



Legislative Bulletin.....October 20, 2003

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**H.Res. 356—Expressing the sense of the House of Representatives
regarding the man-made famine that occurred in Ukraine in 1932-1933
(Hyde)**

Order of Business: The resolution is scheduled to be considered on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 356 would express a sense of the House that:

- "the millions of victims of the man-made famine that occurred in Ukraine in 1932-1933 should be solemnly remembered and honored in the 70th year marking the height of the famine;
- "this man-made famine was designed and implemented by the Soviet regime as a deliberate act of terror and mass murder against the Ukrainian people;
- "the decision of the Government of Ukraine and the Verkhovna Rada (the Ukrainian Parliament) to give official recognition to the famine and its victims, as well as their efforts to secure greater international awareness and understanding of the famine, should be supported; and
- "the official recognition of the famine by the Government of Ukraine and the Verkhovna Rada represents a significant step in the reestablishment of Ukraine's national identity, the elimination of the legacy of the Soviet dictatorship, and the advancement of efforts to establish a democratic and free Ukraine that is fully integrated into the Western community of nations."

Additional Background: The resolution notes that the Soviets seized grain and blockaded food shipments into Ukraine and forcibly prevented the starving population from leaving the region, in an attempt to minimize resistance to the forced collectivization of agriculture. At least five million people in Ukraine and another one-to-two million people in other regions died during the forced famine, which ironically took place in the most productive agricultural

area of the Soviet Union (which continued to export large quantities of grain during the famine).

The resolution also points out that many Western observers with first-hand knowledge of the famine, including *The New York Times* correspondent Walter Duranty, who was awarded a Pulitzer Prize in 1932 for his reporting from the Soviet Union, deliberately falsified their reports to cover up and refute evidence of the famine, in order to suppress criticism of the Soviet regime. Reporters who accurately reported the famine story were ridiculed.

The Soviets and many scholars in the West continued to deny the existence of the famine until the collapse of the Soviet Union, which made accessible documents proving the premeditated nature of the famine and its harsh enforcement. The final report of the United States Government's Commission on the Ukraine Famine, delivered to Congress in 1988, concluded that the victims were “starved to death in a man-made famine” and that “Joseph Stalin and those around him committed genocide against Ukrainians in 1932-1933.”

For more information, visit these webpages:

<http://www.faminegenocide.com/print/findings.htm>

<http://www.infoukes.com/history/famine/>

<http://www.ukrweekly.com/Archive/1986/188611.shtml>

Committee Action: On September 9, 2003, the Europe Subcommittee marked up and forwarded the resolution to the full International Relations Committee by voice vote. On September 25, 2003, the full Committee marked up and reported the resolution to the full House by unanimous consent.

Cost to Taxpayers: The resolution would authorize no expenditure.

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

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H.Res. 400— Honoring the 25th Anniversary of Pope John Paul II's Ascension to the Papacy (McCotter)

Order of Business: The resolution is scheduled for consideration on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.Res. 400 has 17 findings regarding Karol Józef Wojtyła, Pope John Paul II, and resolves:

“That the United States House of Representatives honors the 25th anniversary of Pope John Paul II's ascension to the papacy.”

Additional Background: The Pope was born in Poland, on May 18, 1920. When the Nazis closed the Polish University he was attending, he worked in a quarry and then in a chemical factory to earn his living and to avoid deportation to Germany. In 1942, he began courses at

an underground Catholic seminary in Cracow and was ordained a priest on November 1, 1946.

On January 13, 1964, he was nominated Archbishop of Cracow by Pope Paul VI, who made him a Cardinal June 26, 1967. On October 16, 1978, Karol Wojtyla began his pontificate as Pope John Paul II. Less than eight months after his 1978 inauguration, the Pope returned to Poland in a historic 9-day visit, that many scholars have credited with beginning the downfall of communism in Poland. In 1981, the Pope survived an assassination attempt by Turkish gunman Mehmet Ali Agca, whom the Pope would later personally meet and forgive.

Pope John Paul II has been a prolific writer completing 14 encyclicals, 13 apostolic exhortations, 11 apostolic constitutions, and 42 apostolic letters, and he has also published three books: *Crossing the Threshold of Hope*; *Gift and Mystery: On the 50th Anniversary of My Priestly Ordination*; and *Roman Tryptych—Meditations*. He has presided over the beatification of 1,311 Blesseds, (the most recent being the beatification of Mother Teresa, yesterday, October 19, 2003) and 48 canonization ceremonies (469 Saints) during his pontificate.

According to the resolution's findings: "Pope John Paul II, a survivor of fascism, communism, and terrorism, has been as a tireless voice for morality and decency" and "has emerged as more than just a spiritual leader for the world's Catholics, but as one of the most influential and inspirational leaders of the 20th and 21st centuries, as a consistent voice for peace and righteousness."

