

HOUSE OF REPRESENTATIVES—Monday, June 21, 1993

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 18, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on Monday, June 21, 1993.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Reverend Ronald F. Christian, Office of the Bishop, Lutheran Church in America, Washington, DC, offered the following prayer:

O God, Creator of all that exists and provider for all living things, we confess with the psalmist of old, that the heavens declare Your glory, and the firmament shows Your handiwork.

Remind us again of Your creative presence not only in nature and the natural order but in each one of us as Your son or daughter.

You have provided abundantly all the necessities of life.

You have given and still preserve my senses and limbs, my reason and faculties.

You have made available food and raiment.

You desire that each of us know peace and promise.

May our work this day be crowned with good success and receive a fair and just reward.

May the choices and decisions we make this day be based on solid facts and taken from a certain faith.

And, may our daily effort be sensed as both our duty to You and others but also our joy and fulfillment. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Pledge of Allegiance will be led by the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
June 21, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate at 5:16 p.m. on Friday, June 18, 1993, the Senate passed without amendment: H.R. 2343.

With great respect, I am
Sincerely yours,

DONALD K. ANDERSON,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, June 18, 1993:

H.R. 2343. An act to amend the Forest Resources Conservation and Shortage Relief Act of 1990 to permit States to adopt timber export programs, and for other purposes.

PRIME TIME LIVE OVERLOOKS WASTE CAUSED BY MEMBERS' USE OF THE FRANKING PRIVILEGE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, ABC's "Prime Time Live" is doing a show on Government waste. "Prime Time Live" is looking into tributes to our constituents back home and special orders. They are doing this because of the infamous Gang of Seven that is going to reform our Government and reinvent the wheel.

There is one problem with that. While "Prime Time Live" is looking into peanuts, there is tons of money going out the other door. One of the members of the Gang of Seven spent \$200,000 on franked mail alone in 1

year. Another of the infamous saviors of our Government spent \$134,000 on franked mail. To give some example, I spent \$6,500 on franked mail, and it serviced the mailing needs of my district.

"Prime Time Live" means well, they are trying to do what is right, but all they are doing is protecting the foxes in the henhouse, and they had better get their facts straight. I do not like it.

PINOCCHIO OF THE POTOMAC

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, America has always had an affection for tellers of tall tales. Davy Crockett in his coonskin cap, Mike Fink's exploits on the Ohio, and Paul Bunyan with his blue ox, Babe, are all endearing parts of our heritage.

Evidently, President Clinton wanted to capture some of this affection this weekend when he began spinning his own tall tales, by calling his tax bill an economic plan and saying Republicans had offered no alternative.

Mr. Clinton knows we Republicans on the House Budget Committee offered him 430 billion dollars' worth of spending cuts, but like any master of fiction, he's not about to let the truth get in the way of a good story.

President Clinton has become America's Pinocchio of the Potomac, except that every time he tells a fib it is our deficit and tax bill that grows. His economic plan is going to cost America \$322 billion in new taxes and \$1 trillion in new debt over the next 5 years.

In contrast to America's endearing tellers of tall tales, President Clinton is going to be an enduring one. Stacking dollar on dollar of new spending and taking dollar after dollar from America's pocket he is guaranteeing America will remember Bill Clinton because we will still be paying his bills.

JAPAN SHOULD OPEN MARKETS FOR AMERICAN APPLES

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I rise today to state that it is time for the Japanese Government to lift its effective embargo on American apples.

It is time to give Japanese citizens the right to have access to American apples.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

It is time for the Japanese Government to show its intent to actually do something about the trade deficit and make its markets open in real truth rather than fictitious mirage.

After two decades of talk the Japanese Government has not allowed one single American apple to be purchased by one single Japanese citizen.

Now we have come to the time of truth; we have come to a fork in the road. The trade deficit will come down either as a result of decreased Japanese trade eastbound or increased American trade westbound—but it will come down.

Mr. Speaker, it is time that our countries, America and Japan, become more like each other either by Japan adopting the American policy of open markets or America adopting the Japanese policy of closed markets.

Mr. Speaker, I call upon the Japanese Government to adopt the American policy of open markets for American apples, and take a first step in the road toward balanced trade.

A NATIONAL DEBT TOO HIGH TO CONTINUE HANDOUTS TO CITIES

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, yesterday on the front page of the Washington Post was a story with this lead paragraph:

Many of the Nation's big city mayors whose expectations soared when President Clinton brought his much-heralded urban agenda to the White House are beginning to show signs of impatience with the new administration.

Well, join the club. Millions have been disappointed by this administration. However, what has really upset these big city mayors is that they have not gotten all the Federal aid that they thought they would under this President.

We have heard over and over again that Washington is letting our big cities down and letting them rot and decay. Actually, the truth is that we have poured billions and billions of Federal dollars into the big cities in recent years. If any places have been short-changed, it is the small and medium-size cities, and especially the small towns and rural areas. They have gotten next to nothing compared to our major cities.

It is time for our Nation's biggest cities to start showing some responsibility. It is time for them to start solving some of their own problems. It is not right to expect taxpayers from all over the country to rebuild New York and Los Angeles and other large cities. These mayors have got to realize that with a national debt of over \$4.2 trillion, Washington can no longer give them every handout they want.

EMPLOYEES OF ARIZONA PUBLIC SERVICE CONGRATULATED ON WINNING EDISON AWARD

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, a few weeks ago, Arizona Public Service Co. [APS] received the electric utilities highest honor, the 1992 Edison Award, from the Edison Electric Institute [EEI]. This award, sponsored annually by EEI, recognizes the electric company whose accomplishments in 1992 contributed the most to the growth and development of the industry.

Although this award is a great honor for the company, it is an even greater honor for the employees of APS, to whom the credit really belongs. In fact, APS president and chief executive officer Mark De Michele, recognized the utility's 7,000 workers for special recognition, saying, "It was their dedication, their innovation, and above all their desire to really make a difference that enabled us to turn APS around."

I am proud of APS employees and their dedication not only to their company, but to their community. APS employees gave over 50,000 hours of their time to volunteer activities in 1992 at the same time that they helped APS lead economic development activities in the State.

In closing, I would like to congratulate everyone involved in the winning of this award; I am confident that we will see many future accomplishments from the folks at Arizona Public Service.

□ 1210

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Tuesday, June 22, 1993.

SEXUALLY TRANSMITTED DISEASES AMENDMENTS OF 1993

Mr. WAXMAN. Mr. Speaker, I move to suspend the rule and pass the bill (H.R. 2203) to amend the Public Health Service Act to extend the program of grants regarding the prevention and control of sexually transmitted diseases.

The Clerk read as follows:

H.R. 2203

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 "Sexually Transmitted Diseases Amendments of 1993".

SEC. 2. EXTENSION OF PROGRAM OF GRANTS REGARDING PREVENTION AND CONTROL OF SEXUALLY TRANSMITTED DISEASES.

(a) EXTENSION OF PROGRAM.—Section 318(d)(1) of the Public Health Service Act (42 U.S.C. 247c(d)(1)) is amended in the first sentence by striking "there are authorized" and all that follows and inserting the following: "there are authorized to be appropriated \$80,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998."

(b) TECHNICAL CORRECTIONS.—Section 318 of the Public Health Service Act (42 U.S.C. 247c) is amended—

(1) in subsection (b)(3), by striking ", and" and inserting "; and"; and

(2) in subsection (d)(5)—

(A) in subparagraph (A), by striking "form, or" and inserting "form, or"; and

(B) in subparagraph (B), by striking "purposes," and inserting "purposes;"

SEC. 3. EXTENSION OF PROGRAM REGARDING PREVENTABLE CASES OF INFERTILITY ARISING AS RESULT OF SEXUALLY TRANSMITTED DISEASES.

(a) TECHNICAL CORRECTIONS.

(1) AMENDATORY INSTRUCTIONS.—Section 304 of Public Law 102-531 (106 Stat. 3490) is amended—

(A) by striking "Part A of title III" and inserting "Part B of title III"; and

(B) by striking "241 et seq." and inserting "243 et seq."

(2) CROSS-REFERENCE.—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended in subsection (o)(2) by striking "subsection (s)" and inserting "subsection (q)".

(b) EXTENSION OF PROGRAM.—Section 318A of the Public Health Service Act (42 U.S.C. 247c-1), as added by section 304 of Public Law 102-531 (106 Stat. 3490), is amended—

(1) in subsection (q), by striking "and 1995" and inserting "through 1998"; and

(2) in subsection (r)(2), by striking "through 1995" and inserting "through 1998".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 20 minutes and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. WAXMAN].

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation, H.R. 2203.

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

There was no objection.

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

The bill before the House would reauthorize the Centers for Disease Control program of grants to States for sexually transmitted disease control. These grants are used by State public health departments for screening and treatment of such common diseases as syphilis, gonorrhea, and chlamydia. In

addition, these grants are used for the epidemiology and treatment of the growing number of less common STD's, including now more than 32 organisms and 26 syndromes in the United States.

These diseases affect millions of Americans and cause significant and expensive health problems. Women and infants bear an especially large share of these problems, and STD's are leading causes of infertility, infant mortality, and birth defects. In addition, STD's contribute both to the transmission of and the effects of HIV infection.

Through this program and others, much has been accomplished to control these diseases. Gonorrhea levels have declined overall; in fact the health objective for the year 2000 has been reached 8 years ahead of schedule.

But much remains to be done, especially as personnel and funds are diverted to deal with other infectious diseases. This bill will reauthorize the program and ensure a stable base for making this progress. I know of no opposition to the bill, and I urge my colleagues to support it.

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

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

Mr. Speaker, I support reauthorization of the Sexually Transmitted Diseases Program. Reducing the incidence and severity of STD's is the primary goal of the CDC Program. Achieving this goal is important because these diseases often result in infertility in women, and they facilitate the transmission of HIV.

