



Legislative Bulletin.....June 17, 2002

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H.R. 4103—Martin's Cove Land Transfer Act (Hansen)

Order of Business: The bill is scheduled to be considered on Monday, June 17, 2002, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4103 would authorize the Secretary of the Interior to convey to the Corporation of the Presiding Bishop (the Church of Jesus Christ of Latter-Day Saints, also known as the Mormon Church) 940 acres of federal lands located in Natrona County, Wyoming. The corporation would pay the historic fair market value of those lands, and agree that the property will, "in perpetuity," be available for public education and historic preservation and provide the public free access to the property. The U.S. Government would get the right of first refusal to re-acquire the land if the Church of Jesus Christ of Latter-Day Saints ever wanted to sell the land.

Net proceeds from the sale would be used by the National Historic Trails Interpretive Center Foundation, a nonprofit corporation in Casper, Wyoming, to complete construction and maintain the National Historic Trails Center, a center designed to interpret the experience of emigrants who traveled through Wyoming during the nineteenth century on several national historic trails.

Cost to Taxpayers: CBO estimates that H.R. 4103 would have no significant impact on the federal budget. CBO estimates that the sale would increase offsetting receipts by \$200,000 in 2003. That amount would be fully offset by a corresponding increase in direct spending in 2003 to pay a portion of those proceeds to Natrona County, with the remaining balance transferred to the National Historic Trails Interpretive Center Foundation.

Does the Bill Create New Federal Programs or Rules?: No, the bill authorizes the sale of almost 1,000 acres of federal land in Wyoming to a private nonprofit corporation. [According to the Congressional Research Service, 49.9% of Wyoming is federally owned land.](#)

Constitutional Authority: The Resources Committee (in Report No. 107-500) finds constitutional authority under Article I, Section 8 (powers of Congress, but no specified clause) and Article IV, Section 3 (Congress' authority to dispose of U.S. property).

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H.R. 3936 — Shoshone National Recreation Trail Management Act (Hansen)

Order of Business: The bill is scheduled to be considered on Monday, June 17th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3936 designates 337 miles of existing trails within the Wasatch-Cache National Forest and adjacent federal lands in Utah as the James V. Hansen Shoshone National Trail (in committee mark-up, an amendment was offered by Congressman Nick Rahall to name the trail after Resources Chairman Hansen). Management of the trail by the Department of the Interior and the Department of Agriculture is required in cooperation with the State of Utah Department of Natural Resources and appropriate county governments. The primary purpose of the trail is stated in the bill as providing “recreational trail opportunities for motorized vehicle use on the Trail.”

The bill also includes provisions for the addition of federal and non-federal land to the trail and authorizes “such sums as are necessary to carry out this Act.”

Bush Administration Position: In testimony before the House Resources Committee, the Bureau of Land Management indicated its support of H.R. 3936.

Cost to Taxpayers: CBO estimates the cost of the bill as less than \$500,000 a year, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: The bill designates a new national trail, as described above.

Constitutional Authority: The Committee on Resources, in House Report 107-506, cites Article I, Section 8 and Article IV, Section 3, but fails to cite specific clauses.

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H.R. 1906—Pu’uhonua o Honaunau National Historical Park Addition Act of 2002 (Mink)

Order of Business: The bill is scheduled to be considered on Monday, June 17, 2002, under a motion to suspend the rules and pass the bill. The bill is identical to S. 1057, which passed the Senate by unanimous consent on October 17, 2001.

Summary: H.R. 1906 authorizes the expansion of the Pu’uhonua o Honaunau National Historical Park by 397 acres (an over 200% increase) and authorizes appropriations of “such sums as may be necessary” to carry this out. The bill modifies the park boundaries by adding a 238-acre parcel of land contiguous to the park, which the National Park Service (NPS) could then acquire by purchase or donation. H.R. 1906 also authorizes the NPS to acquire an additional 159 acres and then to redraw the park’s boundaries accordingly. Finally, H.R. 1906 would authorize the appropriation of whatever amounts are necessary for land acquisition and related activities.

Additional Information: In 1955, Congress authorized The Pu’uhonua o Honaunau National Historical Park, which currently encompasses approximately 180 acres on the western coast of the island of Hawaii. The park preserves the site where Hawaiians who broke “kapu” (one of the ancient laws used to balance and protect the laws of nature) could avoid certain death by fleeing to a place of refuge or “pu’uhonua.”