Administration Position: On October 16, 2003, President George W. Bush issued the following Presidential Message:

PRESIDENTIAL MESSAGE: 25TH ANNIVERSARY OF
THE PONTIFICATE OF HIS HOLINESS JOHN PAUL II

I send greetings to those gathered to celebrate the 25th Anniversary of the Pontificate of His Holiness John Paul II.

As a priest, chaplain, professor, Auxiliary Bishop, Archbishop, Cardinal, and Pope, His Holiness has spent a lifetime sharing God's teachings and ministering to those in need. He has put hope in people's hearts and inspired acts of goodness and compassion. For the past 25 years, His Holiness has led worldwide efforts to develop a new culture of life that values and protects the lives of innocent children waiting to be born. He has also brought the love of the Almighty to people of all ages, particularly those who suffer or live in poverty, or who are weak and vulnerable. Pope John Paul II has shown the world not only the splendor of truth, but also the power of truth to overcome evil and to redirect the course of history.

The United States and the world are better because of his dedication to sharing his wisdom, guidance, and faith. Laura joins me in sending our best wishes on this special occasion.

(Source: <http://www.whitehouse.gov/news/releases/2003/10/20031016-6.html>)

Committee Action: H.Res. 400 was introduced on October 16, 2003 and referred to the House International Relations Committee. The

Cost to Taxpayers: None.

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

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H.R. 1446—California Missions Preservation Act (*Farr*)

Order of Business: The bill is scheduled for consideration on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 1446 authorizes a new federal program under which the Secretary of the Interior would make grants to the California Missions Foundation to support its efforts to restore and repair the California missions and to preserve artworks and artifacts associated with the missions. The bill authorizes \$10 million over five years for the grants.

The Secretary is required to ensure that the purpose of a grant “is secular, does not promote religion, and seeks to protect those qualities that are historically significant.” In addition, the California Missions Foundation is required to submit to the Secretary a status report on the condition of the infrastructure and artifacts for each of the California missions (22 total listed in H.R. 1446) and a comprehensive plan for restoration, repair, and preservation of the missions, including the estimated cost.

Additional Background: The California Missions Foundation is a charitable corporation established in 1998 to restore and repair historic Spanish missions, artwork, and artifacts in California.

Committee Action: H.R. 1446 was introduced on March 26, 2003, and referred to the Committee on Resources. The Committee did not consider the bill.

Cost to Taxpayers: The bill authorizes \$10 million over five years.

Does the Bill Create New Federal Programs or Rules?: Yes, the bill creates a new grant program, as described above.

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

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H.R. 542—To repeal the reservation of mineral rights made by the United States when certain lands in Livingston Parish, Louisiana, were conveyed by Public Law 102-562 (Baker)

Order of Business: The bill is scheduled for consideration on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: Public Law 102-562 conveyed to private landowners 640 acres of federal land in Livingston Parish, Louisiana. However, the bill only conveyed surface rights and reserved mineral rights for the Secretary of the Interior. H.R. 542 would repeal the reservation of mineral rights and give the mineral rights to the current landowners.

Committee Action: The Committee on Resources considered H.R. 542 on October 1, 2003, and reported the bill favorably by unanimous consent.

Cost to Taxpayers: The Congressional Budget Office estimates that H.R. 542 would have no significant impact on the federal budget.

Does the Bill Create New Federal Programs or Rules?: No, the bill conveys mineral rights on privately owned land to the landowners.

Constitutional Authority: The Committee on Resources, in House Report 108-297, cites Article I, Section 8, but does not cite a specific clause.

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H.R. 2048—International Fisheries Reauthorization Act (Gilcrest)

Order of Business: The bill is scheduled to be considered on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 2048 would extend from October 1, 2003, to October 1, 2008, the period of reimbursement under the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)).

Additionally, H.R. 2048 would reauthorize (at its current authorization level of \$4 million annually) the Yukon River Salmon Act of 2000 (16 U.S.C. 5727) for fiscal years 2004-2008 (it expired at the end of fiscal year 2003).

Additional Background: The Fishermen's Protective Act (FPA) established a program under which the Secretary of State may compensate fishermen for fines paid to secure the release of fishing vessels and crew which have been illegally seized by a foreign government. The FPA also allows compensation for damage to the vessels and for the value of fish lost as a result of the seizure. Participation by fisherman in the FPA is voluntary and is subject to fees (more than sufficient to cover the pay-outs). According to the Congressional Budget Office, the FPA fund for payouts to fishermen has a current balance of \$2.7 million. **No fishermen have applied to participate in the program in recent years, and the FPA fund has paid only one claim in the last eleven years.**

The Yukon River Salmon Act (YRSA) arose from the fact that the headwaters of the Yukon River are located in Canada, yet salmon from the river spawn on both the U.S. and Canadian sides of the border. Concerns over the level of each country's fishermen's harvests and the conservation of the salmon population in the river sparked years of negotiations between the U.S. and Canada.

