

United States bears an enormous amount of energy. The United States would gain safer waters in the Gulf Coast, which is central to our national security. In addition, the transfer of the *Whiting* to the Government of Mexico would act to balance the level of responsibility of the countries who are bordered by the waters of the Gulf Coast.

I congratulate Mr. ORTIZ on his leadership in this matter.

Ms. BORDALLO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HAYWORTH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 4158.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR VOLUNTEER RECRUITMENT ACT OF 2004

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4170) to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of Interior, as amended.

The Clerk read as follows:

H.R. 4170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of the Interior Volunteer Recruitment Act of 2004".

SEC. 2. PURPOSE.

The purpose of this Act is to authorize the Secretary of the Interior to recruit and use volunteers to assist with, or facilitate, the programs of the Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.

SEC. 3. VOLUNTEER AUTHORITY.

(a) IN GENERAL.—The Secretary of the Interior may recruit, train, and accept, without regard to the civil service classification laws, rules, or regulations, the services of individuals, contributed without compensation as volunteers, for aiding in or facilitating the activities administered by the Secretary through the Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.

(b) RESTRICTIONS ON ACTIVITIES OF VOLUNTEERS.—

(1) IN GENERAL.—In accepting such services of individuals as volunteers, the Secretary shall not permit the use of volunteers in law enforcement work, in regulatory and enforcement work, in policymaking processes, or to displace any employee.

(2) PRIVATE PROPERTY.—No volunteer services authorized by this Act may be conducted on private property unless the officer or employee charged with supervising the volunteer obtains appropriate consent to enter the property from the property owner.

(3) HAZARDOUS DUTY.—The Secretary may accept the services of individuals in hazardous duty only upon a determination by the Secretary that such individuals are skilled in performing hazardous duty activities.

(4) SUPERVISION.—The Secretary shall ensure that an appropriate officer or employee of the United States provides adequate and appropriate supervision of each volunteer whose services the Secretary accepts.

(c) PROVISION OF SERVICES AND COSTS.—The Secretary may provide for services and costs incidental to the utilization of volunteers, including transportation, supplies, uniforms, lodging, subsistence (without regard to place of residence), recruiting, training, supervision, and awards and recognition (including nominal cash awards).

(d) FEDERAL EMPLOYMENT STATUS OF VOLUNTEERS.—

(1) Except as otherwise provided in this subsection, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those provisions relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) Volunteers shall be deemed employees of the United States for the purposes of—

(A) the tort claims provisions of title 28, United States Code;

(B) subchapter I of chapter 81 of title 5, United States Code; and

(C) claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, in which case the provisions of section 3721 of title 31, United States Code, shall apply.

(3) Volunteers under this Act shall be subject to chapter 11 of title 18, United States Code, unless the Secretary, with the concurrence of the Director of the Office of Government Ethics, determines in writing published in the Federal Register that the provisions of that chapter, except section 201, shall not apply to the actions of a class or classes of volunteers who carry out only those duties or functions specified in the determination.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. HAYWORTH).

GENERAL LEAVE

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4170, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4170, introduced by the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources, and subsequently amended by the Committee on Resources, would authorize the Secretary of the Interior to establish volunteer programs in the Bureau of Indian Affairs, the U.S. Geological Survey, the Bureau of Reclamation and the Office of the Secretary. With this authority, these four bureaus would be able to

parallel the successful volunteer programs of the National Park Service and the U.S. Fish and Wildlife Service to recruit volunteers to assist with or facilitate the activities within these agencies.

Mr. Speaker, over 200,000 volunteers annually serve as campground hosts, clear trail, help with seasonal bird surveys, collect new information for maps and assist with many other day-to-day activities.

Mr. Speaker, simply put, volunteers provide the Department of the Interior vital services to help it meet its mission responsibilities. Volunteer programs within the Department also provide outstanding opportunity for community service and public involvement in conservation programs.

Mr. Speaker, H.R. 4170 is supported by the majority and the minority of the Committee on Resources and the administration. I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, the majority has already explained the purpose of H.R. 4170, which was introduced by the gentleman from California (Mr. POMBO), the chairman of the Committee on Resources, at the request of the administration. At this point, Mr. Speaker, I would like to thank publicly the chairman, the gentleman from California (Mr. POMBO), for attending the 60th anniversary of Guam's liberation this past weekend in Tracy, California.

On behalf of the Committee on Resources ranking member, the gentleman from West Virginia (Mr. RAHALL), we appreciate the willingness of the chairman and his staff to make changes to the bill to address concerns about the use of volunteers in regulatory and legal offices within the Department of Interior.

Mr. Speaker, with those changes, we have no objection to the passage of H.R. 4170, as amended, by the House today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 4170, the Department of the Interior Volunteer Recruitment Act of 2004. The legislation before us would authorize the Secretary of the Interior to recruit, train, and accept, without regard to the civil service classification laws, rules, or regulations, the services of individuals, contributed without compensation as volunteers, for aiding in or facilitating the activities administered by the Secretary through the Bureau of Indian Affairs, the Office of Surface Mining Reclamation and Enforcement, the Minerals Management Service, the U.S. Geological Survey, the Bureau of Reclamation, the Office of the Solicitor, and the Office of the Secretary. This legislation will make it easier for those who want to volunteer to take part in the activities under the Department of the Interior.