This bill provides for a simple continuation of two existing public health programs that focus on reducing the incidence of STD's and on certain STD's that cause infertility in women.

While substantial progress has been made in treating and curing these diseases, their incidence is still a major public health problem in this country. Syphilis cases continue to rise which has unfortunately resulted in an increase in congenital syphilis. These diseases are also strongly related to ectopic pregnancies, an increased risk of HIV transmission, cervical cancer, and infertility problems. It is estimated that some 15 to 30 percent of infertile couples may be unable to have children because of an STD.

Mr. Speaker, I know of no opposition to the legislation and urge my colleagues to support it.

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

Mr. WAXMAN. Mr. Speaker, I have no requests for time, and 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. WAXMAN] that the House suspend the rules and pass the bill, H.R. 2203.

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.

CLEAR CREEK COUNTY, CO, PUBLIC LANDS TRANSFER ACT OF 1993

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1134) to provide for the transfer of certain public lands located in Clear Creek County, CO, to the U.S. Forest Service, the State of Colorado, and certain local governments in the State of Colorado, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1134

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 "Clear Creek County, Colorado, Public Lands Transfer Act of 1993".

SEC. 2. TRANSFER OF PUBLIC LANDS.

The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall transfer in accordance with this Act the approximately 14,000 acres of public lands generally depicted on a map entitled "Clear Creek County, Colorado, Public Lands Transfer—Proposed", and dated May 1993, to the Secretary of Agriculture, the State of Colorado, and certain political subdivisions of the State of Colorado, as indicated in sections 3, 4, and 5. Conveyances made pursuant to this Act shall be made without conducting new surveys.

SEC. 3. LAND TRANSFER TO FOREST SERVICE.

(a) TRANSFER.—Subject to valid existing rights, administrative jurisdiction to the approximately 3,400 acres of the public lands described as "Part I Lands" on the map referred to in section 2 is hereby transferred to the Secretary of Agriculture. Such lands are added to and shall be administered as part of the Arapaho National Forest in accordance with the laws and regulations pertaining to the National Forest System and the Arapaho National Forest.

(b) ADMINISTRATIVE PROVISIONS.—(1) For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 903, as amended; 16 U.S.C. 4601-9) the boundaries of the Arapaho National Forest as modified by this section shall be treated as if they were the boundaries of such forest on January 1, 1965.

(2) Nothing in this section shall affect valid existing rights, or interests in existing land use authorizations, except that any such right or authorization shall be administered by the Forest Service in accordance with this section and other applicable laws. Reissuance of any such authorization shall be in accordance with laws applicable to the National Forest System and regulations of the Secretary of Agriculture, except that the change in administrative jurisdiction shall not constitute in itself a ground to deny renewal or reissuance of any such authorization.

SEC. 4. LAND TRANSFERS TO STATE OF COLORADO AND TO CLEAR CREEK COUNTY AND TOWNS OF SILVER PLUME AND GEORGETOWN, COLORADO.

(a) TRANSFER.—Subject to section 6 and valid existing rights, the Secretary shall

transfer, without consideration, all right, title, and interest, both surface and subsurface, of the United States in and to the approximately 3,200 acres of public lands described as "Part II Lands" on the map referred to in section 2, excluding any such lands within the corporate boundaries of the towns of Georgetown or Silver Plume, Colorado, as of January 1, 1993, as follows:

(1) Approximately 600 acres of such lands to the town of Silver Plume, Colorado, as so indicated on such map.

(2) Approximately 800 acres of such lands to the town of Georgetown, Colorado, as so indicated on such map.

(3) Approximately 600 acres of such lands to the County of Clear Creek, Colorado, as so indicated on such map.

(4) Approximately 1,200 acres of such lands to the State of Colorado, as so indicated on such map.

(b) MANAGEMENT AND REVERSION.—

(1) The lands transferred under this section shall be managed in accordance with the cooperative management agreement among the Colorado Division of Wildlife, the Colorado State Historical Society, the town of Silver Plume, the town of Georgetown, and the County of Clear Creek, which is dated January 1989; the stipulations related to the preservation of artifacts contained in the Bureau of Land Management's cultural resource survey pertaining to such lands; and the terms of the applications filed with the Secretary for the disposal of such lands under the Act of June 14, 1926 (43 U.S.C. 869 et seq.; hereafter in this Act referred to as the "Recreation and Public Purposes Act"), except that other uses of the lands may be made with the approval of the Secretary.

(2)(A) Title to lands conveyed by the Secretary under this section may not be transferred by the grantee or its successor except, with the consent of the Secretary, to a transferee which would be a qualified grantee under section 2(a) or (c) of the Recreation and Public Purposes Act (43 U.S.C. 869-1(a), (c)).

(B) The provisions of paragraph (3) of this subsection shall apply if at any time after such conveyance—

(i) the grantee or its successor attempts to transfer to any other party title to or control over any portion of the lands conveyed to such grantee under this section, except as provided in subparagraph (A), or

(ii) such lands or any portion thereof are devoted to a use inconsistent with this subsection.

(3) In case of occurrence of an event described in paragraph (2)(B) of this subsection, the grantee of the relevant lands shall be liable to pay to the Secretary of the Interior, on behalf of the United States, the fair market value of all lands conveyed to such grantee under this section, together with any improvements thereon, as of the date of such occurrence. All sums paid to the Secretary of the Interior under this paragraph shall be retained by the Secretary and subject to appropriation, used for management of the public lands pursuant to the Federal Land Policy and Management Act of 1976.

SEC. 5. LAND TRANSFER TO CLEAR CREEK COUNTY, COLORADO.

(a) IN GENERAL.—Subject to subsection (b), section 6, and valid existing rights, the Secretary shall transfer, without consideration, all right, title, and interest, both surface and subsurface, of the United States in and to the approximately 7,400 acres of public lands described as "Parts III Lands" on the map referred to in section 202, along with any

public lands on that map within the corporate boundaries of the towns of Georgetown or Silver Plume, Colorado as of January 1, 1993 to Clear Creek County, Colorado (hereinafter in this section referred to as the "County").

(b) **TERMS AND CONDITIONS.**—The lands referred to in subsection (a) may not be transferred to the County until—

(1) it is shown to the satisfaction of the Secretary that the county has adopted comprehensive land use plans and zoning regulations applicable to the area in which the lands are located;

(2) the Secretary finds that such plans and regulations are consistent with proper management of any adjacent lands owned by the United States; and

(3)(A) the Secretary and the County have reached an agreement—

(i) concerning the steps, including but not limited to the use of appraisals (and the methodology thereof) and the use of competitive bids or other sales methods, that the County will take to ensure that so far as possible any sales of the lands by the County will be for fair market value; and

(ii) under which the County will provide the Secretary with an annual accounting of all receipts and expenditures with regard to such lands after their transfer to the County, and that on the date that is 10 years after the date of enactment of this Act, or at such earlier date as the County may elect, the County will pay to the United States an amount the Secretary determines to be equal to the County's total net receipts from the sale of some or all of such lands; and, in addition,

(B) the Secretary has also agreed that in determining the amounts to be paid by the County pursuant to this paragraph, the Secretary will allow the County to deduct from the gross receipts from the sale of the lands all ordinary and necessary costs incurred by the County, including—

(i) expenses for necessary surveying, mapping, and other site characterization, and appraisals;

(ii) historical preservation and environmental protection; and

(iii) reasonable overhead, including staffing and administrative costs.

(c) **UNSOLD LANDS.**—(1) The County may transfer some or all of the lands referred to in subsection (a) to an entity that would be a qualified grantee under section 2(a) or 2(c) of the Recreation and Public Purposes Act (43 U.S.C. 869-1(a), (c)). Any lands so transferred shall after such transfer be held by the recipient thereof under the same terms and conditions as if transferred to such recipient by the United States under such Act, except that such terms and conditions shall also apply to the mineral estate in such lands.

(2) Any of the lands referred to in subsection (a) which remain in County ownership on the date 10 years after the date of enactment of this Act, or regarding which the County has prior to such date notified the Secretary that the County intends to retain ownership, shall be retained by the County under the same terms and conditions as if transferred to the County on such date or on the date of such notification (whichever first occurs) by the United States under the Recreation and Public Purposes Act, except that such terms and conditions shall also apply to the mineral estate in such lands.

SEC. 6. MINERALS.

(a) **WITHDRAWAL FROM MINING ENTRY.**—Subject to valid existing rights, the public lands referred to in sections 4 and 5 are hereby withdrawn from all forms of entry under

the general mining laws and mineral leasing laws of the United States and shall not be—

(1) open to the location of mining and mill site claims under the general mining laws of the United States;

(2) subject to any lease under the Mineral Leasing Act (30 U.S.C. 181 and following) or the Geothermal Steam Act of 1970 (30 U.S.C. 100 and following); or

(3) available for disposal of mineral materials under the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 and following).

(b) **VALID EXISTING RIGHTS.**—As used in this section, the term "valid existing rights" in reference to the general mining laws means that a mining claim was properly located and maintained under the general mining laws prior to the date of enactment of this Act, was supported by a discovery of a valuable mineral deposit within the meaning of the general mining law on the date of enactment of this Act, and that such claim continues to be valid.

(c) LIMITATION ON PATENT ISSUANCE.—

(1) No patent shall be issued by the United States for any mining or mill site claim located under the general mining laws within the public lands referred to in sections 4 and 5 unless an application for such patent was filed with the Secretary of the Interior on or before the date of enactment of this Act and such application has been prosecuted with due diligence after its filing.

(2) Except as provided in paragraph (1), nothing in this Act shall be construed as precluding issuance of a patent to the holder of any mining or mill site claim if such holder would have been entitled for such issuance but for enactment of this Act.

