

It is for all of these reasons that Col. Collins' accomplishment is all the more historic. The selection of Col. Eileen Collins as the first female space shuttle commander has raised the level of awareness and appreciation of women's contributions in the advancement of science.

I would like to congratulate the crew of Shuttle Mission STS-93 and honor Col. Eileen Collins on being the first female commander of a United States space shuttle.

In recognition of the important contribution Col. Eileen Collins has made to the U.S. space program and to the advancement of women in science, I would like to invite Col. Collins and the crew of STS-93 to the United States Capitol to be honored and recognized by the House of Representatives for their achievements.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 267.

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.

FOR THE RELIEF OF GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION, KERR-MCGEE CORPORATION, AND KERR-MCGEE CHEMICAL, LLC

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 606) for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes, as amended.

The Clerk read as follows:

S. 606

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

SECTION 1. SATISFACTION OF CLAIMS AGAINST THE UNITED STATES.

(a) PAYMENT OF CLAIMS.—The Secretary of the Treasury shall pay, out of money not otherwise appropriated—

(1) to the Global Exploration and Development Corporation, a Florida corporation incorporated in Delaware, \$9,500,000;

(2) to Kerr-McGee Corporation, an Oklahoma corporation incorporated in Delaware, \$10,000,000; and

(3) to Kerr-McGee Chemical, LLC, a limited liability company organized under the laws of Delaware, \$0.

(b) CONDITION OF PAYMENT.—

(1) GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION.—The payment authorized by subsection (a)(1) is in settlement and compromise of all claims of Global Exploration and Development Corporation, as described in the recommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(2) KERR-MCGEE CORPORATION AND KERR-MCGEE CHEMICAL, LLC.—The payment authorized by subsections (a)(2) and (a)(3) are in settlement and compromise of all claims of Kerr-McGee Corporation and Kerr-McGee Chemical, LLC, as described in the rec-

ommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(c) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than \$1,000.

SEC. 2. CRIMINAL PROHIBITION ON THE DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

“(p) DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘destructive device’ has the same meaning as in section 921(a)(4);

“(B) the term ‘explosive’ has the same meaning as in section 844(j); and

“(C) the term ‘weapon of mass destruction’ has the same meaning as in section 2332a(c)(2).

“(2) PROHIBITION.—It shall be unlawful for any person—

“(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal crime of violence; or

“(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence.”.

(b) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “person who violates any of subsections” and inserting the following: “person who—

“(1) violates any of subsections”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(2) violates subsection (p)(2) of section 842, shall be fined under this title, imprisoned not more than 20 years, or both.”; and

(2) in subsection (j), by inserting “and section 842(p)” after “this section”.

SEC. 3. SETTLEMENT OF CLAIMS OF MEMOINIEE INDIAN TRIBE OF WISCONSIN.

(a) PAYMENT.—The Secretary of the Treasury shall pay to the Menominee Indian Tribe of Wisconsin, out of any funds in the Treasury of the United States not otherwise appropriated, \$32,052,547 for damages sustained by the Menominee Indian Tribe of Wisconsin by reason of—

(1) the enactment and implementation of the Act entitled “An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction”, approved June 17, 1954 (68 Stat. 250 et seq., chapter 303); and

(2) the mismanagement by the United States of assets of the Menominee Indian

Tribe held in trust by the United States before April 30, 1961, the effective date of termination of Federal supervision of the Menominee Indian Tribe of Wisconsin.

(b) EFFECT OF PAYMENT.—Payment of the amount referred to in subsection (a) shall be in full satisfaction of any claims that the Menominee Indian Tribe of Wisconsin may have against the United States with respect to the damages referred to in that subsection.

(c) REQUIREMENTS FOR PAYMENT.—The payment to the Menominee Indian Tribe of Wisconsin under subsection (a) shall—

(1) have the status of a judgment of the United States Court of Federal Claims for the purposes of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.); and

(2) be made in accordance with the requirements of that Act on the condition that, of the amounts remaining after payment of attorney fees and litigation expenses—

(A) at least 30 percent shall be distributed on a per capita basis; and

(B) the balance shall be set aside and programmed to serve tribal needs, including funding for—

(i) educational, economic development, and health care programs; and

(ii) such other programs as the circumstances of the Menominee Indian Tribe of Wisconsin may justify.

