



Legislative Bulletin.....September 24, 2002

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The Expansion of Federal Land Ownership

As of September 20, 2000, the federal government owned more than **635 million acres** of land
— or **28%** of all the land in the United States.

Some states have more federal lands than private lands:

Oregon: **52.5%** owned by the federal government
Alaska: **60.4%** owned by the federal government
Idaho: **62.5%** owned by the federal government
Utah: **64.5%** owned by the federal government
Nevada: **83.0%** owned by the federal government

Maintenance Backlog & Studies

The Congressional Research Service estimates that the National Park Service's maintenance backlog on lands already owned by the federal government amounts to about **\$5 billion**.

The National Park Service testified on June 6, 2002, before Parks Subcommittee of Resources:

“Presently, there are 37 studies pending, of which we hope to transmit at least 7 to Congress by the end of 2002. To meet the President's Initiative to eliminate the deferred maintenance backlog, we must continue to focus our resources on caring for existing areas in the National Park System. Thus, we have concerns about new funding requirements for a new park unit that could be required if the study recommends designation while the Department is trying to eliminate the deferred maintenance backlog. As such, the Department will identify in each study all acquisition, one-time, and operational costs of the proposed site. At this time, these costs are unknown.”

Year-to-Date Spending Totals

As of the end of last week, the House has passed legislation this year that if enacted into law would authorize the expenditure of approximately **\$471 billion** of taxpayer funds over the next five years.

In addition, the House has approved mandatory spending increases that if enacted would cost taxpayers approximately **\$235 billion** over the next five years.

H.Con.Res. 472— Recognizing the 100th anniversary of the 4-H Youth Development Program (Davis, Jo Ann)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The resolution has nine findings regarding 4-H, a program with over 5,600,000 annual participants nationwide ranging from 5 to 19 years of age.

And resolves that the House (with the Senate concurring):

“recognizes the 100th anniversary of the 4-H Youth Development Program and commends the program for service to the youth of the world; and

“urges the President to issue a proclamation calling on the people of the United States to observe a ‘National 4-H Youth Development Program Week’ with appropriate ceremonies and activities.”

Additional Information: For a brief history of 4-H go to http://www.national4-hheadquarters.gov/4h_history.htm

Cost to Taxpayers: The resolution has no cost.

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

Staff Contact: Sheila Moloney; 202-226-9719; Sheila.Moloney@mail.house.gov

H.Con.Res. 301— Expressing the sense of Congress regarding American Gold Star Mothers, Incorporated, Blue Star Mothers of America, Incorporated, the service flag, and the service lapel button (Watts)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The resolution has four findings noting that the US Code authorizes immediate family members of active duty military personnel to display a service flag in their home window and to wear a service lapel button approved by the Secretary of Defense “during any period of war or hostilities in which the Armed Forces of the United States are engaged.”

And resolves that it is the Sense of the House (with the Senate concurring) that:

“The members of American Gold Star Mothers, Incorporated, and Blue Star Mothers of America, Incorporated, should be recognized for their sacrifices and for their dedicated and patriotic support of the United States;” and

During the war on terrorism, immediate family members of military personnel “should be encouraged to display” a service flag in their window and wear a service lapel button approved by the Secretary of Defense, and the President should issue a proclamation calling on such a display “during the period in which the Armed Forces are engaged in the war on terrorism.”

Cost to Taxpayers: The resolution has no cost.

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

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H.R. 3656— To amend the International Organizations Immunities Act to provide for the applicability of that Act to the European Central Bank (Leach)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The bill would grant diplomatic immunity under the International Organizations Immunities Act to the European Central Bank (ECB), a bank established in 1998. The bill would offer the ECB the same immunity currently given to other foreign central banks.

The International Organizations Immunities Act (22 U.S.C. 288 et seq.) currently grants over 70 “international organizations” diplomatic immunity equivalent to the immunity provided to foreign governments such as: immunity “from suit and every form of judicial process,” exemption of baggage and effects of officers and employees from customs duties and internal revenue taxes, and exemption from property taxes.

According to *National Journal*, the European Central Bank has sought assurances that its foreign reserves in the United States will be immune from judicial process and both the Federal Reserve and the State Department have requested this change.

Cost to Taxpayers: A CBO cost estimate is unavailable.

Does the Bill Create New Federal Programs or Rules?: The bill adds the ECB to a list of international organizations granted diplomatic immunity by virtue of the United States’ participation.

Constitutional Authority: The International Relations Committee Report citing constitutional authority is unavailable.

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H.Res. 533—Welcoming Madame Chen Wu Sue-jen, the first lady of Taiwan, to Washington, D.C. (Gilman)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 533 would state that the House “extends its warmest welcome to Taiwan’s First Lady Chen Wu Sue-jen during her visit to Washington, D.C., in September 2002.”

Additional Background: According to the resolution, First Lady Chen Wu will visit the United States beginning on September 22, 2002, and will bring with her “a strong message from her husband and the people of Taiwan that Taiwan’s cooperation with the United States in this joint anti-terrorism campaign will continue and be further strengthened.”

“Taiwan’s First Lady Chen Wu Sue-jen, wife and political partner to her husband President Chen Shui-bian, has been unwaveringly and courageously striving for justice, human rights, and democracy in Taiwan and has herself held a seat in the Legislative Yuan.”

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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S.Con.Res. 110 — Honoring the heroism and courage displayed by airline flight attendants on a daily basis (*Senator Feinstein*)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: S.Con.Res. 110 resolves that Congress:

- “Expresses its profound gratitude for the faithful service provided by flight attendants to make air travel safe;
- “Honors the courage and dedication of flight attendants;
- “Supports all the flight attendants who continue to display heroism on a daily basis, as they had been doing before, during, and after September 11, 2001; and
- “Shall send a copy of this resolution to a family member of each of the flight attendants killed on September 11, 2001.”

The resolution also points out that 25 flight attendants lost their lives aboard the four hijacked flights on September 11, 2001 (including five flight attendants who helped prevent United Airlines Flight 93 from reaching its intended target).

