

(2) to work to protect the historic sites of the Peleliu Battlefield National Historic Landmark; and

(3) to establish commemorative programs honoring the Americans who fought at those sites.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

My colleague from Arizona (Mr. FLAKE) has introduced legislation that seeks to honor an important anniversary marking a battle that took place in the Pacific theater during World War II. His resolution, H.J. Res. 102, commemorates the 60th anniversary of the Battle of Peleliu in the Palau island chain.

In particular, H.J. Res. 102 will recognize the admirable bravery and courage that thousands of United States Armed Forces members displayed during this battle. The actual formal date of the 60th anniversary of the Battle of Peleliu was on September 15, 2004, which makes the movement of this legislation even more timely. The unique history our country has with this freely associated state is one that should not be forgotten and continues strongly to this day. I am thus hopeful that the House can support the gentleman from Arizona's bill so that we may show our support of the many U.S. Armed Forces veterans and families who help us to remember this important time in history.

I urge the adoption of this joint resolution.

Madam Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Madam Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Madam Speaker, I certainly would like to commend the gentlemen from California and the gentleman from Arizona for their management of this proposed legislation.

Madam Speaker, I rise today in support of H.J. Res. 102 as offered by my good friend from Arizona (Mr. FLAKE) in recognition of the 60th anniversary of the Battle of Peleliu and the end of Japanese control of the Pacific islands of Palau.

The Battle of Peleliu was one of the bloodiest in the Pacific theater in World War II, lasting more than 2 months, during which the United States suffered over 10,000 casualties. As a result of this momentous battle, Japanese control of Palau was ended. Today, Palau is an independent, democratic country and a strong ally of our Nation.

As we are all well aware, Madam Speaker, freedom is not free. The price of freedom was paid in blood, and we owe a great debt of gratitude to the American forces who sacrificed their lives at the Battle of Peleliu so that Palau can enjoy freedom today. By this resolution, we in Congress will acknowledge the bravery and courage shown by the members of the United States Armed Forces in the Battle of Peleliu and work to ensure their sacrifices are never forgotten.

Over the years, it was my privilege, along with my colleagues in the House, to personally visit and meet with the leaders of the Republic of Palau. Although small in numbers as far as population goes, the Republic of Palau along with the Republic of the Marshall Islands and the Federated States of Micronesia are a strategically important region for our national security and defense.

Madam Speaker, I urge my colleagues to support this legislation and, again, commend my good friend from Arizona (Mr. FLAKE) for sponsoring this proposed legislation.

Mr. RADANOVICH. Madam Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Speaker, I thank the gentleman for yielding me this time and I thank the gentleman from American Samoa for speaking so eloquently on this bill. I appreciate the opportunity to offer this bill today, and I want to thank Chairman POMBO for including it on our floor action. The Battle of Peleliu, as mentioned by the gentleman from American Samoa, was one of the bloodiest in the Pacific theater in World War II. It lasted more than 2 months during which the United States suffered over 10,000 casualties, including an estimated 1,250 Marines and 540 soldiers killed in action in an attempt to capture a vital airfield from the Imperial Japanese.

In honor of that historic battle, myself, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) introduced this bill to recognize the service and sacrifice of the brave men who fought to end Imperial Japanese control over the Palau islands chain and all American servicemen who fought in the Pacific theater. It is important to note that one of those present at the battle was President George Herbert Walker Bush, the 41st President of the United States, who served as a torpedo bomber pilot in the Navy at that time. During the battle, then Navy Lieutenant Bush sank an armed Japanese trawler during operations to weaken Japanese defenses on Peleliu before United States Marines invaded the island. In addition, former Secretary of State George P. Shultz served as an officer in the Marine Corps detached to the 81st Infantry Division during the battle and participated in the seizure, occupation and defense of Angaur Island in the Palau islands chain.

In recognition of the battle's importance during the war, the Secretary of the Interior officially designated the Peleliu battlefield as the Peleliu Battlefield National Historic Landmark on February 4, 1985. The battlefield today has considerable evidence of the battle, including cave sites occupied by the defending Japanese troops as well as pillboxes, casemates and large military equipment.

This resolution urges the Secretary of the Interior to recognize the 60th anniversary of the Battle of Peleliu and work to protect the important sites of that battlefield. It is important to note that the battlefield is located in what is today the Republic of Palau. The Republic of Palau today is an independent, democratic nation with a strong ally in the United States. This is due in part to the sacrifices of the members of the United States Armed Forces who participated in the Battle of Peleliu 60 years ago. We honor them today.

Mr. GRIJALVA. Madam Speaker, I urge the favorable consideration of this measure.

Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the joint resolution, H.J. Res. 102.

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

A motion to reconsider was laid on the table.