(d) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than \$1,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

GENERAL LEAVE

Mr. MCCOLLUM. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, section 1 of this legislation will right a long-standing wrong involving the Federal Government and Global Exploration and Development Corporation and Kerr-McGee Corporation. Global and Kerr-McGee became embroiled in a dispute with the Department of Interior more than 20 years ago when they were improperly denied an opportunity to participate in the environmental assessment process of a potential mining site in the Osceola Forest in Florida.

In January 1991, I introduced legislation for the relief of Global and Kerr-McGee for damages incurred due to wrongful government actions. That bill was successfully referred to the U.S. Court of Federal Claims which ruled

that the Government had, in fact, committed a wrongful act. The parties subsequently reached a settlement, the terms of which are embodied in this legislation.

Mr. Speaker, I am hopeful that the passage of this legislation will bring long awaited and long overdue relief for the parties involved. Protecting private rights and rectifying public wrongs are essential if we are truly a government of, for, and by the people.

The second section of S. 606, authored by Senator DIANE FEINSTEIN, would amend the Federal Criminal Code to prohibit any person from teaching or demonstrating the making or use of an explosive, destructive device, or weapon of mass destruction. This conduct would be criminal if accompanied by either the intent that the teaching, demonstrating, or information be used for or in furtherance of an activity that constitutes a Federal crime of violence, or knowing that a person intends to use the teaching, demonstration, or information for such activity.

We live in dangerous times and some believe that in the next century we may witness an unprecedented number of acts of terror in the United States. We face the very real threat that a weapon of mass destruction will be used against civilians in a major American city in the next 10 or 20 years. We certainly pray that does not happen, but we must do everything in our power to reduce the threat of terrorism on a massive scale.

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No one should be allowed to distribute bomb-making information with the intent that it be based and be used to commit a violent crime. This legislation has been carefully crafted to prohibit and punish conduct, not speech, and I am quite confident it will withstand constitutional challenge. Senator FEINSTEIN worked with the Justice Department on the constitutionality, and they support it.

With the Internet, it has become all too easy to disseminate bomb-making information to anyone with a personal computer. While we cannot and should not inhibit constitutionally-protected speech, we can and should do everything in our power to prohibit the dissemination of bomb-making information to commit a violent crime.

Similar or virtually identical provisions were passed on the floor of this House were passed previously and I am confident this will now finally become law if we pass it today.

Now, I turn to section 3 of this bill. S.606 additionally authorizes the U.S. Government to finally make good on a \$32 million court settlement with the Menominee Indian Tribe of Wisconsin. The history of this settlement can be traced back to 1954, when the Federal Government terminated the tribe's Federal trust status and the Bureau of

Indian Affairs grossly mismanaged many of the tribe's assets.

In 1967, the tribe filed a lawsuit challenging this determination and seeking damages. After decades of litigation, in 1993 Congress passed a congressional reference directing the U.S. Claims Court to determine what damages, if any, were owed the tribe.

Finally, in August of last year, the tribe and the Federal Government presented a settlement agreement to the Claims Court paying the tribe \$32 million. That settlement was approved by the court. These dollars will only be used to improve education, health care, and economic opportunities for the tribe and the areas surrounding the reservation.

I particularly want to commend the gentleman from Wisconsin (Mr. GREEN) and the gentleman from Wisconsin (Mr. SENSENBRENNER) for their work in this particular area.

In closing, Mr. Speaker, though these three provisions are somewhat related, and as such a good illustration of the more open rules of process employed by the other body, each of the legislative initiatives contained within S.606 are straightforward and relatively non-controversial. I ask for the support of this bill.

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

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

Mr. Speaker, this bill, which passed both the Subcommittee on Immigration and Claims and the full Committee on the Judiciary during the 105th Congress, and passed the full Senate this year, will pay \$10 million and \$9,500,000 respectively to Kerr-McGee Corporation and Global Exploration and Development Corporation based on the recommendation made by the Court of Claims as to the amounts equitably due those companies.

This legislation is intended to resolve litigation between the Federal Government and these corporations. This litigation was based upon the corporations' allegations that the United States improperly failed to grant or approve leases or to allow phosphate mining by Global and Kerr-McGee Corporations in Osceola National Forest.