SEC. 7. MISCELLANEOUS PROVISIONS.

(a) **INSPECTIONS.**—Notwithstanding any other provision of law, neither the Secretary nor any other officer or agent of the United States shall be required to inspect any of the public lands described in this title or to inform Clear Creek County or any member of the public regarding the condition of such lands with regard to the presence or absence of any hazardous substances or otherwise.

(b) **LIABILITY.**—Notwithstanding any other provision of law, the United States shall have no responsibility or liability with respect to any hazardous wastes or other substances placed on any of the lands covered by this title after their transfer to the ownership of another party, but nothing in this title shall be construed as either diminishing or increasing any responsibility or liability of the United States based on the condition of such lands on the date of enactment of this Act.

(c) **BOUNDARIES.**—The boundaries of the Arapaho National Forest are hereby modified as shown on the map referred to in section 2. For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of such National Forest, as so modified, shall be considered to be the boundaries of such National Forest as of January 1, 1965.

(d) **ACCOUNTING.**—For purposes of the distribution of receipts, any funds paid to the United States by the County pursuant to an agreement described in section 5(b)(3) shall be deemed to be receipts from the sale of public lands, but shall be specifically accounted for in documents submitted to justify proposed appropriations for the Bureau of Land Management.

The **SPEAKER pro tempore.** Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gen-

tleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1134 is a bill by Representative SKAGGS, of Colorado. It would provide for the transfer of about 14,000 acres of BLM-managed public lands in Clear Creek County, CO, to the Forest Service, the State of Colorado, two communities, and the county itself.

All the lands dealt with in the bill are ones that the Bureau of Land Management [BLM], in its planning process, has identified as suitable for transfer to national forest status, transfer to local governments under the Recreation and Public Purposes Act, or disposal out of Federal ownership. The lands proposed for disposal are not readily manageable by BLM because of their location, size, and other characteristics.

Transfer of public lands in this area to national forest status requires a legislative adjustment of national forest boundaries. In addition, while it would be desirable to transfer other parcels of these lands out of Federal ownership, that is not practical without legislation because normal administrative costs evidently would be far in excess of any proceeds that the lands might bring.

In fact, BLM estimates that while the lands covered by this bill that have been identified for disposal might be worth as much as \$3 to \$5 million, the surveying and other costs involved in their sale could be as much as \$18 million.

To resolve this situation, and to expedite matters, the bill would immediately add about 3,400 acres of the lands to the National Forest System. Another 3,200 acres would be transferred to the Colorado towns of Georgetown and Silver Plume, the county, and the State of Colorado for public use purposes, under conditions similar to those that would apply if the transfers were done administratively under the Recreation and Public Purposes Act.

Finally, the bill would authorize transfer of the remaining 7,300 acres to the county under conditions that would give the county the option of retaining them or disposing of them.

Under the bill, the county would have to agree in advance that at the end of 10 years, all 100 percent proceeds

received from sale of these lands would be paid to the United States, and any lands not sold would have to be retained by the county or by another party that would be qualified to receive them under the Recreation and Public Purposes Act. Any retained lands would be subject to the same requirements of use for public purposes as if transferred under the Recreation and Public Purposes Act, and would be subject to reversion to the United States to the same extent as provided for in that act.

Mr. Speaker, this is a good bill that will benefit both the National Government and the people of Colorado, especially residents of Clear Creek County and visitors who come to enjoy its recreational opportunities and to learn from its very important historical resources. I congratulate the gentleman from Colorado [Mr. SKAGGS] for his initiative with respect to this bill, and I urge its approval by the House.

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

Mr. Speaker, I rise in support of H.R. 1134 which would streamline Federal land management by transferring isolated and fragmented tracts of public lands in Clear Creek County, CO, to the Forest Service, the State of Colorado, and several local governments.

The Bureau of Land Management in 1986 determined that title to surface rights in Clear Creek County, CO, ought to be transferred to other owners. This decision was made because Federal ownership is fragmented, making the area difficult and uneconomic for the BLM to manage. At the present time, much of this land cannot be used by the general public because of poor access and problems identifying the boundaries between public and private lands.

H.R. 1134 would legislatively dispose of these lands and prevent an expensive and time-consuming transfer out of Federal ownership typically incurred using the BLM's standard procedures, which include surveys. In fact, some estimate that the costs of surveys and other administrative expenses normally incurred with transfers and disposals like these might actually exceed the revenue generated if these lands were sold.

I urge my colleagues to support H.R. 1134 and put these Federal lands in the hands of those who are better able to manage them.

□ 1220

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

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS], the principal architect of this legislation, who has worked so hard in his local communities on this measure.

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

Mr. Speaker, I am proud to be the principal sponsor of H.R. 1134, the Clear Creek County, CO, Public Lands Transfer Act of 1993, and, not surprisingly I want to express my wholehearted support for it. The bill will clarify Federal land ownership questions in one of the Colorado counties I represent, help complete consolidation of Bureau of Land Management administration in eastern Colorado, and assist with protecting open space and preserving historic sites. And it will save the Federal Government money.

As part of its plan to merge its eastern Colorado operations into one administrative office, the Bureau of Land Management [BLM] intends to dispose of most of its surface lands in northeastern Colorado. This bill will help achieve that goal by transferring some 14,000 acres of land from the Bureau of Land Management to the U.S. Forest Service, to the State of Colorado, to Clear Creek County, and to the towns of Georgetown and Silver Plume.

First, it transfers 3,500 acres of BLM land to the Arapaho National Forest, with the Forest Service to be responsible for its administration. This transfer clears up some clumsy boundary lines on the Forest and relieves BLM of responsibility for small parcels that would be more appropriately managed as forest land.

Second, it transfers approximately 3,200 acres of land to the State of Colorado, the county, and the towns I've mentioned. Again, this is intended to clear up confusing boundaries, and will facilitate management of those lands for wildlife, recreation, and other public purposes.

A third category of lands, totaling some 7,300 acres, will be transferred to Clear Creek County. After it prepares a comprehensive land use plan for these, the county may resell some of the land. Other parcels will be transferred to local governments, including the county, to be retained for recreation and public purposes.

Of course, BLM could sell these lands, and the local governments could apply for parcels under the Recreation and Public Purposes Act. Under current law, however, BLM would first have to complete detailed boundary surveys. Since the lands in question include many small, odd-shaped parcels—some measured in inches—BLM estimates that boundary surveys would take at least another 15 years to complete, and could cost as much as \$18 million. But, the estimated market value of these lands is only \$3 million.

Because the administrative costs were expected to be so much higher than the value of these lands, their disposal under existing law probably would never happen. And this would have been the worst of all outcomes, because, since reaching the conclusion that these lands should be transferred, BLM has really stopped managing

them. Until some means could be found to enable their transfer, these 14,000 acres were effectively abandoned property—potentially attracting all of the problems which befall property left uncared for and ignored.

In effect, H.R. 1134 facilitates the disposal of these lands by authorizing the county to act as the BLM's sales agent. In addition, the Federal Government will receive any net receipts from the sale of these lands by the county. I do not wish to mislead my colleagues into thinking that this will result in any significant income for the Treasury. As the committee report concludes, the transaction costs involved in these sales will probably be higher than total receipts. But compared to operating under existing law, this arrangement will save taxpayers at least \$15 million.

Obviously, Clear Creek County will not reap any financial benefit from acting as BLM's sales agent. The county seeks to gain in other ways. It seeks to ensure that the eventual disposal of these lands is consistent with local land use planning laws, and with the ability of local services to accommodate potential development. It seeks to ensure that important recreational, open space, and other values are preserved by retaining some of these lands in public ownership under terms of the Recreation and Public Purposes Act. Finally, the county seeks to expedite the disposal of those parcels suitable for sale, restoring them to the tax base.

In conclusion, this is more than just a good legislation, it is an extraordinary example of how the ingenuity of many individuals has turned a difficult problem—which appeared to be a losing proposition for all involved—into an orderly solution which offers benefits for all.

I wish to thank my colleague, the gentleman from Minnesota, the chairman of the Subcommittee on National Parks, Forests and Public Lands, Mr. VENTO, as well as the distinguished chairman of the full committee, Mr. MILLER, for their support and expeditious action on this bill. In addition, I wish to express my appreciation to the professional staff of the subcommittee and committee for their hard work in producing the final version of the bill before us today.

As the culmination of over 5 years of work by the BLM, the Forest Service, Clear Creek County officials, the State of Colorado, and their citizen advisers, there are many individuals who deserve credit for the proposal before the House today. While I do not have time to thank them all, I do want to recognize the exceptional hard work and energy of former Clear Creek County Commissioner Peter Kenney. Today's success is a tribute to many days of persistent and visionary effort by Peter.

In conclusion, I urge all of my colleagues to support H.R. 1134 as reported

by the Committee on Natural Resources. It is a well-reasoned, efficient approach to resolve a complex land transaction problem—one that is supported by all of the parties involved.

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

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 1134, 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.

FEDERAL TRADE COMMISSION ACT AMENDMENTS OF 1993

Mr. SWIFT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2243) to amend the Federal Trade Commission Act to extend the authorized appropriations in such act, and for other purposes.

The Clerk read as follows:

H.R. 2243

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

SECTION 1. SHORT TITLE, REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Federal Trade Commission Act Amendments of 1993".

(b) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Trade Commission Act.

SEC. 2. EFFECTIVE DATE OF ORDERS.

Section 5(g) (15 U.S.C. 45(g)) is amended to read as follows:

"(g) An order of the Commission to cease and desist shall become final as follows:

"(1) Upon the expiration of the time allowed for filing a petition under subsection (c) for review if no such petition has been duly filed within such time, except that the Commission may after the order becomes final modify or set it aside to the extent provided in the last sentence of subsection (b).