Further, the resolution states, flight attendants “defend passengers against hijackers, terrorists, and abusive passengers,” as exemplified by the subduing of attempted shoe-bomber Richard Reid in December 2001 and of attempted cockpit intruder Pablov Moreira on a flight from Buenos Aires to Miami in February of this year.

Additional Background: The House of Representatives passed a nearly identical resolution on September 9, 2002. (<http://clerkhouse.house.gov/votes/votes2.asp?year=2002&roll=376>)

Cost to Taxpayers: The resolution would only authorize the minimal expenditure associated with sending a copy of this resolution to a family member of each of the 25 flight attendants killed on September 11th.

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

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S. 1240— Timpanogos Interagency Land Exchange Act (Senator Bennett)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: S. 1240 would authorize the Secretary of Agriculture to exchange roughly 266 acres of federal lands in Utah for about 37 acres of privately owned lands at the mouth of Utah's American Fork Canyon. If the values of the lands are not equal, the Secretary may accept or make cash equalization payments. After being conveyed to the U.S. Government, the 37 acres will become part of the Uinta National Forest and shall be considered retroactively as a national forest for purposes of the Land and Water Conservation Fund. S. 1240 also directs the Secretary of the Interior to construct administrative and visitor facilities on the newly acquired federal lands and specifies that the National Park Service and the Forest Service would jointly occupy the new buildings and share annual costs to operate and maintain them. The original visitor center at the Timpanogos Cave National Monument burned down in 1991.

Cost to Taxpayers: The bill authorizes "such sums as are necessary." CBO estimates that implementing S. 1240 would cost \$9 million over the 2003-2005 period, subject to appropriation. According to the Forest Service, the agency would probably make payments to the private landowner to compensate for differences in the value of lands exchanged. Based on information from the agency on the estimated value of those lands, CBO estimates that such payments would be less than \$200,000, subject to appropriation. According to the Forest Service, the federal lands exchanged under S. 1240 currently generate less than \$1,000 a year from grazing permits.

Does the Bill Create New Federal Programs or Rules?: The bill exchanges approximately 266 acres of federal lands in Utah for about 37 acres of privately owned lands in Utah and authorizes the construction of administrative and visitor facilities on the newly acquired federal lands. **According to the General Services Administration, the Federal Government currently owns 64.5% of Utah's land.**

Constitutional Authority: A Committee on Resources report citing constitutional authority is unavailable.

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H.R. 4638— To reauthorize the Mni Wiconi Rural Water Supply Project. (Thune)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The Mni Wiconi Rural Water Supply Project in South Dakota was originally authorized in 1988 (Public Law 100-516) to construct a municipal, rural and industrial water system to serve the Pine Ridge, Rosebud, and Lower Brule Indian Reservations and seven counties in southwestern South Dakota (West River/Lyman-Jones Rural Water Systems). The 1998 law and subsequent amendments (Public Law 103-434) directed a 10-year construction schedule ending in 2003 and authorized \$263 million for construction. H.R. 4638 will extend the completion date to 2008 and increase the funding ceiling by \$58.8 million (based on October 1, 1997, price levels).

Cost to Taxpayers : CBO estimates that H.R. 4638 would increase the Mni Wiconi Rural Water Supply Project by \$58.8 million (in 1997 dollars). The original authorization for this project was \$263 million, of which approximately \$184 million has been spent. This bill would bring the total amount authorized to \$321.8 million in 1997 dollars.

Does the Bill Create New Federal Programs or Rules?: The bill extends by five years a currently authorized water construction project in South Dakota.

Constitutional Authority: The Resource Committee (in Report #107-633) finds authority under Article I, Section 8 of the Constitution (Powers of Congress), but fails to cite a specific clause.

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S. 1325—To ratify an agreement between the Aleut Corporation and the United States of America to exchange land rights received under the Alaska Native Claims Settlement Act for certain land interests on Adak Island, and for other purposes (as passed Senate) (Senator Murkowski)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: S. 1325 authorizes the transfer of approximately 47,150 acres within an Alaskan wildlife refuge to the Fish and Wildlife Service, in return, for the transfer of the now-closed Adak Naval Complex, including buildings, equipment and infrastructure being transferred to the Aleut Corporation. The bill ratifies a 2000 agreement between the Aleut Corporation, the Department of the Interior and the Department of the Navy, which was subject to congressional approval. Upon conveyance of Complex Lands land to the Aleut Corporation, the land shall be considered removed from the National Wildlife Refuge System, which it currently is a part of.

Under this bill, the Navy assumes all responsibility and liability for cleanup of unexploded ordnance remaining within the Naval complex. The Navy also assumes all responsibility for cleanup of the 96 contaminated landfill areas that make the Complex a listed superfund site. Moreover, prior to conveyance, the Navy agrees to abate all friable, accessible, and damaged asbestos-containing materials.

Additional Information: In 1913, Adak Island in the Aleutian Islands chain was withdrawn as a wildlife preserve, and, in 1940, was designated as a National Wildlife Refuge. In 1959, the Navy withdrew the northern portion of Adak Island for military use. Because of these uses Adak Island was not available for selection by the Aleut Corporation under the 1971 Alaska Native Claims Settlement Act (43 U.S.C. 1601). In 1996, the Department of Defense closed the Adak Naval Complex and in 2000, the Aleut Corporation, the Navy, and the Interior Department negotiations a land exchange agreement, subject to congressional approval.

Cost to Taxpayers : CBO estimates that implementing S. 1325 as passed by the Senate would have “no significant impact on the federal budget”

Does the Bill Create New Federal Programs or Rules?: The bill authorizes the transfer of approximately 47,150 acres within an Alaskan wildlife refuge to the Fish and Wildlife Service,

in return, for the same number of acres of land previously used by the Navy, including buildings, equipment and infrastructure being transferred to the Aleut Corporation.

