The PRESIDING OFFICER. The Senator from Oklahoma.

WAR CRIMES ACT OF 1996

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3680 which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3680) to amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. INHOFE. Mr. President, this particular act is known as the War Crimes Act of 1996. This was called to my attention by a very articulate young Congressman from North Carolina, Walter Jones, Jr., whose father we served with for many, many years over in the House of Representatives.

He was very observant in discovering something, that after 40 years, after the ratification of the Geneva Conventions, that it was not self-enacting, and we actively have never passed the necessary legislation to accept jurisdiction within our Federal courts to prosecute war crimes that we were aware of.

So this legislation will correct that after this long period of time. It is kind of inconceivable to me that we would send out to battle and to various parts of the world our young troops, trying to equip them properly—I would say properly, that if we ever get our authority and have these people ready to do the work that they are trained to do, and yet if a crime is perpetrated against them, and that criminal happens to be in the United States, we cannot even prosecute them in our Federal courts. That is all going to come to a stop.

I think also this bill might even address another problem that is taking place right now in this country. As you know, I am from Oklahoma. And one of the worst terrorist acts took place just a little over a year ago in Oklahoma City with the bombing of the Murrah Federal Office Building. And with all of the terrorist acts recently, this could act as a deterrent, this War Crimes Act of 1996, for people who may be considering perpetrating some terrorist act that could be defined as a war crime.

So I believe this is something that should have been done some 40 years ago, but was not. So we will correct that tonight. This has been cleared by both sides.

Mr. HELMS. Mr. President, this bill will help to close a major gap in our Federal criminal law by permitting American servicemen and nationals, who are victims of war crimes, to see the criminal brought to justice in the United States.

Before addressing the need for this legislation, let me thank and commend the distinguished WALTER JONES, who so ably represented the 3rd district of North Carolina, for his commitment and hard work toward the passage of this bill. I’d also like to thank my distinguished colleague, Senator JAMES INHOFE, for his support of this important bill.

Many have not realized that the U.S. cannot prosecute, in Federal court, the perpetrators of some war crimes against American servicemen and nationals. Currently, if the United States were to find a war criminal within our borders—for example, one who had murdered an American POW—the only options would be to deport or extradite the criminal or to try him or her before an international war crimes tribunal or military commission. Alone, these options are not enough to insure that justice is done.

While the Geneva Convention of 1949 grants the U.S. authority to criminally prosecute these acts, the Congress has never enacted implementing legislation. The War Crimes Act of 1996 corrects this oversight by giving Federal district courts jurisdiction to try individuals charged with committing a grave breach of the Geneva Conventions, whenever the victim or perpetrator is a U.S. soldier or national.

The bill would also allow an American, who is charged with a war crime, to be tried in an American court and to receive all of the procedural protections afforded by our American justice system.

Mr. President, at a time when American servicemen and women serve our Nation in conflicts around the world, it is important that we give them every protection possible. I urge my colleagues to support this American Act and reaffirm our commitment to our country’s servicemen.

I ask unanimous consent that an article from the New York Times be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 22, 1996]

**Ms. Maloney and Mr. Waldheim**

(By A.M. Rosenthal)

For a full century, with determination and skill, and with the help of the law, U.S. intelligence agencies have kept secret the record of how they used Nazis for so many years after World War II, what the agencies got from these services and what they gave as payback.

Despite the secrecy blockade, we do now know one cooperative former Wehrmacht officer and war crimes suspect was treated. We know the U.S. got him the Secretary General of the U.N. as reward and base.

For more than two years, Congress has had legislation before it to allow the public access to information about U.S.-Nazi intelligence relations—a bill introduced by Reps. Carolyn B. Maloney, a Manhattan Democrat, and now winding through the legislative process.

If Congress passes her War Crimes Disclosures Act, H.R. 1281, questions critical to history and the conduct of foreign affairs can be answered and the power of government to limit them reduced.

Mr. INHOFE. Mr. President, I ask unanimous consent that the bill be
deemed read a third time, and passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The bill (H.R. 3680) was deemed read the third time and passed.

Mr. INHOFE. Thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

OREGON RESOURCE CONSERVATION ACT OF 1990 OPAL CREEK WILDERNESS AND OPAL CREEK SCENIC RECREATION AREA ACT OF 1996

Mr. HATFIELD. Mr. President, I ask unanimous consent to bring up S. 1662, which has been cleared on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1662) to establish areas of wilderness and recreation in the State of Oregon, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enactment of this Act, that:

(1) the following have been donated to the United States in an acceptable condition and without encumbrances:

(A) All right, title, and interest in the following patented parcels of land:

(i) Santiam number 1, mineral survey number 902, as described in patent number 39-92-0902, dated December 11, 1991.

(ii) Ruth Quartz Mine number 2, mineral survey number 994, as described in patent number 39-91-0994, dated February 12, 1991.

(B) Ruth Quartz Mine number 1, mineral survey number 990, as described in patent number 39-91-0990, dated February 12, 1991.

(2) All right, title, and interest held by any entity other than the Times Mirror Land and Timber Company, its successors and assigns, in and to lands located in section 18, township 8 south, range 5 east, Marion County, Oregon, Eureka numbers 6, 7, and 8, and 13 mining claims.

(C) A public easement across the Hewitt, Starvation, and Poor Boy Mill Sites, mineral survey number 990, as described in patent number 36-91-0011, dated May 9, 1991.

(2) bounding agreement has been executed by the Secretary and the owners of record as of March 29, 1996, of the following parcels, specifying the terms and conditions for the disposition of these parcels to the United States Government:

(A) The lode mining claims known as Princess Lode, Black Prince Lode, and King Number 4 Lode, embracing portions of sections 29 and 32, township 8 south, range 5 east, Marquette County, Oregon, the claims being more particularly described in the field notes and plat of mineral survey numbers 881, Oregon.

(B) Ruth Quartz Mine number 1, mineral survey number 994, as described in patent number 39-91-0994, dated February 12, 1991.

(c) EXPANSION OF SCENIC RECREATION AREA BOUNDARIES.—On acquiring all or substantially all of the land described in section 36, township 8 south, range 4 east, of the Willamette Meridian, Marion County, Oregon, by exchange, purchase on a willing seller basis, or donation, the Secretary shall expand the Scenic Recreation Area to include the land.

SEC. 104. ADMINISTRATION OF THE SCENIC RECREATION AREA.

(a) IN GENERAL.—The Secretary shall administer the Scenic Recreation Area in accordance with the laws (including regulations) applicable to the National Forest System.

(b) OPAL CREEK MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of establishment of the Scenic Recreation Area, the Secretary, in consultation with Oregon State Department of Fish and Wildlife, shall prepare a comprehensive Opal Creek Management Plan for the Scenic Recreation Area.

(2) INCORPORATION IN LAND AND RESOURCE MANAGEMENT PLAN.—On completion of the Opal Creek Management Plan, the Opal Creek Management Plan shall become part of the land and resource management plan for the Willamette National Forest and supersede any conflicting provision in the land and resource management plan.