"(2) Except as to any order provision subject to paragraph (4), upon the 60th day after such order is served if a petition under subsection (c) for review has been duly filed, except that any such order may be stayed, in whole or in part and subject to such conditions as may be appropriate, by—

"(A) the Commission,

"(B) an appropriate court of appeals of the United States if (i) a petition for review of such order is pending in such court, and (ii) an application for such a stay was previously submitted to the Commission and the Commission, within the 30-day period beginning on the date the application was received by the Commission, either denied the application or did not grant or deny the application, or

"(C) the Supreme Court if an applicable petition for a writ of certiorari is pending.

"(3) For purposes of subsection (m)(1)(B) and section 19(a)(2)—

"(A) if a petition under subsection (c) for review of the order of the Commission has been filed and if the order of the Commission has been affirmed or the petition for review has been dismissed by a court of appeals of the United States and no petition for certiorari has been duly filed, upon the expiration of the time allowed for filing a petition to the Supreme Court for a writ of certiorari,

"(B) if a petition under subsection (c) for review of the order of the Commission has been filed and if the order of the Commission has been affirmed or the petition for review has been dismissed by a court of appeals of the United States, upon the denial of a petition for a writ of certiorari, or

"(C) if a petition under subsection (c) for review of the order of the Commission has been filed, upon the expiration of 30 days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed.

"(4) In the case of an order provision requiring a person, partnership, or corporation to divest itself of stock, other share capital, or assets—

"(A) if a petition under subsection (c) for review of such order of the Commission has been filed and if the order of the Commission has been affirmed or the petition for review has been dismissed by a court of appeals of the United States and no petition for certiorari has been duly filed, upon the expiration of the time allowed for filing a petition to the Supreme Court for a writ of certiorari,

"(B) if a petition under subsection (c) for review of such order of the Commission has been filed and if the order of the Commission has been affirmed or the petition for review has been dismissed by a court of appeals of the United States upon the denial of a petition for a writ of certiorari, or

"(C) if a petition under subsection (c) for review of such order of the Commission has been filed, upon the expiration of 30 days from the date of issuance of a mandate of the Supreme Court directing that the order of the Commission be affirmed or the petition for review be dismissed."

SEC. 3. PROCEEDINGS SUBSEQUENT TO VIOLATIONS OF ORDERS.

(a) CIVIL PENALTIES.—Section 5(m)(1)(B) (15 U.S.C. 45(m)(1)(B)) is amended by inserting "other than a consent order," immediately after "order" the first time it appears.

(b) DETERMINATIONS OF LAW.—Section 5(m)(2) (15 U.S.C. 45(m)(2)) is amended by adding at the end the following: "Upon request of any party to such an action against such defendant, the court shall also review the determination of law made by the Commission in the proceeding under subsection (b) that the act or practice which was the subject of such proceeding constituted an unfair or deceptive act or practice in violation of subsection (a)."

SEC. 4. CIVIL INVESTIGATIVE DEMANDS.

(a) SECTION 20(a).—Section 20(a) (15 U.S.C. 57b-1(a)) is amended—

(1) in paragraph (2), by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "act or practice or method of competition declared unlawful by a law administered by the Commission";

(2) in paragraph (3), by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "acts or practices or methods of competition de-

clared unlawful by a law administered by the Commission"; and

(3) in paragraph (7), by striking "unfair or deceptive act or practice in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "act or practice or method of competition declared unlawful by a law administered by the Commission".

(b) SECTION 20(c).—Section 20(c)(1) (15 U.S.C. 57b-1(c)) is amended by striking "unfair or deceptive acts or practices in or affecting commerce (within the meaning of section 5(a)(1))" and inserting in lieu thereof "any act or practice or method of competition declared unlawful by a law administered by the Commission".

(c) SECTION 20(j).—Section 20(j) (15 U.S.C. 57b-1(j)) is amended by inserting immediately before the semicolon the following: "any proceeding under section 11(b) of the Clayton Act, or any adjudicative proceeding under any other provision of law".

SEC. 5. AGRICULTURAL COOPERATIVES.

The Federal Trade Commission Act is amended by redesignating sections 24 and 25 as sections 25 and 26, respectively, and by inserting after section 23 the following:

"SEC. 24. (a) The Commission shall not have any authority to conduct any study, investigation, or prosecution of any agricultural cooperative for any conduct which, because of the provisions of the Act entitled 'An Act to authorize association of producers of agricultural products', approved February 18, 1922 (7 U.S.C. 291 et seq., commonly known as the Capper-Volstead Act), is not a violation of any of the antitrust Acts or this Act.

"(b) The Commission shall not have any authority to conduct any study or investigation of any agricultural marketing orders."

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 25 (15 U.S.C. 57c) (as so redesignated by section 5) is amended to read as follows:

"SEC. 25. To carry out the functions, powers, and duties of the Commission there are authorized to be appropriated \$88,000,000 for fiscal year 1993, \$92,000,000 for fiscal year 1994, and \$99,000,000 for fiscal year 1995."

SEC. 7. ACTION OF COMMISSION RESPECTING CERTAIN PROCEEDINGS.

(a) IN GENERAL.—The Federal Trade Commission shall not have any authority to use any funds which are authorized under section 25 to be appropriated to carry out the Federal Trade Commission Act (15 U.S.C. 41 et seq.) for fiscal years 1993, 1994, or 1995 for the purpose of submitting statements to, appearing before, or intervening in the proceedings of, any Federal or State agency unless the Commission notifies the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of such action as soon as possible.

(b) NOTICE.—The notice required by subsection (a) with respect to Federal Trade Commission action shall include—

- (1) the name of the agency involved,
- (2) the date of such action, and
- (3) a concise statement regarding the nature and purpose of such action.

SEC. 8. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this Act and this Act shall take effect on the date of enactment of this Act.

(b) SECTION 2.—

(1) IN GENERAL.—The amendment made by section 2 shall apply only with respect to cease and desist orders issued under section 5 of the Federal Trade Commission Act (15

U.S.C. 45) after the date of enactment of this Act.

(2) CONSTRUCTION.—The amendment made by section 2 shall not be construed to affect in any manner a cease and desist order which was issued before the date of enactment of this Act. Such amendment shall not be construed to affect in any manner a cease and desist order issued after the date of enactment of this Act, if such order was issued pursuant to remand from a court of appeals or the Supreme Court of an order issued by the Federal Trade Commission before the date of enactment of this Act.

(c) SECTION 4.—The amendments made by section 4 shall apply only with respect to compulsory process issued after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 20 minutes and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

GENERAL LEAVE

Mr. SWIFT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on H.R. 2243, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I am pleased to bring to the House this legislation to reauthorize the Federal Trade Commission. H.R. 2243 was reported out of the Energy and Commerce Committee by unanimous voice vote.

I have been joined by the chairman of the full committee, Mr. DINGELL, in sponsoring this legislation, the Federal Trade Commission Act Amendments of 1993. The Federal Trade Commission was last authorized in 1980. Because of differences with the other body, subsequent attempts to reauthorize the FTC have not succeeded. This legislative impasse is an unfair burden not only on the agency, but on consumers and those industries that are regulated by the FTC.

The bill proposes modest increases in authorization levels over the next 3 fiscal years; \$88 million for fiscal year 1993, \$92 million for fiscal year 1994, and \$99 million for fiscal year 1995. The legislation also includes a number of procedural reforms dealing with judicial review and subpoena authority that have been requested by the FTC and have been reflected in previous House and Senate reauthorization bills. The bill also includes a provision restricting FTC authority over agricultural cooperatives.

Under the Capper-Volstead Act, Congress has seen the Department of Agriculture to be the lead agency regarding oversight of agricultural cooperatives. This provision reflects that under-

standing, and is identical to language that has been included in previous House and Senate reauthorization bills.

I believe the opportunity is at hand to constructively end this uneasy and inappropriate status quo of the past 12 years. The public deserves to have its premier consumer-protection agency unhampered by outstanding, unresolved issues that are now—since their inception—almost two decades old.

I am pleased to have been able to work constructively—as always—with the distinguished ranking minority member of the Transportation and Hazardous Materials Subcommittee, Mr. OXLEY, as well as with the distinguished ranking minority member of the full Energy and Commerce Committee, Mr. MOORHEAD, in bringing this legislation to the floor. It is time—past time—to move forward and achieve a constructive, fair, and practicable resolution to outstanding issues that have held up the reauthorization of this important Federal agency.

I am encouraged by the progress we have made so far, and I look forward to a continuation of this good work; with Members from this body and with the other body in resolving these impediments to the reauthorization of the Federal Trade Commission that have been outstanding for much too long.

Mr. DINGELL. Mr. Speaker, I am pleased to rise in strong support of this bill.

The Federal Trade Commission is one of our oldest and most important independent agencies. Its basic statutory mission, under the FTC Act, is to guard against unfair methods of competition and unfair or deceptive acts or practices in or affecting commerce. The Commission has additional responsibilities under approximately 30 other statutes, as well as under dozens of trade regulation and practice rules governing specific industries and practices.

Unfortunately, the FTC has operated without authorization legislation for 11 consecutive fiscal years. I believe it is high time to break the stalemate that has prevented proper legislative action in this area.

The unfair advertising issue has been at the heart of the stalemate. I will not take time to outline the many compelling reasons for concluding that the Commission's unfairness authority is appropriate, necessary, and constitutional. Those reasons are discussed in our committee's report, along with a historical and substantive presentation of the legal and policy considerations surrounding this issue. All Members should review our committee report, along with the excellent hearing record of our subcommittee, in order to understand and appreciate the issues involved. As well, I would remind Members that in previous unsuccessful attempts to reauthorize the FTC, the House has supported full retention of the FTC's unfairness authority.