Constitutional Authority: A Committee on Resources report citing constitutional authority is unavailable.

Staff Contact: Sheila Moloney; 202-226-9719; Sheila.Moloney@mail.house.gov

S. 1175— Vicksburg National Military Park Boundary Modification Act of 2002 (as passed Senate) (Senator Lott)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The bill authorizes the federal government, acting through the Secretary of the Interior, to acquire the property known as Pemberton's Headquarters and include it in the boundary of Vicksburg National Military Park in Vicksburg, Mississippi. The acquisition may be "by purchase, donation, or exchange, except that [it] may only be acquired with the consent of the owner thereof." The Secretary may also acquire for the federal government 1 acre of land for "providing parking."

Additional Information: Between May 23 and July 4, 1863, the Willis-Cowan house in the city of Vicksburg served as the headquarters for Confederate Lt. General John C. Pemberton during the Union siege of the city of Vicksburg. It was in his first floor office that Pemberton met with his staff on July 3, 1863 and made the decision to surrender the city. In 1895, Union and Confederate veterans formed the Vicksburg National Military Park Association and recommended that Congress establish a national military park at Vicksburg to including the headquarters of both Union and Confederate commanders. According to the bill sponsor, while the site of Union Major General Ulysses S. Grant's headquarters was included in the park, Confederate Lt. General John C. Pemberton's headquarters was left out because the property was owned by a private party. For additional information see: <http://www.nps.gov/vick/home.htm>

Cost to Taxpayers: CBO estimates that implementing S. 1175 would be about \$4 million, subject to appropriation (less than \$1 million to acquire Pemberton's Headquarters and the one-acre lot for parking, and \$3 million for the costs of restoring and developing the property for visitor use). Furthermore CBO estimates that the costs to operate and maintain the house and lot would be about \$0.5 million annually.

Does the Bill Create New Federal Programs or Rules?: The bill authorizes the federal acquisition of land and property in Vicksburg, Mississippi (a building and the land upon which it sits, in addition to an acre for parking). According to the General Services Administration 5.5% of Mississippi is currently owned by the federal government.

Constitutional Authority: A Committee on Resources report citing constitutional authority is unavailable.

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H. R. 5099—To extend the periods of authorization for the Secretary of the Interior to implement capital construction projects associated with the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins (as introduced in House) (Hansen)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: The bill amends the Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs (Public Law 106-392), which authorized the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins. Current law authorizes \$46 million for the project, with an expiration date of FY'05 for the Upper Colorado project and an expiration date of FY'07 for the San Juan project. H.R. 5099 extends both authorizations out through FY'08.

Cost to Taxpayers: A CBO cost estimates is unavailable. The changes made to current law by H.R. 5099 do not appear to alter the total authorization levels, but merely to extend the date through which authorized and appropriated sums may be spent.

Does the Bill Create New Federal Programs or Rules?: The bill extends the expiration date for currently authorized projects for an additional two and three years.

Constitutional Authority: A Committee on Resources report citing constitutional authority is unavailable.

Staff Contact: Sheila Moloney; 202-226-9719; Sheila.Moloney@mail.house.gov

H. R. 5109—To direct the Secretary of Energy to convey a parcel of land at the facility of the Southwestern Power Administration in Tupelo, Oklahoma (Watkins)

Order of Business: The bill is scheduled to be considered on Tuesday, September 23, 2002, under a motion to suspend the rules and pass the bill.

Summary: H.R 5109 directs the Energy secretary to convey 6.3 acres of the facility of the Southwestern Power Administration in Tupelo, Oklahoma, to Rural Enterprises of Oklahoma, Incorporated for use in economic development within the service area of the Tri-County Indian Nations Community Development Corporation. According to news reports, the Southwestern Power Administration has not been using the land or buildings since consolidating its maintenance operations with another facility in Gore, Okla.

The site is currently leased to the Tri-County Indian Nations Enterprise Community. That organization, working with Rural Enterprises, plans to use the facilities to give start-up businesses reduced rent, storage space and other assistance. Rural Enterprises of Oklahoma, Incorporated is a Certified Development Company for the U.S. Small Business Administration.

As of press time, the reported version of the bill was not yet available, though *National Journal* reports that an amendment was adopted in committee to ensure that Rural Enterprises will bear the cost of conveying the property, and that taxpayers — not ratepayers — will be responsible for the unamortized debt on the property.

Cost to Taxpayers: A CBO cost estimates is unavailable.

Does the Bill Create New Federal Programs or Rules?: The bill conveys 6.3 acres of federally owned land to a non-profit group in Oklahoma.

Constitutional Authority: A Committee on Resources report citing constitutional authority is unavailable.

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H.R. 3449—To revise the boundaries of the George Washington Birthplace National Monument (Davis, Jo Ann)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3449 would authorize the Secretary of the Interior to acquire about 115 acres from willing sellers (by donation, purchase with donated money or appropriated funds, or exchange) for addition to the George Washington Birthplace National Monument.

Additional Background: The George Washington Birthplace National Monument, located in Westmoreland County, Virginia, was designated on January 23, 1930, and covers about 550 acres.

The proposed boundary expansion, which includes the land currently dividing the park into two separate parcels, would prevent anticipated residential development. The acquisition would require an agreement from just one willing seller—the Muse Family.

George Washington’s home at Mt. Vernon is not a national monument and is privately operated.

Cost to Taxpayers: Based on information provided by the National Park Service and the property's owners, CBO estimates that it would cost between \$1 million and \$2 million over the next year or two to purchase the additional lands, assuming appropriation of the necessary amounts.

Does the Bill Create New Federal Programs or Rules?: The bill would increase the size of a national monument by 115 acres.

Constitutional Authority: The Resources Committee, in House Report 107-631, cites Article I, Section 8, but does not cite a specific clause.