In 1995, the two countries agreed on an interim agreement for the conservation of salmon originating from the Yukon River in Canada. The U.S. implemented the interim agreement through the Fisheries Act of 1995 (Public Law 104-43, Section VII). Although the interim agreement expired at the end of 1997 and no new agreement had been reached, Public Law 106-450 was enacted in November 2000 to continue to authorize appropriations for salmon enhancement, restoration, management, and research projects along the river.

In March 2001, the U.S. and Canada reached a permanent agreement on salmon fishing on the Yukon River.

Committee Action: On July 17, 2003, the Subcommittee on Fisheries Conservation, Wildlife and Oceans marked up and favorably reported the bill to the full Resources Committee by voice vote. On September 24th, the full Committee marked up and favorably reported the bill to the full House by unanimous consent.

Administration Position: The Administration supports the bill.

Cost to Taxpayers: CBO confirms that H.R. 2048 would authorize \$4 million in FY2004 and \$20 million over the FY2004-2008 period. These authorizations are for the Yukon River program only, as the fishermen's reimbursement program is paid for by fees from fishermen and rarely makes a payout.

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

Constitutional Authority: The Resources Committee, in House Report 108-300, cites constitutional authority in Article I, Section 8, but does not cite a specific clause.

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S. 1591—Edward O'Grady, Waverly Brown, Peter Paige Post Office Building Designation Act (*Senator Schumer*)

Order of Business: The bill is scheduled to be considered on Monday, October 20th, under a motion to suspend the rules and pass the bill. It passed the Senate by unanimous consent on September 25, 2003.

Summary: S. 1591 would redesignate the “Nyack Post Office,” located at 48 South Broadway, Nyack, New York, as the “Edward O'Grady, Waverly Brown, Peter Paige Post Office Building.”

Additional Background: Twenty-two years ago today, heavily armed gunmen staged a daylight assault on a Brinks armored car at the Nanuet Mall in Nanuet, New York, killing Brinks guard **Peter Paige** and seriously injuring others. After leaving the mall, the gunmen entered the rear of a waiting U-Haul truck being driven by co-conspirators. Despite their attempts to avoid detection, a high school student witnessed the switch from the original getaway car to the U-Haul and notified police.

Shortly afterwards, police officers from Nyack, NY, conducted a roadblock on the New York State Thruway and pulled over a passing U-Haul. Apparently, thinking they had the wrong U-Haul, the officers stowed their weapons. Soon after, a half-dozen armed gunmen jumped out of the back of the U-Haul and opened fire on the officers. Police Officer **Waverly Brown** was shot immediately and died at the scene. Sgt. **Edward O’Grady** was shot numerous times and died ninety minutes later at Nyack Hospital.

For more background information, visit this website: <http://www.ogradybrown.com/>

Committee Action: On October 8, 2003, the House Government Reform Committee marked up the Senate-passed bill and favorably reported it to the full House by unanimous consent.

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

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

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

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H.R. 3068—Brigadier General (AUS-Ret.) John H. McLain Post Office Designation Act (Harris)

Order of Business: The bill is scheduled to be considered on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3068 would designate the U.S. Postal Service facility at 2055 Siesta Drive in Sarasota, Florida, as the “Brigadier General (AUS-Ret.) John H. McLain Post Office.”

Additional Background: Brigadier General John McLain was inducted into the Field Officer Candidate School Hall of Fame in 1976. This honor provided the capstone for his heavily decorated career, during which he received the Legion of Merit, the Bronze Star Medal, Meritorious Service Medal, Good Conduct Medal, the European-African-Middle Eastern Campaign Medal with three campaign stars, the World War II Victory Medal, the Korean Service Medal with three campaign stars, the United Nations Service Medal, and numerous other awards and medals.

He resided in Sarasota, Florida, until his death last month.

Committee Action: On September 18, 2003, the Government Reform Committee marked up and reported the bill to the full House by unanimous consent.

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

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

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

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H.R. 3288—To amend title XXI of the Social Security Act of make technical corrections with respect to the definition of qualifying State (Tauzin)

Order of Business: The bill is scheduled for consideration on Monday, October 20th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 3288 makes a technical change to the definition of “qualifying state” in the State Children’s Health Improvement Program (SCHIP), as defined in H.R. 531 (P.L. 108-74). Under the definition in H.R. 531, states with statewide waivers first implemented on October 1, 1993, and meeting certain other standards are unable to access their SCHIP funds.

Committee Action: H.R. 3288 was introduced on October 14, 2003, and referred to the Committee on Energy and Commerce. The Committee did not consider the bill.

Cost to Taxpayers: A cost estimate is not available.

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

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

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