career are:

- Selected in 1996 as one of the "50 Greatest Players in NBA History";
- NBA's all-time leader in assists (15,806) and in steals (3,265);
- Two-time All-NBA First Team selection (1993-94 and 1994-95), six-time All-NBA Second Team selection (1987-90, 1991-92, 1992-93, and 1995-96), and three-time All-NBA Third Team selection (1990-91, 1996-97, 1998-99);

- Five-time NBA All-Defensive Second Team selection (1988-89, 1990-92, 1994-95, 1996-97);
- Holds the league record for most seasons with the same franchise (19; 1984-85 through 2002-03);
- Ranks second on the NBA's all-time list in games played (1,504);
- Played in 609 consecutive games from 2/13/90 through 4/20/97, the eighth-longest streak in NBA history;
- Holds record for most seasons leading league in assists (nine, 1987-88 through 1995-96), most assists in a single season (1,164 in 1990-91), and highest single-season assists-per-game average (14.5 in 1989-90);
- Finished 2002-03 with a career field-goal percentage of .515, the fourth-best percentage by a guard in NBA history behind Lewis Lloyd (.524), Maurice Cheeks (.523) and Magic Johnson (.520);
- Matched the NBA Playoffs single-game record with 24 assists against the L.A. Lakers in Game Five of the 1988 Western Conference Semifinals; and
- A member of the men's basketball "Dream Team" that won the gold medal at the 1992 Summer Olympics in Barcelona and the 1996 Dream Team that won gold in Atlanta.

Committee Action: H.Res. 274 was introduced on June 18, 2003, and referred to the Committee on Government Reform. The Committee reported the resolution to the full House by unanimous consent on November 6, 2003.

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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

H.R. 3724— Energy Efficient Housing Technical Correction Act (Shays)

Order of Business: The bill is scheduled for consideration on Tuesday, February 3, 2004, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3724 amends 12 U.S.C. 1714k to strike a provision added unintentionally by the legislative drafting of S. 2239, which passed during the 107th Congress.

HUD makes mortgage insurance available to residential rental projects subject to certain mortgage amount limitations. Prior to enactment in the 107th Congress of the FHA Downpayment Simplification Act of 2002 (S. 2239), the law authorized two independent increases in the mortgage amount limits:

- (1) if the project involved **not more than five family units** the increase was set at 25%; &
- (2) if the residential project incurred increased costs due to the installation of certain energy conservation measures the increase was set at 20%.

S. 2239 increased the base mortgage amount limits, but in doing so the phrase “involving not more than five family units” was applied to the increase allowance shown under (2) above. According to the bill sponsor, “There is no indication that Congress sought to exclude energy-efficient projects with more than five units from eligibility ... [and H.R. 3724] will restore the

extension of FHA mortgage insurance to large projects that incur increased costs due to implementing energy-efficient measures.”

Additional Information: The same technical correction language is included in the Energy Policy Act (H.R. 6), which is pending in the Senate. S. 2239 passed the House by unanimous consent on November 15, 2002.

Committee Action: The bill was introduced on January 21, 2004 and referred to the Financial Services Committee, which did not consider the bill.

Cost to Taxpayers: A CBO cost estimate of H.R. 3724 is unavailable.

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

Constitutional Authority: A Committee report citing authority is unavailable.

Staff Contact: Sheila Moloney, sheila.moloney@mail.house.gov, (202) 226-9719.

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