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H.Con.Res. 419—Requesting the President to issue a proclamation in observance of the 100th Anniversary of the founding of the International Association of Fish and Wildlife Agencies (Young of Alaska)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.Con.Res. 419 would resolve that Congress:

- “recognizes the significance of the centennial of the establishment of the entity that became the International Association of Fish and Wildlife Agencies;
- “acknowledges the outstanding contributions of its member agencies to fish and wildlife conservation; and
- “requests the President to issue a proclamation observing the 100th anniversary of the founding of the International Association of Fish and Wildlife Agencies.”

Additional Background: According to the resolution, on September 17, 1902, wildlife managers and game wardens from six states met in West Yellowstone, Montana, and established the National Association of Game and Fish Wardens and Commissioners, which later became the International Association of Fish and Wildlife Agencies (IAFWA). IAFWA currently represents the fish and wildlife agencies of all 50 States and enjoys the membership of several federal natural resource agencies, the federal and provincial fish and wildlife agencies of Canada, and the federal natural resource agency of Mexico.

According to the resolution, IAFWA promotes the sustainable use of natural resources, encourages cooperation and coordination of fish and wildlife conservation and management at all levels of government, encourages professional management of fish and wildlife, develops coalitions among conservation organizations to promote fish and wildlife interests, and fosters public understanding of the need for conservation.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

Constitutional Authority: The Resources Committee, in House Report 107-598, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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

H.R. 4708—Fremont-Madison Conveyance Act (Simpson)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary (as amended): H.R. 4708 would direct the Secretary of the Interior to convey the canals, laterals, drains, and other components (including the Teton Exchange Wells) of the water distribution and drainage system that is operated or maintained by the **Fremont-Madison Irrigation District**, Idaho, to this District as soon as possible. If the conveyance is not completed by September 13, 2003, the Secretary would have to report the reasons for delay to Congress.

The Irrigation District would be required to pay the federal government the lesser of the net present value of the remaining obligations owed by the District to the federal government (with respect to the facilities conveyed), or \$280,000. The District would also be required to pay for all administrative costs related to the conveyance.

Prior to the conveyance the Secretary would have to complete all actions as may be required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

H.R. 4708 would also direct the Secretary of the Interior to convey all right, title, and interest in and to the lands and features of the **Humboldt Project**, including all water rights for storage and diversion, to the Pershing County (Nevada) Water Conservation District, the State of Nevada, Pershing County, and Lander County (Nevada), consistent with the terms of previous agreements among the parties. If the conveyance is not completed within 18 months of this legislation's enactment, the Secretary would have to report the reasons for delay to Congress.

Additionally, this legislation would authorize \$45 million for the Secretary of the Interior, through the Bureau of Reclamation, and in consultation and collaboration with the **Jicarilla Apache Nation**, to plan, design, and construct the water supply, delivery, and wastewater collection systems on the Jicarilla Apache Reservation in the State of New Mexico; and to include service connections to facilities within the town of Dulce and the surrounding area, and to individuals as part of the construction.

If the Jicarilla Apache Nation requests as such, the Secretary of the Interior would be required to enter into a self-determination contract with the Jicarilla Apache Nation under Title I of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450f et seq.) under which:

- the Jicarilla Apache Nation would plan, design, and construct the water supply, delivery, and wastewater collection systems, including service connections to communities and individuals; and
- the Bureau of Reclamation would provide technical assistance and oversight responsibility for such project.

The bill establishes a process by which the Jicarilla Apache Nation would assume title and responsibility for the ownership, operation, maintenance, and replacement of the system.

Lastly, H.R. 4708 would authorize the Secretary of the Interior to revise the repayment contract with the **Tom Green County Water Control and Improvement District No. 1** by extending the period authorized for repayment of reimbursable constructions costs of the San Angelo project from 40 years to 50 years.

Cost to Taxpayers: CBO estimates that the Fremont-Madison portion of the bill would have an insignificant impact on federal spending. No cost estimate is available for the Humboldt Project portion of the bill. H.R. 4708 would authorize the appropriation of \$45 million for the Jicarilla Apache provisions of the bill. No estimate of the revenue implications for the Tom Green County provision of the bill is available.

Does the Bill Create New Federal Programs or Rules?: The bill would result in the conveyance of water-district facilities to certain localities and would authorize the construction of a water system on an Indian reservation in New Mexico.

Constitutional Authority: The Resources Committee, in House Report 107-641, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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H.R. 4953—To direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road (Walden)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4953 would grant to each of Deschutes and Crook Counties (in Oregon) a right-of-way to West Butte Road (a Bureau of Land Management road). Environmental concerns associated with any development of West Butte Road would have to be addressed by each county in meeting compliance requirements associated with state and federal highway projects and the National Environmental Policy Act of 1969 (as administered by the Federal Highway Administration).

This granting of right-of-way would be contingent upon the counties' relinquishment of George Millcan Road. The counties would then be able to make improvements to West Butte Road, providing access to U.S. Highway 20, a major transportation route in central Oregon. According to the Resources Committee, improvements to West Butte would provide an alternative route for trucks and other vehicles that now travel on a "very busy and congested" U.S. Highway 97.

Additional Background: According to the Resources Committee, Crook County has an unemployment rate of 10.6 percent due to the closure of several mills. H.R. 4953 would help to reduce the unemployment rate by allowing the County to provide a paved connection to Highway 20, which would induce companies to relocate to the County. This paving would also deter companies from leaving due to the high transportation costs of traveling U.S. Highway 97.

Administration Position: The Bureau of Land Management supports H.R. 4953 but has expressed some mild concerns. For more information, please visit this website: <http://resourcescommittee.house.gov/107cong/parks/2002jul16/anderson4953.htm>

Cost to Taxpayers: CBO reports that this legislation would have "no significant impact on the federal budget."

Does the Bill Create New Federal Programs or Rules?: The bill would allow county access (for construction projects) to a federal road.

Constitutional Authority: The Resources Committee, in House Report 107-637, cites constitutional authority in Article I, Section 8 (without referencing a specific clause) and in Article IV, Section 3 (Clause 2 of which grants Congress the power to "dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States").