#### RECOGNIZING 60TH ANNIVERSARY OF LIBERATION OF GUAM DURING WORLD WAR II

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 737) recognizing the 60th anniversary of the Liberation of Guam during World War II.

The Clerk read as follows:

H. RES. 737

Whereas Guam was attacked by Imperial Japanese Forces on December 8, 1941, at the same time that Pearl Harbor, Hawaii, was attacked, the different dates owing to the International Date Line;

Whereas Guam was subsequently invaded by enemy forces on December 10, 1941, and occupied until liberation on July 21, 1944;

Whereas the people of Guam suffered a brutal occupation due to their steadfast loyalty to the United States;

Whereas, during the 32-month occupation, the people of Guam suffered atrocities, such as forced labor, forced march, internment, injury, and death, including public executions; and

Whereas the loyalty and courage of the people of Guam during this period in American history serves as an inspiration for all Americans: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the year 2004 as the 60th anniversary of the Liberation of Guam during World War II;

(2) recognizes the extraordinary heroism and steadfast loyalty exhibited by the people of Guam who endured the occupation;

(3) recognizes the bravery and courage of all members of the United States Armed Forces who participated in the battle to recapture and liberate Guam, and all veterans who fought in the Pacific Theater during World War II;

(4) encourages the American people to commemorate the Liberation of Guam and to observe the anniversary of the significant battles of the Pacific Theater during World War II; and

(5) requests the Secretary of the Interior to establish commemorative programs honoring the liberators and the people of Guam at the War in the Pacific National Historical Park in Guam.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

The gentlewoman from Guam (Ms. BORDALLO) has introduced legislation that is poignant to the people of her territory and thousands of United States veterans. The United States' presence on this island traces back to 1898. But one of the most significant days that the U.S. and Guam share in our unique history is that of December 7, 1941. While the Japanese were attacking Pearl Harbor in Hawaii, they were also preparing an attack and invasion of Guam just hours later.

I urge the adoption of this bill.

Madam Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Madam Speaker, I yield myself such time as I may consume. I would like to commend the sponsor of this bill, the gentlewoman from Guam (Ms. BORDALLO), for bringing forward this most important measure.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Guam (Ms. BORDALLO).

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

Ms. BORDALLO. Madam Speaker, I thank my good friend from Arizona for yielding me the time to speak briefly on this resolution which I introduced on July 21 to coincide with the 60th anniversary of the landing of U.S. forces on the beaches of Asan and Agat in southern Guam to liberate the only American community to have been occupied by a foreign power since the War of 1812.

□ 1615

As many of my colleagues realize, Guam was attacked by the Imperial Japanese forces only hours after Pearl Harbor was bombed. The people of Guam endured a 32-month occupation at the hands of the enemy. U.S. forces returned in 1944 to liberate the people of Guam, who remained extraordinarily loyal to the United States of America during the occupation.

The liberation of Guam is a defining moment in our history and in Guam's relationship with the United States. The valor of the U.S. forces who participated in the liberation of Guam is of special significance. The courage of our people of Guam who experienced the war is profoundly noteworthy. Theirs is a story which deserves to be told to all Americans. It is a story of great sacrifice and dignity.

As commemorations of the 60th anniversary of the end of the war in Pacific nears, I am pleased we were able to take the time today to bring recognition to Guam and Peleliu. I thank the gentleman from California (Chairman POMBO) and the gentleman from West Virginia (Mr. RAHALL), ranking member, for their support. I also extend thanks to the gentleman from Arizona (Mr. FLAKE) and the gentleman from American Samoa (Mr. FALEOMAVAEGA), cochairs of this resolution, for bringing recognition to these events. I thank the many other cosponsors and urge unanimous agreement.

Mr. GRIJALVA. Madam Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Madam Speaker, let me take this opportunity to thank the gentleman from Arizona and especially the gentlewoman from Guam for bringing forth this resolution.

Having visited that wonderful territory on two different occasions and having participated in a veterans' ceremony there in Guam, I know how very important it is that this piece of legislation commemorate the courage of the Guamanians in their struggle for freedom. I think it is certainly fitting and appropriate. I thank the gentleman for this opportunity to speak in favor of the measure.

Mr. RADANOVICH. Madam Speaker, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Speaker, I thank the gentleman from California for yielding me this time.

I want to thank the gentlewoman from Guam (Ms. BORDALLO) for bringing this forward. We had the opportunity earlier this year to go to Guam and visit the beautiful island and stand on the overlook overlooking Asan Beach where over 12,000 Americans died retaking that island. As the gentlewoman from Guam (Ms. BORDALLO) said, the people of Guam were extremely loyal during that period of occupation and have been ever since. It is a pleasure to work with her on these issues of importance to people of Guam, and I urge agreement of this resolution.