I applaud Representative POMBO and the crafters of this legislation for taking into consideration the concerns of the Minority in the

Resources Committee. Furthermore, this legislation is thorough in that it has protections for the volunteers who are eligible under this Act. This legislation authorizes the Secretary to accept the services of individuals in hazardous duty only upon a determination by the Secretary that such individuals are skilled in performing hazardous activities and it ensures that an appropriate U.S. officer or employee provides adequate and appropriate supervision of each volunteer. Perhaps most importantly this Act prohibits the Secretary from permitting the use of such volunteers in law enforcement work, in regulatory and enforcement work, in policy-making processes, or to displace any employee. It is vital that when we craft legislation such as this that we make sure it protects paid workers who could be compromised by the presence of unpaid volunteers. It is easy to be in favor of this legislation thanks to the protections instated in the language.

I am in full support of this legislation because it has an altruistic spirit. There are a great many Americans every year who give of their time to others without any compensation or material reward. We should be taking down the barriers that might needlessly keep them from these volunteer pursuits. This legislation allows those interested in volunteering for the Department of the Interior to take part in responsibilities that would have previously been blocked from them. The responsibilities under the management of the Department of the Interior are immense and require a great deal of good and willing manpower. This program will help alleviate that burden in a sensible manner. I hope this program will also be used to recruit and train volunteers from areas such as the inner-city where many people never been get to see our grand National Parks. Perhaps in the future this program can be supplemented to provide grants and scholarships to college-age inner-city youths to spend time working in our great outdoors. These experiences have been proven to expand the horizons of young people who often only get to see blighted urban landscapes. It is time that Americans from all parts of our great nation get to experience all the various landscapes and environments our vast country has to offer. This legislation is a good start and I hope that we will continue to take the initiative to expand this program.

Ms. BORDALLO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HAYWORTH. Mr. Speaker, in the spirit of bipartisanship, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 4170, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SODA ASH ROYALTY REDUCTION ACT OF 2004

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 4625) to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

The Clerk read as follows:

H.R. 4625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Soda Ash Royalty Reduction Act of 2004".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The combination of global competitive pressures, flat domestic demand, and spiraling costs of production threaten the future of the United States soda ash industry.

(2) Despite booming world demand, growth in United States exports of soda ash since 1997 has been flat, with most of the world's largest markets for such growth, including Brazil, the People's Republic of China, India, the countries of eastern Europe, and the Republic of South Africa, have been closed by protectionist policies.

(3) The People's Republic of China is the prime competitor of the United States in soda ash production, and recently supplanted the United States as the largest producer of soda ash in the world.

(4) Over 700 jobs have been lost in the United States soda ash industry since the Department of the Interior increased the royalty rate on soda ash produced on Federal land, in 1996.

(5) Reduction of the royalty rate on soda ash produced on Federal land will provide needed relief to the United States soda ash industry and allow it to increase export growth and competitiveness in emerging world markets, and create new jobs in the United States.

SEC. 3. REDUCTION IN ROYALTY RATE ON SODA ASH.

Notwithstanding section 102(a)(9) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 5-year period beginning on the date of the enactment of this Act shall be 2 percent.

SEC. 4. STUDY.

After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this Act, including—

(1) the amount of sodium compounds and related products at the point of shipment to market from Federal land during that 4-year period;

(2) the number of jobs that have been created or maintained during the royalty reduction period;

(3) the total amount of royalty paid to the United States on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market produced during that 4-year period, and the portion of such royalty paid to States; and

(4) a recommendation of whether the reduced royalty rate should apply after the end of the 5-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentle-

woman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

GENERAL LEAVE

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4625.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Mrs. CUBIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to start by thanking the ranking member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), for his kindness in waiving the rule that establishes the ratio of suspension bills and allowing me to bring this bill up today, rather than having to wait until a later day. I also want to thank the gentleman from West Virginia (Mr. RAHALL) and his staff for all the courteous friendship and work that we have done on this bill.

Mr. Speaker, plainly stated, H.R. 4625 would help balance the unfair playing field in the world market and allow the United States trona producers to face growing competition from countries like China.

The United States soda ash industry, which until recently was the largest in the world, has operations in Wyoming, Colorado and California, with the bulk of the total production through four plants in the great State of Wyoming. The total estimated value of the industry is around \$800 million.

If you read the papers or watch the news, you know that current economic indicators show that the Nation's economy on the whole is gaining momentum, but the hard-working men and women of Wyoming in the soda ash industry continue to lose their jobs to countries like China.

Seven hundred jobs have been lost in the Wyoming trona industry. The new, rosy economic numbers do not help these families put food on the table. They do not help them buy a new car or buy homes, and they do not help put their children through college. They do not help them sleep at night either. But this bill will provide reassurance for the 3,000 men and women who now work in the trona industry in Wyoming and the other States in the United States.

The future of the soda ash industry is being threatened by a number of factors, including China's announced plans to increase existing soda ash plant capacity by 600,000 tons this year and to construct another new plant that will produce 900,000 tons when completed. It is distressing indeed to consider this level of production, when we know how the Chinese exploit cheap labor and almost completely disregard environmental standards.

Furthermore, the domestic market for soda ash has been stagnant for