There is an additional matter that must be addressed. It is unfortunate but true that normal and appropriate congressional procedures have been bypassed and abused for many years by those who favor restricting the FTC's authority over unfair advertising practices. Put-

ting legislative restrictions on the FTC's unfairness authority in appropriations bills has become an all too familiar annual practice, particularly in the other body.

However one views the merits of the unfairness issue, we can all agree that legislating by appropriations bills is a dangerous and counterproductive practice. It fosters uncertainty about, if not disrespect for, the law. It impedes the appropriate and timely consideration of substantive issues. It takes agency policy review from the committee with subject matter expertise and places it in the hands of a committee that is concerned primarily with funding considerations.

As well, the lack of an authorization bill takes its toll on the agency involved. Periodic authorizing legislation can help to give direction to an agency, to enhance institutional morale, to protect the agency from the uncertainty surrounding annual appropriations bills, and to encourage respect for the agency and the laws under which it operates.

With the action the House takes today, we have set the stage for timely and appropriate discussions with the other body. I look forward to entering into and completing those discussions so that this Congress will be able to enact the first FTC authorization legislation since 1980.

I commend the distinguished chairman of our Subcommittee on Transportation and Hazardous Materials, Mr. SWIFT, for his leadership in this matter. As well, I deeply appreciate the cooperation and guidance we have received from Mr. MOORHEAD and Mr. OXLEY, the ranking Republicans on our committee and subcommittee. Their assistance has been particularly helpful in moving this process forward to this point.

Mr. Speaker, I urge all Members to support this measure today.

□ 1230

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

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

Mr. Speaker, I want to express my strong support for this bipartisan measure to reauthorize the Federal Trade Commission. Much of the credit for its rapid progress goes to our committee chairman, Mr. DINGELL, our subcommittee chairman, Mr. SWIFT, and our ranking subcommittee member, Mr. OXLEY.

Mainly because of disagreements with the other body in conferences, there has been no current authorization for the FTC since the last one expired in 1982. This state of affairs places an intolerable burden on the agency and its personnel. It is harmful to morale, precludes long-term planning, and makes everyday business even more uncertain for the agency and for the industries it regulates. I am glad that in the 103d Congress, we are taking early and decisive steps to put the FTC back on a proper statutory foundation.

The FTC has two important missions—enhancing competition through

the antitrust laws and protecting consumers from fraud and deception through the Federal Trade Commission Act and related statutes. As a member of both the Energy and Commerce Committee and the Judiciary Committee, I am keenly aware of the importance of both of these missions.

This reauthorization will give the congressional stamp of approval to the FTC through fiscal 1995. The bill also contains a number of technical refinements and improvements to update the FTC's enforcement procedures. Most have been proven in actual use either by the FTC itself or the Department of Justice. All such technical improvements have been approved by the FTC itself, as reflected in its testimony at our recent authorization hearing.

Finally, I want to note that our committee has achieved a high degree of bipartisan cooperation on this bill. At the same time, though, we are all aware of the policy issues that have led to an impasse with the other body in earlier conferences. I am optimistic, however, that this time we are better informed and better prepared to address those issues and obtain an enactable bill. I look forward to earnest negotiations aimed at reaching that goal as soon as possible.

I strongly support the approval of H.R. 2243, and I reserve the balance of my time.

Mr. OXLEY. Mr. Speaker, I rise in strong support for this bipartisan effort to reauthorize the Federal Trade Commission. The FTC is a small but very important agency, with major responsibilities for maintaining competition through the antitrust laws and for protecting consumers under the FTC Act and related statutes. Due principally to policy disagreements between the House and the other body in conference, there has been no authorization enacted for the FTC since the last one expired in 1982.

This bill represents a bipartisan consensus, and it has made exceptionally rapid progress in the legislative process because of the diligent efforts and mutual cooperation of our committee chairman, Mr. DINGELL, our ranking member, Mr. MOORHEAD, and our subcommittee chairman, Mr. SWIFT.

This bill focuses principally on technical changes to improve and streamline various FTC enforcement procedures. Such changes have been endorsed by the FTC at our recent hearing. But the real significance of this bill is renewing the FTC's statutory charter and confirming its legal legitimacy for continued funding. Any agency lacking a current authorization is vulnerable to being slighted or omitted when current funding levels are allocated.

Having a cloud hang over the FTC due to lack of a current authorization is not helpful either to the agency or to the businesses affected by its regulatory and enforcement activities. Uncertainties abound, and long-term planning is almost impossible. I support H.R. 2243 as a means of ending the current uncertainty and putting the agency back on a proper legal footing.

Approving H.R. 2243 today will be an important step toward enactment of a current FTC

authorization. But we will still be a long way from home base. I am fully aware of the tough negotiations with the other body that lie ahead. But I am convinced that through bipartisan cooperation, such as we have had thus far on H.R. 2243, we can eventually arrive at a compromise solution on the key issues.

I want to mention what I foresee as the critical issue. It is the subject upon which virtually all conference negotiations in the last decade have foundered—the proper scope of the FTC's authority over alleged unfairness in advertising.

Three critical guideposts have affected the FTC's approach to this subject since 1980. First, the Congress prohibited industrywide trade regulation rulemakings with respect to unfairness in advertising. This provision was contained in the 1980 authorization and has been renewed in annual appropriations measures since 1982.

Second, the FTC itself adopted a policy statement in 1980 which governs the unfairness standard in both rulemaking and case-by-case proceedings. This policy statement focuses the otherwise very broad standard of unfairness on tangible consumer injury. The FTC requires for a finding of "unfairness" that: First, there be substantial consumer injury; second, the injury must not be reasonably avoidable by the consumer; and third, the injury must not be offset by countervailing benefits to consumers or competition. With these real-world criteria, the FTC has been able to apply the unfairness standard successfully in individual cases during the 1980's.

The third guidepost for the agency in the unfairness area has been the growing body of Supreme Court precedent on the subject of regulating commercial speech. Beginning with the decision in *Central Hudson Gas & Electric Corp. v. Public Service Commission*, 447 U.S. 557 (1980), the court has scrutinized more and more closely various governmental restraints on commercial speech. Such constitutional interpretations necessarily inform and constrain congressional enactments in this field.

I am convinced that by good-faith negotiation with the other body, we can arrive at a compromise provision in the unfairness area that addresses the legitimate concerns of business while not unduly hampering the FTC. To do so successfully, however, we will have to pay close attention to the three guideposts I have discussed here.

I support H.R. 2243 and urge its prompt approval by the House.

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

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Washington [Mr. SWIFT] that the House suspend the rules and pass the bill, H.R. 2243.

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.

RAILROAD RIGHT-OF-WAY CONVEYANCE VALIDATION ACT

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1183) to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Co. as amended.

The Clerk read as follows:

H.R. 1183

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 "Railroad Right-of-Way Conveyance Validation Act".

SEC. 2. VALIDATION OF CONVEYANCES.

Except as provided in section 5, the conveyances described in section 3 (involving certain lands in Nevada County, State of California) and section 4 (involving certain lands in San Joaquin County, State of California) concerning lands that form parts of the right-of-way granted by the United States to the Central Pacific Railway Company in the Act entitled "An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and Other Purposes", approved July 1, 1862 (12 Stat. 489), hereby are legalized, validated, and confirmed, as far as any interest of the United States in such lands is concerned, with the same force and effect as if the land involved in each such conveyance had been held, on the date of such conveyance, under absolute fee simple title by the grantor of such land.

SEC. 3. CONVEYANCES OF LANDS IN NEVADA COUNTY, STATE OF CALIFORNIA.

The conveyances of land in Nevada County, State of California, referred to in section 2 are as follows:

(1) The conveyances entered into between the Southern Pacific Transportation Company, grantor, and David G. 'Otis' Kantz and Virginia Thomas Bills Kantz, husband and wife, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-15995 in the official records of the county of Nevada.

(2) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Antone Silva and Martha E. Silva, his wife, grantees, recorded June 10, 1987, as instrument number 87-15996 in the official records of the county of Nevada.

(3) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Charlie D. Roeschen and Renee Roeschen, husband and wife as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-15997 in the official records of the county of Nevada.

(4) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Manuel F. Nevarez and Margarita Nevarez, his wife, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-15998 in the official records of the county of Nevada.

(5) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Susan P. Summers, grantee, recorded June 10, 1987, as instrument number 87-15999 in the official records of the county of Nevada.

(6) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and James L. Porter, a single

man, as his sole and separate property, grantee, recorded June 10, 1987, as instrument number 87-16000 in the official records of the county of Nevada.

(7) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Robert L. Helin, a single man, grantee, recorded June 10, 1987, as instrument number 87-16001 in the official records of the county of Nevada.

(8) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Thomas S. Archer and Laura J. Archer, husband and wife, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-16002 in the official records of the county of Nevada.

(9) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Wallace L. Stevens, a single man, grantee, recorded June 10, 1987, as instrument number 87-16003 in the official records of the county of Nevada.

(10) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Sierra Pacific Power Company, grantees, recorded June 10, 1987, as instrument number 87-16004 in the official records of the county of Nevada.

(11) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Truckee Public Utility District, grantees, recorded June 10, 1987, as instrument number 87-16005 in the official records of the county of Nevada.

(12) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Dwayne W. Haddock and Bertha M. Haddock, his wife as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-16006 in the official records of the county of Nevada.

(13) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and William C. Thorn, grantee, recorded June 10, 1987, as instrument number 87-16007 in the official records of the county of Nevada.

(14) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Jose Guadalupe Lopez, grantees, recorded June 10, 1987, as instrument number 87-16008 in the official records of the county of Nevada.

(15) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Harold O. Dixon, an unmarried man, as to an undivided half interest, and Pedro Lopez, a married man, as to an undivided half interest, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-16009 in the official records of the county of Nevada.

(16) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Robert E. Sutton and Patricia S. Sutton, husband and wife, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-16010 in the official records of the county of Nevada.