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

Mr. GRIJALVA. Madam Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I too would like to echo the sentiments expressed earlier by the gentleman from Arizona (Mr. FLAKE).

One wonders what does a landlocked State like Arizona have in common with the Island of Guam? I say it quite simply, Madam Speaker: We are all Americans. And I certainly commend the gentleman's sentiments and his remarks concerning the celebration of the 60th anniversary of the liberation of Guam as expressed by House Resolution 737 offered by the gentlewoman from Guam (Ms. BORDALLO).

I also would like to extend my appreciation to the gentleman from California for his management of this legislation. I thank the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL) as chairman and the ranking member of the Committee on Resources. And I would be remiss if I did not also express my appreciation to the gentleman from Missouri (Mr. SKELTON), ranking member of the Committee on Armed Services for his compliments concerning this proposed legislation.

One of the things that I would like to share with my colleagues about this occasion, the 60th anniversary of the liberation of Guam, and it is one of the dark pages of our history, the fact that the U.S. nationals, Chamorros, who were militarily under the Imperial Japanese forces for some 2 years and 8 months, the question has always come to mind why these U.S. nationals who owed allegiance to the United States were never evacuated along with U.S. citizens before the oncoming forces of the Imperial Japanese naval and armed forces coming to this island? I need to remind my colleagues of the atrocities that were committed against these U.S. nationals, Chamorros. I recall rather distinctly our former colleague, the gentleman from Guam, Bob Underwood's relatives who were summarily executed by the Japanese in the occupation for 2 years and 8 months before, finally, U.S. forces came to liberate these loyal Americans.

I sincerely hope that perhaps we need to look at this with greater depth and appreciation of what the sacrifices that these U.S. nationals, who owed permanent allegiance to the United States, had suffered and why we never were able to evacuate them as we should have along with all the U.S. citizens who were on that island.

Again I want to thank the gentlewoman from Guam (Ms. BORDALLO) for proposing this resolution and thank the members of the Committee on Resources and the gentleman from California for his support of this legislation.

I urge my colleagues to agree to House Resolution 737.

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

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and agree to the resolution, H. Res. 737.

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

A motion to reconsider was laid on the table.

#### COLORADO RIVER INDIAN RESERVATION BOUNDARY CORRECTION ACT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2941) to correct the south boundary of the Colorado River Indian Reservation in Arizona, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2941

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

#### SECTION 1. SHORT TITLE, FINDINGS, PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the “Colorado River Indian Reservation Boundary Correction Act”.

(b) FINDINGS.—Congress finds the following:

(1) The Act of March 3, 1865, created the Colorado River Indian Reservation (hereinafter “Reservation”) along the Colorado River in Arizona and California for the “Indians of said river and its tributaries”.

(2) In 1873 and 1874, President Grant issued Executive Orders to expand the Reservation southward and to secure its southern boundary at a clearly recognizable geographic location in order to forestall non-Indian encroachment and conflicts with the Indians of the Reservation.

(3) In 1875, Mr. Chandler Robbins surveyed the Reservation (hereinafter “the Robbins Survey”) and delineated its new southern boundary, which included approximately 16,000 additional acres (hereinafter “the La Paz lands”), as part of the Reservation.

(4) On May 15, 1876, President Grant issued an Executive Order that established the Reservation’s boundaries as those delineated by the Robbins Survey.

(5) In 1907, as a result of increasingly frequent trespasses by miners and cattle and at the request of the Bureau of Indian Affairs, the General Land Office of the United States provided for a resurvey of the southern and southeastern areas of the Reservation.

(6) In 1914, the General Land Office accepted and approved a resurvey of the Reservation conducted by Mr. Guy Harrington in 1912 (hereinafter the “Harrington Resurvey”) which confirmed the boundaries that were delineated by the Robbins Survey and established by Executive Order in 1876.

(7) On November 19, 1915, the Secretary of the Interior reversed the decision of the General Land Office to accept the Harrington Resurvey, and upon his recommendation on November 22, 1915, President Wilson issued Executive Order No. 2273 “. . . to correct the error in location said southern boundary line . . .” and thus effectively excluded the La Paz from the Reservation.

(8) Historical evidence compiled by the Department of the Interior supports the conclusion that the reason given by the Secretary in recommending that the President issue the 1915 Executive Order—“to correct an error in locating the southern boundary”—

was itself in error and that the La Paz lands should not have been excluded from the Reservation.

(9) The La Paz lands continue to hold cultural and historical significance, as well as economic development potential, for the Colorado River Indian tribes, who have consistently sought to have such lands restored to their Reservation.

(c) PURPOSES.—The purposes of this Act are:

(1) To correct the south boundary of the Reservation by reestablishing such boundary as it was delineated by the Robbins Survey and affirmed by the Harrington Resurvey.