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S. 238—Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act (*Senator Wyden*)

Order of Business: The bill, which passed the Senate by unanimous consent without amendment on August 3, 2001, is scheduled to be considered in the House on Tuesday, September 24, 2002, under a motion to suspend the rules and pass the bill.

Summary: S. 238 would authorize “such sums as are necessary” for the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

Additional Background: According to the House Resources Committee, “watershed councils in the Malheur, Owyhee, Powder, and Burnt River basins bring together local farmers, ranchers, and other landowners; organized agricultural, industrial, environmental interests; and resource management agencies to develop action plans to implement measures that will improve the health of streams and make improvements to the overall environment of the areas while maintaining a viable economy.

“Multi-purpose irrigation facilities located in the Malheur, Owyhee, Powder, and Burnt River basins were developed by the Bureau of Reclamation but are now operated by the local water users.”

The councils are now interested in involving the Bureau with “small-scale construction projects to address resource management issues they tackle on a regular basis.” Congressional authorization is necessary for the Bureau to participate in and develop the feasibility reports necessary to submit to Congress for any federally funded construction projects.

Cost to Taxpayers: CBO estimates that the federal share of these feasibility studies would be \$650,000 over the FY2003-2007 period.

Does the Bill Create New Federal Programs or Rules?: The bill would authorize new feasibility studies.

Constitutional Authority: The House Resources Committee, in House Report 107-638, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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

H.R. 640—Santa Monica Mountains National Recreation Area Boundary Adjustment Act (Concur in Senate Amendment) (Gallegly)

Order of Business: H.R. 640 passed the House by voice vote on June 6, 2001. The bill then passed the Senate with an amendment on August 1, 2002, by unanimous consent. The bill with the Senate amendment is now scheduled to be considered in the House on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary (Senate changes in red bold): H.R. 640 would adjust the boundaries of the Santa Monica Mountains National Recreation Area in California to include ~~3,697~~ **3,534** acres of additional lands donated by the Santa Monica Mountains Conservancy (that currently owns about three-fourths of the expansion lands) and by two cities and some homeowners associations that own the remainder of the expansion lands. **Three parcels of private land included in the boundary adjustment of the House-passed bill were excluded in the Senate amendment.**

This bill would not allow public funds to be used for the acquisition of the lands; they could *only* be donated (or purchased with donated funds). The National Park Service wants to maintain the expansion lands to protect a watershed and a “wildlife corridor.” No development is planned on the expansion lands.

Additional Background: To access the RSC Legislative Bulletin for H.R. 640, as it passed the House last year, please visit this website: <http://www.house.gov/burton/RSC/lb66.PDF>

Administration Position: The National Park Service expressed support for the legislation at a hearing last year:

http://resourcescommittee.house.gov/107cong/parks/2001apr26/stevenson_hr640.htm

Cost to Taxpayers : The National Park Service and CBO estimate that the additional costs to manage the donated lands would be less than \$100,000—and probably closer to \$50,000—per year.

Does the Bill Create New Federal Programs or Rules?: Though the bill would increase the number of acres owned by the federal government, it would do so through donated lands only.

Constitutional Authority: The House Resources Committee, in House Report 107-90, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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

H.R. 4917—Los Padres National Forest Land Exchange Act (Gallegly)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4917 would arrange for a land exchange between the federal government and the United Water Conservation District of California. If the Water District conveys to the Secretary of Agriculture the 340 acres detailed in the legislation, then the Secretary will convey to the District the 420 acres of the Los Padres National Forest detailed in the legislation. The lands conveyed to the Secretary would be for inclusion in the Los Padres National Forest, California.

The Water District or the Secretary, as appropriate, would be authorized to equalize the values of the lands to be exchanged by a cash payment without regard to any statutory limit on the amount of such a cash equalization payment. CBO estimates that the Forest Service would receive a cash equalization payment of up to \$100,000 during fiscal year 2003.

As a condition of the receipt of the forest lands, the Water District would have to agree to construct a gravel parking area upon District lands for the Potholes trailhead of the Los Padres National Forest, subject to the following requirements:

- “The District may reasonably regulate vehicular access to the trailhead in accordance with rules and regulations promulgated in accordance with applicable law; and
- “Foot traffic to the trailhead shall be perpetual and unrestricted.”

The legislation would also provide for other arrangements for access and land use (but not water rights) on the respective properties exchanged.

Additional Background: According to the Resources Committee, this land exchange would eliminate private holdings within National Forest lands, as well as consolidate interior land boundaries on the Ojai Ranger District, providing the District with contiguous ownership around Lake Piru. Once the land exchange is completed, the District would own all the land associated with the management and operation of the Santa Felicia Dam, which provides power to about 1,000 homes.

Administration Position: The Forest Service testified in support of H.R. 4917 on June 20, 2002, before a Forests and Forest Health Subcommittee hearing:
<http://resourcescommittee.house.gov/107congr/forests/2002jun20/thompson.htm>

Cost to Taxpayers: CBO estimates that the net effects of H.R. 4917 on direct spending and offsetting receipts would be “negligible.”

Does the Bill Create New Federal Programs or Rules?: The bill would authorize a land exchange that would result in an approximate net loss of 80 acres of federal land.

Constitutional Authority: The Resources Committee, in House Report 107-636, cites constitutional authority in Article I, Section 8 (without referencing a specific clause) and in Article IV, Section 3 (Clause 2 of which grants Congress the power to “dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States”).

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H.R. 4938—To direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes (Osborne)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4938 requires the Bureau of Reclamation at the Department of Interior to conduct a study of “the most feasible method of developing a safe and adequate municipal, rural, and industrial water treatment and distribution system for the Santee Sioux Tribe of Nebraska.” The bill authorizes \$500,000 for the study.

Additional Background: According to the bill, current water supplies for the Santee Sioux Tribe “are drawn almost entirely from groundwater sources. U.S. Environmental Protection Agency primary drinking water standards for nitrate, nitrogen, and total coliform bacteria appear to be exceeded in a significant number of wells on the Reservation. Adequate supplies of good quality water are essential for supporting local economic growth and for enhancing quality-of-life on the Reservation.”