After a 6-week trial before the Court of Federal Claims, but before the court could issue an opinion, the parties agreed to a joint stipulation of settlement and submitted this stipulation to the court. On November 18, 1996, the court published its recommendation to Congress that the disputes be settled for the amounts set forth in this bill.

The Court's recommendation to Congress was not based upon the finding of any wrongdoing by the United States in its dealings with Global or the Kerr-McGee Corporations. Rather, the court's recommendation was based upon and limited to a finding that an equitable claim against the United

States existed and it was in the best interest of all parties to settle this claim for the amounts set forth in the bill.

Mr. Speaker, I urge that my colleagues vote in favor of passing S. 606.

Mr. Speaker, I would note that the section referred to in the bill by my colleague, the chairman of the Subcommittee on Crime, relative to penalties for teaching individuals weapons of mass destruction may or may not prove violative of the first amendment. But clearly a very strong effort has been made to comport with the requirements of the first amendment, and I would urge my colleagues to support the measure. We will certainly find out soon enough whether our efforts to succeed in that regard are successful or not when the measure is challenged in court.

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

Mr. MCCOLLUM. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Let me just put a word of procedural caution relative to how this bill is being considered. All three of the provisions of this bill have merit and should be enacted into law on their own. Two of them are private bills in nature, the Kerr-McGee settlement and the Menominee Indian Tribe settlement, and the other provision is public in nature relative to disseminating on the Internet a do-it-yourself kit on how individuals can make their own weapons of mass destruction. So they all should become law, and I support this legislation today.

However, I am disturbed at the practice of the other body in mixing public and private legislation in the same bill, and I would hope that the consideration of this bill today as a mixture of both public legislation and private legislation will not be viewed as a precedent for future mixings by either this body or the other body.

I would hope that this motion to suspend the rules will be overwhelmingly agreed to so that we can get these three items out of the way and enacted into law, but I would hope we would be a little bit more careful procedurally as we deal with both public and private legislation in the future.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume to simply respond that I think the gentleman from Wisconsin's point is well taken, I concur, and I also agree we should move forward today but we ought to be more vigilant. I appreciate his remarks.

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

Mr. MCCOLLUM. Mr. Speaker, I yield myself such time as I may consume to conclude.

I think it has been well stated what is in this legislation. It is good legislation. It is three separate provisions that should become law, and I urge its adoption.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Florida (Mr. MCCOLLUM) that the House suspend the rules and pass the Senate bill, S. 606, as amended.

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

A motion to reconsider was laid on the table.

ARCTIC TUNDRA HABITAT EMERGENCY CONSERVATION ACT

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2454) to assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend, by directing the Secretary of the Interior to implement rules to reduce the overabundant population of mid-continent light geese, as amended.

The Clerk read as follows:

H.R. 2454

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 "Arctic Tundra Habitat Emergency Conservation Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—*The Congress finds the following:*

(1) *The winter index population of mid-continent light geese was 800,000 birds in 1969, while the total population of such geese is more than 5,200,000 birds today.*

(2) *The population of mid-continent light geese is expanding by over 5 percent each year, and in the absence of new wildlife management actions it could grow to more than 6,800,000 breeding light geese in 3 years.*

(3) *The primary reasons for this unprecedented population growth are—*

(A) *the expansion of agricultural areas and the resulting abundance of cereal grain crops in the United States;*

(B) *the establishment of sanctuaries along the United States flyways of migrating light geese; and*

(C) *a decline in light geese harvest rates.*

(4) *As a direct result of this population explosion, the Hudson Bay Lowlands Salt-Marsh ecosystem in Canada is being systematically destroyed. This ecosystem contains approximately 135,000 acres of essential habitat for migrating light geese and many other avian species. Biologists have testified that 1/3 of this habitat has been destroyed, 1/3 is on the brink of devastation, and the remaining 1/3 is overgrazed.*

(5) *The destruction of the Arctic tundra is having a severe negative impact on many avian species that breed or migrate through this habitat, including the following:*

(A) *Canada Goose.*

(B) *American Wigeon.*

(C) *Dowitcher.*

(D) *Hudsonian Godwit.*

(E) *Stilt Sandpiper.*

(F) *Northern Shoveler.*

(G) *Red-Breasted Merganser.*

(H) *Oldsquaw.*

(I) *Parasitic Jaeger.*

(J) *Whimbrel.*

(K) *Yellow Rail.*

(6) *It is essential that the current population of mid-continent light geese be reduced by 50 percent by the year 2005 to ensure that the fragile Arctic tundra is not irreversibly damaged.*

(b) PURPOSES.—*The purposes of this Act are the following:*

(1) *To reduce the population of mid-continent light geese.*

(2) *To assure the long-term conservation of mid-continent light geese and the biological diversity of the ecosystem upon which many North American migratory birds depend.*

SEC. 3. FORCE AND EFFECT OF RULES TO CONTROL OVERABUNDANT MID-CONTINENT LIGHT GEESE POPULATIONS.