(17) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Angelo C. Besio and Eva G. Besio, his wife, grantees, recorded June 10, 1987, as instrument number 87-16011 in the official records of the county of Nevada.

(18) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Lawrence P. Young and Mary K. Young, husband and wife, as joint tenants, grantees, recorded June 10, 1987, as instrument number 87-16012 in the official records of the county of Nevada.

(19) The conveyance entered into between the Southern Pacific Transportation Com-

pany, grantor, and the estate of Charles Clyde Cozzaglio, grantee, recorded June 10, 1987, as instrument number 87-16013 in the official records of the county of Nevada.

(20) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Noel T. Hargreaves, an unmarried woman, as her sole and separate property, grantee, recorded June 10, 1987, as instrument number 87-16014 in the official records of the county of Nevada.

(21) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Athleisure Enterprises, Incorporated, a Nevada corporation, grantees, recorded January 24, 1989, as instrument number 89-01803 in the official records of the county of Nevada.

(22) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Richard Bwarie, a single man as to an undivided one-half interest, and Roger S. Gannam and Lucille Gannam, husband and wife, as joint tenants, as to an undivided one-half interest, grantees, recorded January 24, 1989, as instrument number 89-01804 in the official records of the county of Nevada.

(23) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and William Campbell and Juanita R. Campbell, his wife as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01805 in the official records of the county of Nevada.

(24) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and William E. Cannon and Lynn M. Cannon, husband and wife, as joint tenants as to an undivided one-half interest, and Brent Collinson and Dianne Collinson, husband and wife, as joint tenants, as to an undivided one-half interest, grantees, recorded January 24, 1989, as instrument number 89-01806 in the official records of the county of Nevada.

(25) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Christopher G. Eaton and Bernadette M. Eaton, husband and wife as community property, grantees, recorded January 24, 1989, as instrument number 89-01807 in the official records of the county of Nevada.

(26) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Christopher G. Eaton grantee, recorded January 24, 1989, as instrument number 89-01808 in the official records of the county of Nevada.

(27) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Valeria M. Kelly, an unmarried woman, grantee, recorded January 24, 1989, as instrument number 89-01809 in the official records of the county of Nevada.

(28) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and William J. Kuttel and Delia Rey Kuttel, husband and wife, grantees, recorded January 24, 1989, as instrument number 89-01810 in the official records of the county of Nevada.

(29) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Thomas A. Lippert and Laurel A. Lippert, husband and wife, grantees, recorded January 24, 1989, as instrument number 89-01811 in the official records of the county of Nevada.

(30) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Fred J. Mahler, a single man, grantee, recorded January 24, 1989, as

instrument number 89-01812 in the official records of the county of Nevada.

(31) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Francis Doyle McGwinn also known as Doyle F. McGwinn, a widower, grantee, recorded January 24, 1989, as instrument number 89-01813 in the official records of the county of Nevada.

(32) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and James D. Ritchie and Susan Ritchie, husband and wife, as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01814 in the official records of the county of Nevada.

(33) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and William R. Smith and Joan M. Smith, his wife, as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01815 in the official records of the county of Nevada.

(34) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Anthony J. Stile and Laura A. Stile, husband and wife, as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01816 in the official records of the county of Nevada.

(35) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Thomas R. Stokes, a single man, and Carla J. Stewart, a single woman, as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01817 in the official records of the county of Nevada.

(36) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Tom's Television System, Incorporated, a California Corporation, grantees, recorded January 24, 1989, as instrument number 89-01818 in the official records of the county of Nevada.

(37) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Tom's Television System, Incorporated, a California corporation, grantees, recorded January 24, 1989, as instrument number 89-01819 in the official records of the county of Nevada.

(38) The conveyances entered into between the Southern Pacific Transportation Company, grantor, and Harry M. Welch and Betty R. Welch, his wife, as joint tenants, grantees, recorded January 24, 1989, as instrument number 89-01820 in the official records of the county of Nevada.

(39) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Harry Fariel and Joan Fariel, husband and wife, as joint tenants, grantees, recorded February 2, 1989, as instrument number 89-02748 in the official records of the county of Nevada.

(40) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Edward Candler and May Candler, husband and wife as community property, as to an undivided two-thirds interest; and Harry Fariel and Joan Fariel, husband and wife, as joint tenants, as to an undivided one-third interest, grantees, recorded February 2, 1989, as instrument number 89-02749 in the official records of the county of Nevada.

(41) The conveyance entered into between the Central Pacific Railroad, grantor, and E.W. Hopkins and J.O.B. Gann, grantees, recorded April 7, 1894, in Book 79 of Deeds at page 679, official records of the county of Nevada.

(42) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and John David Gay and Elizabeth Jean Gay, as Trustees of the David and Elizabeth Gay Trust, grantees, recorded October 3, 1991, as instrument number 91-30654 of the official records of the county of Nevada.

SEC. 4. CONVEYANCES OF LAND IN SAN JOAQUIN COUNTY, STATE OF CALIFORNIA.

The conveyances of land in San Joaquin County, State of California, referred to in section 2 are as follows:

(1) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Ronald M. Lauchland and Lillian R. Lauchland, grantees, recorded October 1, 1985, as instrument number 85066621 in the official records of the county of San Joaquin.

(2) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Bradford A. Lange and Susan J. Lange, his wife, as to an undivided one-half, and Randall W. Lange and Charlene J. Lange, his wife, as to an undivided one-half interest, grantees, recorded October 1, 1985, as instrument number 85066623 in the official records of the county of San Joaquin.

(3) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Leo G. Lewis and Vasiliki L. Lewis, and Billy G. Lewis and Dimetria Lewis, grantees, recorded October 1, 1985, as instrument number 85066625 in the official records of the county of San Joaquin.

(4) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Louis J. Bennett, grantees, recorded October 1, 1985, as instrument number 85066627 in the official records of the county of San Joaquin.

(5) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Joe Alves Correia and Leontina Correia, his wife, grantees, recorded September 1, 1970, instrument number 33915, in book 3428, page 461, of the official records of the county of San Joaquin.

(6) The conveyance entered into between the Southern Pacific Transportation Company, grantor, and Willard H. Fike, Jr., and Dorla E. Fike, his wife, grantees, recorded January 7, 1988, instrument number 88001473 of the official records of the county of San Joaquin.

(7) The conveyance entered into between Central Pacific Railway, Grantor, and Nettie M. Murray and Marie M. Hallinan, Grantees, dated May 31, 1949, recorded June 14, 1949, in volume 1179 at page 394 of the official records of the county of San Joaquin.

(8) The conveyance entered into between the Central Pacific Railway Company, a corporation, and its Lessee, Southern Pacific Company, a corporation, Grantor, and Lodi Winery, Incorporated, Grantee, dated August 2, 1938, recorded May 23, 1940, in volume 692, page 249, of the official records of the county of San Joaquin.

SEC. 5. LIMITATIONS ON VALIDATION OF CONVEYANCES.

(a) SCOPE.—Nothing in this Act shall be construed to—

(1) diminish the right-of-way referred to in section 2 to a width of less than fifty feet on each side of the center of the main track or tracks maintained by the Southern Pacific Transportation Company on the date of enactment of this Act;

(2) legalize, validate, or confirm, with respect to any land that is the subject of a conveyance referred to in section 3 or 4, any right or title to, or interest in, such land

arising out of adverse possession, prescription, or abandonment, and not confirmed by such conveyance; or

(b) MINERALS.—(1) The United States hereby reserves any federally-owned minerals that may exist in land that is conveyed pursuant to section 2 of this Act, including the right of the United States, its assignees or lessees, to enter upon and utilize as much of the surface of said land as is necessary to remove minerals under the laws of the United States.

(2) Any and all minerals reserved by paragraph (1) are hereby withdrawn from all forms of entry, appropriation, and patent under the mining, mineral leasing, and geothermal leasing laws of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

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

Mr. Speaker, H.R. 1183 was introduced by the gentleman from California [Mr. DOOLITTLE], a member of the Natural Resources Committee. It is similar to a noncontroversial bill that the committee approved and the House passed in the last Congress, but on which the Senate did not complete action.

The bill deals with lands in California originally granted for location on the right-of-way of the First Transcontinental Railroad.

Over the years, the railroad's alignment has changed, the lands have been put to other uses, and the railroad company and its successors have acted to put parts of the granted lands into the hands of other parties.

However, since the lands were granted solely for railroad purposes, the railroad company had no power to transfer the lands to anyone else.

This bill would retroactively validate a number of previous conveyances by the railroad to other parties. The effect of its enactment will be to remove a cloud from the title to the small parcels involved, most of which are located in the town of Truckee.

As I said, a similar bill passed the House last year, and there is no controversy about H.R. 1183. The committee did adopt a technical change suggested by the administration, to make clear that the United States is reserving any nationally owned minerals that may be located in the lands covered by the bill. The bill also takes the further step of withdrawing any such minerals, to protect the surface occupants against the filing of claims or other activities that would be inconsistent with the occupants quiet enjoyment of the property.

In summary, this is a noncontroversial measure consistent with sound national policy and that benefits the occupants of the lands in question who acquired these properties in good faith. I urge its approval by the House.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill presently under consideration.

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

There was no objection.

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

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

Mr. Speaker, I rise in support of H.R. 1183, introduced by Mr. DOOLITTLE, in which I cosponsored.

H.R. 1183, which has been described in detail by Chairman VENTO, would legalize, validate, and confirm over 40 conveyances of right-of-way lands in Nevada and San Joaquin Counties in California. These lands, which originally were part of 1862 grants to the railroads by the U.S. Government, are within the 400-foot-wide right-of-way originating from the 1862 land grant.