Cost to Taxpayers: The Congressional Budget Office estimates the bill will cost \$500,000, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: The bill requires a study by the Bureau of Reclamation.

Constitutional Authority: The Resources Committee, in House Report 107-643, cites Article I, Section 8, but fails to cite a specific clause.

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

H.R.4919—Tonto and Coconino National Forests Land Exchange Act, As Amended (Hayworth)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4919 requires 157 acres of non-federal land adjacent to the Montezuma Castle Monument and 108 acres of private land in the Coconino National Forest to be exchanged for 222 acres of federal land in the Tonto National Forest. The land to be exchanged must be of equal value or equalized as determined by the Secretary of the Interior.

In addition, the bill requires 495 acres of non-federal land within the Tonto National Forest to be exchanged for 108 acres of federal land known as “Diamond Point Exchange – Federal Land.” The land to be exchanged must be of equal value or equalized as determined by the Secretary of the Interior. Once the land is exchanged, all special use cabin permits on the federal land are to be terminated.

The land exchanges must take place subject to valid existing rights, including easements, rights-of-way, and utility lines. The land will become part of either the Tonto or Coconino National Forests.

H.R. 4919 also conveys land in the Mendocino National Forest in Lake County, California to the owner of the Faraway Ranch in Lake County. All transaction costs are to be paid by the recipient of the land.

Additional Background: According to the bill, the lands to be acquired are “desirable for Federal acquisition to protect important riparian values along Beaver Creek and the scenic backdrop” for the Montezuma Castle National Monument in Yavapai County, Arizona and to “protect important public values near Double Cabin Park” and “increase National Forest Management efficiency and promote public access, use, and enjoyment of the area.”

Cost to Taxpayers: A cost estimate is not available.

Does the Bill Create New Federal Programs or Rules?: The bill authorizes several land exchanges, as described above.

Constitutional Authority: A committee report citing constitutional authority is not available.

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S. 1894—A bill to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park (*Senator Graham*)

Order of Business: The bill, which passed the Senate by unanimous consent on August 1, 2002, is now scheduled to be considered in the House on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: S. 1894 would direct the Secretary of the Interior to conduct a one-year resource study to determine the national significance of the Miami Circle site (in Miami-Dade County, Florida), as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park. The bill would authorize “such sums” as may be necessary for the study and would require the Secretary to report the findings to Congress within 30 days after the study’s completion.

S. 1894 also includes provisions aimed at improving relationships between federal land managers and “gateway communities” (towns adjacent to federal lands that are often the primary source of key services—such as medical emergency and wastewater systems—for the federal lands) to support compatible land management of federal and adjacent lands. Gateway communities serve as an entry point for visitors to federal lands and are ideal for the establishment of visitor services, including lodging, food service, fuel and auto repairs, emergency services, and visitor information.

Specifically, federal land managers (such as the National Park Service) would be instructed to provide meaningful and early participation for gateway communities in land-use planning and to give gateway communities early notification of relevant land-use decisions. Gateway communities would also be eligible for training and technical assistance from federal land managers regarding land-use planning and implementation. And where possible, federal land managers would be encouraged to enter into cooperative agreements with gateway communities for as much collaboration as possible.

Federal land managers would be authorized to award grants (using funds made available to their agencies) to eligible gateway communities to:

- participate in federal land planning or management processes;
- obtain professional land use or transportation planning assistance necessary as a result of federal action;
- address and resolve public infrastructure impacts that are identified through these processes as a likely result of the federal land management decisions and for which sufficient funds are not otherwise available; and
- provide public information and interpretive services about the federal lands administered by the federal land manager and the gateway community.

S. 1894 would also readjust the boundaries of the Mount Nebo Wilderness to exclude about 280 acres of certain lands, as detailed in the legislation, and to then add about 293 acres of other lands, as detailed in the legislation.

Additionally, S. 1894 would authorize the Secretary of the Interior to conduct a study regarding the national significance, suitability, and feasibility of designating as a unit of the National Park System the property commonly known as the Eagledale Ferry Dock at Taylor Avenue and the

historical events associated with it, located in the town of Bainbridge Island, Kitsap County, Washington. On March 30, 1942, 227 Bainbridge Island residents were the first Japanese Americans in United States history to be forcibly removed from their homes by the U.S. Army and sent to internment camps. They boarded the ferry Kehloken from the former Eagledale Ferry Dock, located at the end of Taylor Avenue, in the city of Bainbridge Island, Washington State. [During World War II on February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066, setting in motion the forced exile of more than 110,000 Japanese Americans.]

Additional Background: According to the legislation, the Tequesta Indians were one of the earliest groups to establish permanent villages in southeast Florida, and their sites that remain preserved today are rare. The Miami Circle archaeological site was occupied by the Tequesta Indians about 2,000 years ago.

Discovered in 1998, the Miami Circle is a 38-foot-diameter circle of a 2.2-acre archaeological site in downtown Miami, Florida. Some archaeologists believe that the Miami Circle is the base of a Tequesta lodge or temple house and that it could yield significant clues about the Tequestas' native culture. Radio-carbon dating has shown pieces of charcoal and other artifacts to be at least 1,800 years old.

Nearby Biscayne National Park also contains and protects several prehistoric Tequesta sites.

Administration Position: The National Park Service testified in a hearing before the Senate Subcommittee on National Parks (on February 14, 2002) that it supports the bill though believes it should be given more than one year to complete the authorized study. The National Park Service cited a backlog of dozens of studies.

Cost to Taxpayers: CBO estimates that implementing S. 1894 would cost the federal government \$150,000 over the next year to complete the required study and report for Miami Circle. No cost estimate is available for the other portions of the bill (grants and Bainbridge study).

Does the Bill Create New Federal Programs or Rules?: The bill would authorize two new resource/feasibility studies and a new grant program.