(2) To restore the La Paz lands to the Reservation, subject to valid existing rights under Federal law and to provide for continued reasonable public access for recreational purposes.

(3) To provide for the Secretary of the Interior to review and ensure that the corrected Reservation boundary is resurveyed and marked in conformance with the public system of surveys extended over such lands.

#### SEC. 2. BOUNDARY CORRECTION, RESTORATION, DESCRIPTION.

(a) BOUNDARY.—The boundaries of the Colorado River Indian Reservation are hereby declared to include those boundaries as were delineated by the Robbins Survey, affirmed by the Harrington Survey, and described as follows: The approximately 15,375 acres of Federal land described as “Lands Identified for Transfer to Colorado River Indian Tribes” on the map prepared by the Bureau of Land Management entitled “H.R. 2981, Colorado River Indian Reservation Boundary Correction Act, and dated May 14, 2004”, (hereinafter referred to as the “Map”).

(b) MAP.—The Map shall be available for review at the Bureau of Land Management.

(c) RESTORATION.—Subject to valid existing rights under Federal law, all right, title, and interest of the United States to those lands within the boundaries declared in subsection (a) that were excluded from the Colorado River Indian Reservation pursuant to Executive Order No. 2273 (November 22, 1915) are hereby restored to the Reservation and shall be held in trust by the United States on behalf of the Colorado River Indian Tribes.

(d) EXCLUSION.—Excluded from the lands restored to trust status on behalf of the Colorado River Indian Tribes that are described in subsection (a) are 2 parcels of Arizona State Lands identified on the Map as “State Lands” and totaling 320 acres and 520 acres.

#### SEC. 3. RESURVEY AND MARKING.

The Secretary of the Interior shall ensure that the boundary for the restored lands described in section 2(a) is surveyed and clearly marked in conformance with the public system of surveys extended over such lands.

#### SEC. 4. WATER RIGHTS.

The restored lands described in section 2(a) and shown on the Map shall have no Federal reserve water rights to surface water or ground water from any source.

#### SEC. 5. PUBLIC ACCESS.

Continued access to the restored lands described in section 2(a) for hunting and other existing recreational purposes shall remain available to the public under reasonable rules and regulations promulgated by the Colorado River Indian Tribes.

#### SEC. 6. ECONOMIC ACTIVITY.

(a) IN GENERAL.—The restored lands described in section 2(a) shall be subject to all rights-of-way, easements, leases, and mining claims existing on the date of the enactment of this Act. The United States reserves the right to continue all Reclamation projects, including the right to access and remove mineral materials for Colorado River maintenance on the restored lands described in section 2(a).

(b) ADDITIONAL RIGHTS-OF-WAY.—Notwithstanding any other provision of law, the Secretary, in consultation with the Tribe, shall grant additional rights-of-way, expansions, or renewals of existing rights-of-way for roads, utilities, and other accommodations to adjoining landowners or existing right-of-way holders, or their successors and assigns, if—

(1) the proposed right-of-way is necessary to the needs of the applicant;

(2) the proposed right-of-way acquisition will not cause significant and substantial harm to the Colorado River Indian Tribes; and

(3) the proposed right-of-way complies with the procedures in part 169 of title 25, Code of Federal Regulations consistent with this subsection and other generally applicable Federal laws unrelated to the acquisition of interests on trust lands, except that section 169.3 of those regulations shall not be applicable to expansions or renewals of existing rights-of-way for roads and utilities.

(c) FEES.—The fees charged for the renewal of any valid lease, easement, or right-of-way subject to this section shall not be greater than the current Federal rate for such a lease, easement, or right-of-way at the time of renewal if the holder has been in substantial compliance with all terms of the lease, easement, or right-of-way.

#### SEC. 7. GAMING.

Land taken into trust under this Act shall neither be considered to have been taken into trust for gaming nor be used for gaming (as that term is used in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

H.R. 2941, which is sponsored by the gentleman from Arizona (Mr. GRIJALVA), would restore about 16,000 acres of public lands in Arizona to the Colorado River Indian Reservation. Passage of this bill takes us one step closer to righting an historic injustice to the Colorado River Indian Tribes.

I urge passage of the bill, and I will now allow the author to further explain the bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the Colorado River Indian Reservation Boundary Correction Act, as amended, will correct a longstanding injustice. In the early part of the 20th century, nearly 16,000 acres of land was stripped from the Colorado River Indian Tribes’ reservation in response to heavy lobbying from a private mining company that wanted to open up a silver mine in the lands.

The Tribes were never provided with an opportunity to challenge the decision, nor were they ever compensated for the loss their lands. Subsequent reviews by the Department of Interior concluded that the lands were inappropriately removed from the reservation and should be returned to the Tribes.