Most of the conveyances in this bill are located within the town of Truckee, CA, and are occupied by homes, other structures and front yards, some which have been in existence for over 100 years, the remainder in San Joaquin County, which I am proud to represent.

H.R. 1183 is intended to validate the physical occupation and ownership of individual property owners of these tracts. In doing so, it will remove the ambiguity surrounding the titles of these tracts.

I would like to thank Chairman VENTO and Mr. DOOLITTLE for their patience and work on this legislation. I also must thank two California attorneys that provided the Natural Resources Committee maps, deeds, and many other details about the properties contained in this bill. Jim Demara, a constituent of mine with the Mullen law firm in Lodi, and Tom Archer of Truckee made this legislation possible because of their diligence in providing important information.

Mr. Speaker, I urge my colleagues to support H.R. 1183.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 1183, 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.

BIG THICKET NATIONAL PRESERVE ADDITION ACT OF 1993

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 80) to increase the size of the Big Thicket National Preserve in the State of Texas by adding the Village Creek corridor unit, the Big Sandy corridor unit, and the Canyonlands unit.

The Clerk read as follows:

S. 80

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 referred to as the "Big Thicket National Preserve Addition Act of 1993".

SEC. 2. ADDITIONS TO THE BIG THICKET NATIONAL PRESERVE.

(a) ADDITIONS.—Subsection (b) of the first section of the Act entitled "An Act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes", approved October 11, 1974 (16 U.S.C. 698), hereafter referred to as the "Act", is amended as follows:

(1) Strike out "map entitled 'Big Thicket National Preserve'" and all that follows through "Secretary of the Interior (hereafter referred to as the 'Secretary')" and insert in lieu thereof "map entitled 'Big Thicket National Preserve', dated October 1992, and numbered 175-80008, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the offices of the Superintendent of the preserve. After advising the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, in writing, the Secretary of the Interior (hereafter referred to as the 'Secretary') may make minor revisions of the boundaries of the preserve when necessary by publication of a revised drawing or other boundary description in the Federal Register. The Secretary".

(2) Strike out "and" at the end of the penultimate undesignated paragraph relating to Little Pine Island-Pine Island Bayou corridor unit.

(3) Strike out the period in the ultimate undesignated paragraph relating to Lance Rosier unit and insert in lieu thereof ";;".

(4) Add at the end thereof the following: "Village Creek Corridor unit, Hardin County, Texas, comprising approximately four thousand seven hundred and ninety-three acres;

"Big Sandy Corridor unit, Hardin, Polk, and Tyler Counties, Texas, comprising approximately four thousand four hundred and ninety-seven acres; and

"Canyonlands unit, Tyler County, Texas, comprising approximately one thousand four hundred and seventy-six acres."

(b) ACQUISITION.—(1) Subsection (c) of the first section of such Act is amended by striking out the first sentence and inserting in lieu thereof the following: "The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve: *Provided*, That privately owned lands located within the Village Creek Corridor, Big Sandy Corridor, and Canyonlands units may be acquired only with the consent of the owner: *Provided further*, That the Secretary

may acquire lands owned by commercial timber companies only by donation or exchange: *Provided further*, That any lands owned by the State of Texas, or any political subdivisions thereof may be acquired by donation only."

(2) Add at the end of the first section of such Act the following new subsections:

"(d) Within sixty days after the date of enactment of this subsection, the Secretary and the Secretary of Agriculture shall identify lands within their jurisdiction located within the vicinity of the preserve which may be suitable for exchange for commercial timber lands within the preserve. In so doing, the Secretary of Agriculture shall seek to identify for exchange National Forest lands that are near or adjacent to private lands that are already owned by the commercial timber companies. Such National Forest lands shall be located in the Sabine National Forest in Sabine County, Texas, in the Davy Crockett National Forest south of Texas State Highway 7, or in other sites deemed mutually agreeable, and within reasonable distance of the timber companies' existing mills. In exercising this exchange authority, the Secretary and the Secretary of Agriculture may utilize any authorities or procedures otherwise available to them in connection with land exchanges, and which are not inconsistent with the purposes of this Act. Land exchanges authorized pursuant to this subsection shall be of equal value and shall be completed as soon as possible, but no later than two years after date of enactment of this subsection.

"(e) With respect to the thirty-seven-acre area owned by the Louisiana-Pacific Corporation or its subsidiary, Kirby Forest Industries, Inc., on Big Sandy Creek in Hardin County, Texas, and now utilized as part of the Indian Springs Youth Camp (H.G. King Abstract 822), the Secretary shall not acquire such area without the consent of the owner so long as the area is used exclusively as a youth camp."

(c) PUBLICATION OF BOUNDARY DESCRIPTION.—Not later than six months after the date of enactment of this subsection, the Secretary shall publish in the Federal Register a detailed description of the boundary of the Village Creek Corridor unit, the Big Sandy Corridor unit, and the Canyonlands unit of the Big Thicket National Preserve.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of such Act is amended by adding at the end thereof the following new sentence: "Effective upon date of enactment of this sentence, there is authorized to be appropriated such sums as may be necessary to carry out the purposes of subsections (c) and (d) of the first section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill (S. 80) presently under consideration.

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

There was no objection.

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

Mr. Speaker, S. 80, which passed the Senate on March 17th, is legislation to expand the Big Thicket National Preserve in the State of Texas. Similar legislation (H.R. 433) was introduced by Representative CHARLES WILSON in the House.

The Big Thicket area of southeast Texas contains a diverse multitude of temperate, subtropical, prairie, and woodland flora and fauna and is often referred to as the "biological crossroads of North America". The preserve was established in 1974 to protect the remnants of this complex biological ecosystem and it currently consists of 12 distinct units and river corridors comprising approximately 85,000 acres.

The Subcommittee on National Parks, forests and public lands and the Committee on Natural Resources have spent a considerable amount of time on Big Thicket expansion legislation. Hearings were held on May 11, 1993 as well as in the 100th, 101st, and 102nd Congresses. Bills were passed by the House of Representatives in the 100th, 101st, and 102d Congresses. The Senate did pass a bill in the 102d Congress but it was too late for action by the House.

S. 80 would add three units totalling approximately 10,766 acres to the Big Thicket National Preserve. These additions are the Village Creek corridor unit, the Big Sandy corridor unit and the Canyonlands unit. These additions would link or expand existing units and add a new area to the preserve.

After consulting with the author of the House bill, Representative WILSON, who has done yeoman's work on this matter over the years, the committee voted to move ahead with S. 80 even though it lacks two significant parcels and gives less flexibility to the National Park Service to acquire and exchange lands. While I would have preferred Representative WILSON's House bill, which I note the National Park Service also supports, it has become apparent after three attempts that sending a bill back to the Senate could lead to yet more delay. Considering the tremendous natural resource values of the lands to be included within the park, I believe it is important to adopt S. 80 unamended and get the bill to the President and then consider other options with regard to the remaining parcels. I urge Members to support this legislation.

Mr. WILSON. Mr. Speaker, Public Law 93-439 was enacted on October 11, 1974, authorizing the establishment of the Big Thicket National Preserve consisting of 12 units for a total of approximately 86,000 acres. The Village Creek and Big Sandy areas were originally proposed by the Senate as part of the preserve and would have resulted in a total of about 100,000 acres. However, in order to obtain passage, a compromise was agreed upon by the House and Senate, and Village Creek and Big Sandy were deleted.

The primary reason for establishing the preserve was to protect this unique and endangered biosphere from being lost forever. Its importance received international recognition in 1981 through designation by UNESCO as a biosphere reserve. Over the years a convincing case has been made for adding the two stream corridors in order to connect existing units and thereby provide protection to these waterways that have a crucial impact on plant and wildlife habitat. In the case of Village Creek, this is one of the most beautiful creeks in east Texas.

The legislation provides that privately owned lands may be acquired only with the consent of the owner. Lands may be acquired from commercial timber companies only by donation or exchange, and lands owned by the State of Texas, or any of its political subdivisions may be acquired by donation only.

The House of Representatives has passed similar legislation three times, and the Senate passed a bill identical to S. 80 at the end of the 102d Congress, but there was insufficient time for the House to act before the session ended. Although this bill contains two units less than included in H.R. 433, which we introduced, I urge that we accept the Senate version and pass S. 80. It is my intent to introduce another bill after this one is enacted to add the Sabine River Blue Elbow unit and the addition to the Lower Neches Corridor unit, which are the two units that are not included in S. 80.

Mr. Speaker, I would like to point out to the House that the timber companies have been most cooperative in this and have paid taxes for the 7 or so years that we have been on this endeavor. They have paid taxes on the land, they have preserved it and have not cut it. I would like to establish with the chairman that it is the intent of the committee and the intent of the legislation that the owners of the private land do receive full value for the land they are swapping with the Forest Service, not acre for acre, but the highest and best use value.

One other point that I would like to make is that the National Forests as they are shown on the map, appear as a solid entity, but in reality it is a spotted and checkered ownership. The land that the commercial timber companies are swapping here is contiguous land that is economically viable. I think it is only fair that we can expect the Forest Service will trade similar lands that are economically viable and not try to trade off cats and dogs that are not part of any larger tract.

□ 1240

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

Mr. Speaker, I rise in strong support of S. 80, which would expand the Big Thicket National Preserve in east Texas.

I am pleased we are marking up the Senate-passed version of this legislation, which relies almost entirely on equal value land exchanges with timber companies. In the process, we are following the principle of no net loss of private property.

I am hopeful we can use this principle as a model for other park expan-

sions and thereby avoid high land acquisition costs, preserve local tax bases and not disrupt rural communities.

I would like to point out to my colleagues that hunting is permitted in the Big Thicket Preserve and is an extremely popular activity. According to the Big Thicket Preserve's 1992-93 hunter harvest survey, hunting occurred on over 47,000 acres of the preserve. Hunters made over 11,000 trips to the preserve.