Constitutional Authority: Senate committee reports do not cite constitutional authority, and a House committee report is unavailable for this legislation.

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H.R. 2982—A bill to authorize the establishment of a memorial to victims who died as a result of terrorist acts against the United States or its people, at home or abroad (*Turner*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2982 would authorize the establishment of a memorial in Washington, DC, or its immediate surroundings, to victims who died as a result of terrorist acts against the United States or its people, at home or abroad (except those individuals identified by the Attorney General as participating or conspiring in terrorist-related activities).

The bill would establish the Victims of Terrorism Memorial Advisory Board to raise the necessary funds to establish, design, construct, and maintain the Memorial. The 13-member Board would be appointed by the President (in consultation with the Secretary of the Interior and the Secretary of Defense). The Secretary of the Interior would be directed to detail the necessary support staff to the Board.

No specific timeline is given for the completion of the memorial.

Administration Position: During a hearing before the Subcommittee on National Parks, Recreation, and Public Lands on March 19, 2002, the National Park Service expressed several concerns about the bill. Though many of the concerns were remedied in an amendment to H.R. 2982 at the full committee level (which the RSC summary above incorporates), the National Park Service remains concerned that the location of this memorial—D.C.—has no direct connection to most terrorist attacks against the United States or to the victims of such attacks. For more details, please visit this website:

<http://resourcescommittee.house.gov/107cong/parks/2002mar19/smith2982.htm>

Cost to Taxpayers : Depending on the scale of the proposed project, CBO estimates design and construction costs would probably be between \$5 million and \$15 million over several years, assuming appropriation of the necessary amounts. This estimate is based on information provided by the National Park Service, private foundations, and the costs of other memorials on federal grounds. The cost of establishing the memorial could be offset by donations from private sources, but CBO asserts that there is no basis for estimating such future revenues.

Does the Bill Create New Federal Programs or Rules?: The bill would authorize the creation of a new memorial in Washington, DC, or its surroundings.

Constitutional Authority: The House Resources Committee, in House Report 107-524, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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

H.R. 4682 — Allegheny Portage Railroad National Historic Site Boundary Revision Act (*Murtha*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 4682 would adjust the boundary of the Allegheny Portage Railroad National Historic Site as follows:

- Removes approximately 10 acres;
- Adds approximately 57 acres; and
- Authorizes the exchange of 108 acres of the site for 98 acres from willing sellers.

Cost to Taxpayers : The Congressional Budget Office estimates the bill will cost less than \$200,000.

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

Constitutional Authority: The Resources Committee, in House Report 107-634, cites Article I, Section 8 and Article IV, Section 3, but fails to cite specific clauses.

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

H.R. 1448 — To clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa (*Faleomovaega*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1448 would exempt the interest on all bonds or other obligations issued by or on behalf of the government of American Samoa from income taxation by any state or local government.

Additional Background: Bonds issued by almost all U.S. territories are currently exempt from federal, state and local taxes, except for American Samoa. H.R. 1448 seeks to equalize the treatment of bond taxation among all territories.

Cost to Taxpayers: The Congressional Budget Office estimates that the bill will have no impact on the federal government since the bill does not affect federal taxes. The bill does contain an unfunded mandate by preempting state and local tax law, but CBO estimates that it will fall below the threshold established in the Unfunded Mandates Reform Act (\$58 million in 2002).

Does the Bill Create New Federal Programs or Rules?: Yes, the bill preempts state and local tax law by exempting the interest on bonds of the government of American Samoa from state and local income tax.

Constitutional Authority: The Judiciary Committee, in House Report 107-417 part II, cites Article I, Section 8, but fails to cite a specific clause.

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H.R. 2099—To amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver National Historic Reserve (*Baird*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2099 increases the authorization for “development costs associated with capital projects” of the Vancouver National Historic Reserve from \$5 million to \$15 million. The bill also limits the federal share of development costs to no more than 50 percent of the total cost.

Additional Background: The Vancouver National Historic Reserve was established in 1996, at which time an authorization of \$5 million was enacted for development costs.

Bush Administration Position: At a July 9th hearing before the National Parks, Recreation and Public Lands Subcommittee of the Resources Committee, the National Park Service testified that “in light of the Department’s commitment to supporting the President’s initiative to eliminate the deferred maintenance backlog in our parks, we cannot support diverting limited funds away from the Service’s own needs. We believe that funds that are appropriated to the National Park

Service are more appropriately directed to reducing the long list of necessary but deferred construction projects that have been identified in our national parks.”

Cost to Taxpayers: The Congressional Budget Office estimates that H.R. 2099 would cost \$9 million over 5 years, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: No, the bill increases the authorization level for the Vancouver National Historic Reserve.

Constitutional Authority: The Resources Committee, in House Report 107-627, cites Article I, Section 8, but fails to cite a specific clause.

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S. 941 — Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act, As Amended (*Senator Feinstein*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: Title I of S. 941 adjusts the boundary of the Golden Gate National Recreation Area to include 5,000 acres of land located in San Mateo County, California. The bill only allows the land to be acquired from willing sellers.

Title II of the bill extends the authorization for the Golden Gate National Recreation Advisory Commission and the Manzanar National Historic Site Advisory Commission to December 31, 2012.

Title III authorizes additional funding for the Bass Lake Joint Union Elementary School District and the Mariposa Unified School District, not to exceed \$750,000 per fiscal year, for fiscal years 2003-2007. According to the legislation, these two school districts serve the children of employees of Yosemite National Park, are in remote locations with few students, and provide fewer services than other schools in the area. Funds may not be used for construction projects and can only come from funds already available to the National Park Service through appropriations, donations, or fees (excluding certain programs as outlined in the bill).

Title IV requires the Secretary of the Interior to conduct a study of “the national significance, suitability, and feasibility of establishing Highway 40 in California, known as the ‘Golden Chain Highway,’ as a National Heritage Corridor.” No funds are authorized to conduct the study.