(a) FORCE AND EFFECT.—

(1) IN GENERAL.—*The rules published by the Service on February 16, 1999, relating to use of additional hunting methods to increase the harvest of mid-continent light geese (64 Fed. Reg. 7507-7517) and the establishment of a conservation order for the reduction of mid-continent light goose populations (64 Fed. Reg. 7517-7528), shall have the force and effect of law.*

(2) PUBLIC NOTICE.—*The Secretary, acting through the Director of the Service, shall take such action as is necessary to appropriately notify the public of the force and effect of the rules referred to in paragraph (1).*

(b) APPLICATION.—*Subsection (a) shall apply only during the period that—*

(1) *begins on the date of the enactment of this Act; and*

(2) *ends on the latest of—*

(A) *the effective date of rules issued by the Service after such date of enactment to control overabundant mid-continent light geese populations;*

(B) *the date of the publication of a final environmental impact statement for such rules under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)); and*

(C) *May 15, 2001.*

(c) RULE OF CONSTRUCTION.—*This section shall not be construed to limit the authority of the Secretary or the Service to issue rules, under another law, to regulate the taking of mid-continent light geese.*

SEC. 4. DEFINITIONS.

In this Act:

(1) MID-CONTINENT LIGHT GEESE.—*The term "mid-continent light geese" means Lesser snow geese (Anser caerulescens caerulescens) and Ross' geese (Anser rossii) that primarily migrate between Canada and the States of Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.*

(2) SECRETARY.—*The term "Secretary" means the Secretary of the Interior.*

(3) SERVICE.—*The term "Service" means the United States Fish and Wildlife Service.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

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

Mr. Speaker, I am pleased that we are considering H.R. 2454, the Arctic Tundra Habitat Emergency Conservation Act. This bipartisan legislation addresses the devastating impact of an exploding population of light geese, more commonly known as snow geese.

Included within the Members' folders is a chronology on the issue. The U.S. Fish and Wildlife Service has been monitoring snow geese populations for over 50 years. During that time the mid-continent population, that is the population that frequents the Mississippi flyway, has increased from 800,000 birds in 1969 to more than 5.2 million geese today. In the absence of new wildlife management actions, there will be more than 6 million breeding light geese in 3 years.

This unprecedented population explosion is creating serious problems. The geese appetite for Arctic coastal tundra has created a strip of desert stretching for 2,000 miles in Canada. These birds are world-class foragers, and their favorite foods are found in the 135,000 acres that comprise the Hudson Bay lowland salt marsh ecosystem. These geese are literally eating themselves out of house and home and, in the process, destroying thousands of acres of irreplaceable nesting habitat. These wetlands are crucial to the survival not only of light geese but to dozens of other species.

On February 16, the U.S. Fish and Wildlife Service issued two final rules to reduce this ever-expanding population of light geese. Sadly, in response to a legal challenge, the U.S. Fish and Wildlife Service withdrew these two regulations on June 17. While the judge did not rule on the merits of the regulations, the Service was instructed to complete an Environmental Impact Statement. This process will take between 12 and 18 months to complete, and during that time the tundra will continue to be systematically destroyed by an ever-increasing population of light geese.

This is a simple bill. It will reinstate the two regulations already carefully evaluated, approved and then withdrawn by the Fish and Wildlife Service. States would have the flexibility to allow the use of electronic goose calls and unplugged shotguns, and to implement conservation orders to take mid-continent light geese.

H.R. 2454 enacts these regulations in their identical form. In addition, the bill sunsets when the Service has completed both its Environmental Impact Statement and a new rule on mid-continent light geese. In short, this is an interim solution to a very serious and evergrowing environmental problem.

Mr. Speaker, I urge an "aye" vote.

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