According to the sponsor’s subcommittee testimony: “The coastal waters in this area are pristine class AA because of the lack of development in the area and the fact that the coast is rocky and, therefore, little soil drains into the ocean. We have already experienced severe problems in other locations along the Kona coast where rain runoff from soil brought in for development polluted AA-class coastal marine resources.”

According to the Administration testimony: “Up until last year, the property was unavailable because its ownership was not clear. The three heirs to the property have now settled the ownership issue, thereby clearing the way for the Park Service to acquire the land. ...[T]he present owner of the land authorized for acquisition in the Senate-passed bill may consider donating one portion of the property to the National Park Service, while the other portion would be available for purchase and has been appraised at \$4.6 million.”

Cost to Taxpayers: CBO estimates that the one-time costs to purchase and study the 238 acres added by the legislation would be about \$5 million, of which \$500,000 was appropriated in 2002 in the Interior Appropriation bill. Assuming appropriation of the remaining amounts, NPS is likely to purchase this acreage in 2003. CBO estimates that the 159-acre parcel would have no significant cost, because CBO expects that NPS would only acquire acreage donated by the owners. Additional costs to administer all land added to the park as a result of the bill would be about \$0.3 million annually, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: The bill authorizes a 397-acre increase in federal lands in the Pu'uhonua o Honaunau National Historical Park in Hawaii, an expansion that is more than double the size of the current 180-acre park.

Constitutional Authority: The Resources Committee (in Report No. 107-435) finds constitutional authority under Article I, Section 8 of the Constitution (Powers of Congress) but fails to cite a specific clause.

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H.Con.Res. 340 — Supporting the goals and ideals of Meningitis Awareness Month (Doolittle)

Order of Business: The resolution is scheduled to be considered on Monday, June 17th, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 340 includes a variety of findings regarding meningitis, including:

- In 2000, more than 2,900 people in the U.S. developed meningococcal disease;
- Meningococcal disease can be treated with antibiotics, but “treatment must begin early in the course of the disease, because the disease can be fatal within hours after the first symptoms appear;”
- Individuals who survive meningitis can suffer from hearing and vision loss, learning disabilities, mental retardation, loss of arms and legs and paralysis;
- Occurrences of meningitis have been increasing among older children and adolescents, with a number of outbreaks at colleges and universities;
- A vaccine is available that protects against four of the five common strains of meningitis, but vaccinations are rarely administered until after an outbreak occurs;
- The medical community “should be encouraged to make a routine practice of informing adolescent patients and their parents about the option of being vaccinated against this debilitating and often deadly disease;” and
- The Meningitis Awareness Key to prevention (a non-profit organization) has requested that April be designated as Meningitis Awareness Month.

The resolution goes on to state that Congress “supports the goals and ideals of Meningitis Awareness Month.”

Cost to Taxpayers: The resolution authorizes no expenditure.

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

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H.Con.Res. 415—Recognizing National Homeownership Month and the importance of homeownership in the United States (Miller, Gary)

Order of Business: The resolution is scheduled to be considered on Monday, June 17th, under a motion to suspend the rules and pass the resolution.

Summary: H.Con.Res. 415 would resolve that Congress “fully supports the goals and ideals of National Homeownership Month and recognizes the importance of homeownership in building strong communities and families in the United States.”

According to the resolution, “the national homeownership rate has increased to 67.8 percent, higher than at any other time in history for all demographic groups, and homeownership rates among minority families are increasing faster than such rates for the population as a whole.” The resolution maintains that “improving homeownership opportunities requires the

commitment and cooperation of private, nonprofit, and public sectors, including the Federal Government and State and local governments.” Further, the resolution calls for continuing federal government policies that encourage homeownership (but does not state which policies).

Additional Background: President Bush has proclaimed June 2002 as National Homeownership Month. Among other things, the Bush proclamation points out that:

The Department of Housing and Urban Development is partnering with State and local governments, community groups, and the private sector to make the most effective use of Federal funds. Through a combination of down payment assistance, tax incentives, and education about the process and responsibilities of homeownership, we are helping thousands of Americans buy homes and pursue a better quality of life.

For more information on the presidential proclamation, visit this website:
<http://www.whitehouse.gov/news/releases/2002/06/20020604-23>

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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