Title V of the bill adjusts the boundary of the John Muir National Historic Site and authorizes the Secretary of the Interior to acquire the land needed to adjust the boundary by donation, purchase with donated or appropriated funds, exchange, or other means.

Title VI requires the Secretary of the Interior to conduct a special resource study of the San Gabriel River and its tributaries and the San Gabriel Mountains (within the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy).

Additional Background: Title III of the bill passed the House of Representatives as H.R. 3421 by voice vote on April 30, 2002.

Cost to Taxpayers : A cost estimate is not available.

Does the Bill Create New Federal Programs or Rules?: The bill adjusts park boundaries, authorizes additional funds for two California school districts, and requires the Secretary of Interior to complete studies as described above.

Constitutional Authority: The Committee on Resources, in House Report 107-667, cites Article I, Section 8 and Article IV, Section 3, but fails to cite specific clauses.

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S. 1105 — Grand Teton National Park Land Exchange Act, As Amended (Senator Craig)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: Title I of S. 1105 authorizes the Secretary of the Interior to acquire 1,406 acres of state land in Wyoming through donation, purchase, or exchange that are within the boundary of the Grand Teton National Park. The bill also provides an appraisal process for the land.

Title II 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. 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 Title.” This language is similar to that of H.R. 3936, which passed the House of Representatives on June 17, 2002, by voice vote.

Title III authorizes the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, for inclusion in the Fort Vancouver National Historic Site. The land, totalling almost 1 acre, may only be acquired from willing sellers by donation, purchase, or exchange.

Title IV requires the Secretary of the Interior, no later than 2 years after the date funds are made available, to study the “**suitability and feasibility of designating the William Jefferson Clinton birthplace home located in Hope, Arkansas, as a national historic site.**”

Additional Background: According to the Resources Committee, the State of Wyoming was given scattered parcels of land when granted statehood for the benefit of state schools. Some of these lands were within what has now become Grand Teton National Park. The Committee states that the state land will be exchanged for other land or assets of equal value.

Cost to Taxpayers : The Congressional Budget Office estimates that Title I of S. 1105 will cost \$1 million in fiscal year 2003, subject to appropriations. CBO further estimates that although that title would affect direct spending, the change would be negligible.

CBO estimated the cost of H.R. 3936 (now Title II of S. 1105) as less than \$500,000 a year, subject to appropriations.

A cost estimate of Titles III and IV is not available.

Does the Bill Create New Federal Programs or Rules?: The bill authorizes the federal acquisition of land for addition to the Grand Teton National Park, designates the James V. Hansen Shoshone National Trail, authorizes the acquisition of the McLoughlin House National Historic Site, and requires a study of a potential national historic site at the Clinton birthplace in Arkansas.

Constitutional Authority: The Resources Committee, in House Report 107-639, cites Article I, Section 8 and Article IV, Section 3, but fails to cite specific clauses.

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H.R. 1606 — Historically Black Colleges and Universities Historic Preservation Amendments Act (*Clyburn*)

Order of Business: The bill is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1606 amends the Omnibus Parks and Public Lands Management Act of 1996 in the following ways:

- Decreases the cost sharing requirement for HBCU historic preservation from 50/50 to 30 percent for the HBCU, 70 percent government; and
- Adds to the current authorization level for HBCU historic preservation grants of \$29 million an additional authorization of “such sums as may be necessary.”

Additional Background: According to the Resources Committee, many HBCU buildings are listed on the National Register of Historic Places and in need of significant repair. A 1998 study by the General Accounting Office found 712 properties in need of repair, 529 of which are on or are eligible to be on the National Register. HBCUs have cited the 50/50 matching requirement as an obstacle to building repair and maintenance.

Cost to Taxpayers: The Congressional Budget Office estimates that H.R. 1606 will cost \$120 million over five years and \$650 million over ten years, subject to appropriations.

Does the Bill Create New Federal Programs or Rules?: No, the bill makes changes to existing law as described above.

Constitutional Authority: The Resources Committee, in House Report 107-519, cites Article I, Section 8, but fails to cite a specific clause.

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H.Con.Res. 297 — Recognizing the historical significance of 100 years of Korean immigration to the United States (Hoekstra)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: According to the resolution, beginning in 2003, more than 100 communities throughout the U.S. will celebrate the 100th anniversary of Korean immigration, which began with the landing of 102 immigrants in Honolulu, Hawaii on January 13, 1903.

H.Con.Res. 297 resolves that Congress:

- “Recognizes the achievements and contributions of Korean-Americans to the United States over the past 100 years; and
- “Requests that the President issue a proclamation calling on the people of the United States and interested organizations to observe the anniversary with appropriate programs, ceremonies, and activities.”

The resolution also states that Korean-Americans have contributed to the United States through service in the armed forces, business ownership, development of the first beating heart operation for coronary artery disease, the development of several varieties of the nectarine, and achievements in engineering, architecture, medicine, acting, singing, sculpture, and writing.

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. 458 — Recognizing and commending Mary Baker Eddy’s achievements and the Mary Baker Eddy Library for the Betterment of Humanity (Smith, Lamar)

Order of Business: The resolution is scheduled to be considered on Tuesday, September 24th, under a motion to suspend the rules and pass the bill.

Summary: The resolution resolves that Congress recognizes and commends:

- “Mary Baker Eddy for her outstanding achievement and contributions, particularly her contributions to the advancement of women’s rights as a public figure and role model in the early stages of the women’s rights movement; and
- “the Mary Baker Eddy Library for the Betterment of Humanity, which will open to the public on September 29, 2002.”

Additional Background: According to the resolution, the Mary Baker Eddy Library for the Betterment of Humanity will open in Boston on September 29, 2002, making available the Mary Baker Eddy Collections to the public. The collections consist of more than 100,000 documents, artifacts, photographs, and other media. Mary Baker Eddy was the founder of Christian Science, the first woman in the U.S. to found and lead a major religion.

Cost to Taxpayers: The resolution authorizes no expenditure.

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