Last year the Park Service awarded free hunting permits to 2,300 people on a first-come first-serve basis. The demand for these permits on the preserve typically exceed the supply. The Park Service tells me that adjacent private hunting clubs charge about \$500 per season for a similar hunting experience.

I would hope the Natural Resources Committee would use this same park preserve designation for California's East Mojave area when we mark up the California Desert Protection Act later this summer. By doing so, we would allow hunting to continue on that 1.5-million acre tract of public lands.

Mr. Speaker, I urge my colleagues to support S. 80.

Mr. Speaker, I am including several letters and related materials associated with this legislation, as follows:

TEMPLE-INLAND,

Diboll TX, June 17, 1993.

Re statement regarding Big Thicket National Preserve expansion—H.R. 433, S. 80 (bill that passed the Senate in 1993).

Congressman DON YOUNG,

Rayburn House Office Building, Washington, DC.

DEAR CONGRESSMAN YOUNG: The following written statement is submitted for the record regarding the proposed expansion of the Big Thicket National Preserve in the State of Texas.

Temple-Inland Forest Products Corporation appreciates this opportunity to comment on the proposed expansion of the Big Thicket National Preserve. We are the landowner most affected by the legislation under consideration. Our fee lands constitute approximately 35 percent of the total expansion area. Temple-Inland was the owner of 31 percent of the acreage purchased to form the original Preserve following its legislative establishment in 1974. We believe that this says that we have been and continue to be good stewards of the lands which this company has owned for almost 100 years.

The company operates two large pulp mills, three lumber mills, one plywood plant, one fiberboard plant, and one particleboard plant which depend upon our Texas timberland holdings for their base supply of raw materials. These plants directly employ over 4,300 people with indirect employment of thousands more in the transportation, service, supply, and manufacturing fields.

Our timberlands are the foundation upon which our operations exist. Our basic long-term strategy has been to purchase and manage forestland within a reasonable transportation distance of a facility and the facilities have been located to carefully leverage the upward integration of our raw material use. Building material manufacturing depends

upon direct delivery of roundwood sawlogs from the forest and in turn, help supply raw material to the paper, particleboard, and fiberboard plants in the form of residue materials. Thus, through the years, we have built an efficient web of competitive plants, all dependent on the forestland base and interplant transfers of residues.

Temple-Inland has taken a neutral position on the recent proposals to expand the Preserve. We continue with this posture and leave the decision on the merits of the various proposals to your committee for final evaluation. We do request that the legislation include certain provisions that offer advantages to the government and protect our hard-earned strategic land improvement plan. Inclusion of these ideas would assure our neutrality toward adding new acreage to the Preserve.

Because of the importance of our forestland base and its strategic relationship to our manufacturing plants, we cannot overemphasize the importance of exchanging versus selling the Temple-Inland lands that may be taken for the Preserve expansion. The federal government already owns such properties in the same strategic geographical wood supply area and gains an added benefit of adding to the Preserve without a major cash outlay during these times of budget deficits. The benefit of Temple-Inland is the protection of our timberland base in a location that can economically supply fiber to the highly dependent complex of job-providing facilities previously mentioned.

The federal lands available for trade are managed by the U.S. Forest Service. They are located in the southernmost part of the Sabine National Forest and could be separated from the remainder of the federal holdings without damaging their ability to keep the USFS land base contiguous. The lands in question all adjoin current ownership of Temple-Inland and would contribute wood fiber for eventual delivery to our two paper mills, just as currently contributed by those lands to be acquired for the Preserve.

Temple-Inland proposes that the lands described above be exchanged on a value-for-value basis with full recognition given for the highest and best use value in evaluating the properties. This is fair to both parties and is the standard procedure for accomplishing equitable land exchanges.

The final condition for the Preserve expansion and resultant land exchange involves timing. Temple-Inland and some other property owners waited as long as 14 years to be compensated for a part of the land taken for the original Preserve. This caused us to bear an unfair burden of ad valorem taxes and risks from fire, insect attack, and other associated forest problems while being committed to holding the lands free of any timber harvests so they met the expectations for inclusion in the Preserve. We believe that this should not be allowed to happen again with the expansion legislation of 1992. We earnestly and respectfully request that legislation approved contain language that would require the federal government to expedite the exchange of lands with the affected parties. In no event should this process extend beyond two years from the date of enactment of the enabling legislation.

If we can furnish any further information, please let us know.

Very respectfully,

GLENN A. CHANCELLOR.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, BIG THICKET NATIONAL PRESERVE, 1992-93 HUNTER HARVEST

Unit number and name	Hunting acreage	Percent surveys returned	Trips	Bucks	Does	Squirrels	Hogs	Rabbit	Waterfowl
1. Beaumont	3,900	81	1,630	29	34	1,764	62	35	9
2. Beech Creek	3,350	71	528	4	5	890	1	49	0
3. Big Sandy	8,850	70	1,722	39	45	1,346	1	46	27
4. Neches Bottom	2,300	64	687	14	19	982	10	16	0
5. Jack Gore Baygall	8,000	69	2,543	34	37	4,377	34	163	0
6. Lance Rosier	21,000	67	4,407	37	52	8,617	146	240	33
Total	47,400	70	11,517	157	192	17,976	254	549	69

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

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the Senate bill, S. 80.

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

A motion to reconsider was laid on the table.

MODIFYING THE BOUNDARY OF HOT SPRINGS NATIONAL PARK

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1347) to modify the boundary of Hot Springs National Park.

The Clerk read as follows:

H.R. 1347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of Hot Springs National Park is modified as depicted on the map entitled "Proposed Boundary Map", numbered 128/80015, and dated August 5, 1985.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1347, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1347 modifies the boundary of Hot Springs National Park in Arkansas by excluding approximately 297 acres of non-Federal-developed land from the boundaries of the park while adding a little less than 2

acres. The bill was introduced by my colleague on the Natural Resources Committee, Congressman DICKEY, and approved by the committee on June 16, 1993.

The Hot Springs National Park in Arkansas preserves, interprets, and provides for the use of thermal mineral water flowing from 47 hot springs. As part of a comprehensive land management and land acquisition plan begun in 1978, the National Park Service has prepared several documents detailing the need to delete acreage from the park boundary. Because of development and urbanization of the area, the current boundary severs developed properties and includes lands that would not contribute to the goals of resource protection and expanded recreational opportunities.

H.R. 1347 is noncontroversial. At the hearing before the Subcommittee on National Parks, Forests, and Public Lands on May 11, the administration testified in favor of the measure. Its enactment will enable the National Park Service to manage this resource more efficiently and appropriately, and I urge my colleagues' support of the bill.

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

Mr. Speaker, I rise in support of H.R. 1347, a bill which would delete approximately 300 acres from the existing 5,840-acre Hot Springs National Park.

This noncontroversial proposal is based on a study by the National Park Service, which determined that these 300 acres are not within the recharge area of the 47 thermal springs within the park. Further, much of this land has been extensively developed and would therefore be very costly to acquire.

I am pleased that the Government has come to this rational conclusion, because I find that all too often Government bureaucracies have an institutional bias to hang onto every acre of land under their control whether it is needed for the originally intended purposes or not.

I congratulate my colleague, the gentleman from Arkansas [Mr. DICKEY], for introducing this measure, which will save the Government money, both in long-term land acquisition and immediate management costs and will remove the cloud of future Government acquisition from about 100 affected private property owners.

Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Speaker, I would like to thank the gentleman from Tracy, CA, for yielding this time to me.

Also, I would like to thank the committee chairman, the gentleman from Minnesota [Mr. VENTO] and the gentleman from Utah [Mr. HANSEN], the ranking member, for their help in moving this bill.

The Park Service and Mr. Roger Gidding have been trying since 1985 to get the boundary adjustment finalized. Mr. Gidding has been so good about this and I am glad for him that we have come to this point.

We are pleased that we are finally on our way to accomplishing that goal.

This, as has been stated, is a noncontroversial bill to modify the exterior boundary of the Hot Springs National Park. It deletes 22 parcels consisting of 298 acres of commercially developed non-Federal land. It improves management and removes any future need to purchase expensive private lands. It now makes a more identifiable and manageable property and boundary.

It adds 1.7 acres, or nine parcels, virtually all presently owned by the Park Service, but not within the boundary before.

The lands deleted to not impair protection of the natural hot springs resources or historic areas of the park.

I am happy to ask my colleagues at this time to support the passage of H.R. 1347.

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

Mr. VENTO. Mr. Speaker, it is a good bill. I have no further requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 1347.

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.

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PROVIDING FOR ADDITIONAL DEVELOPMENT AT WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1944) to provide for additional development at war in the Pacific National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1944

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

SECTION 1. FINDINGS.

Congress finds that—

(1) June 15 through August 10, 1994, marks the 50th anniversary of the Mariana campaign of World War II in which American forces captured the islands of Saipan and Tinian in the Northern Marianas and liberated the United States Territory of Guam from Japanese occupation;

(2) an attack during this campaign by the Japanese Imperial fleet, aimed at countering the American forces that had landed on Saipan, led to the battle of the Philippine Sea, which resulted in a crushing defeat for the Japanese by United States naval forces and the destruction of the effectiveness of the Japanese carrier-based airpower;

(3) the recapture of Guam liberated one of the few pieces of United States territory that was occupied for two and one-half years by the enemy during World War II and restored freedom to the indigenous Chamorros on Guam who suffered as a result of the Japanese occupation;

(4) Army, Navy, Marine Corps, and Coast Guard units distinguished themselves with their heroic bravery and sacrifice;

(5) the Guam Insular Force Guard, the Guam militia, and the people of Guam earned the highest respect for their defense of the island during the Japanese invasion and their resistance during the occupation; their assistance to the American forces as scouts for the American invasion was invaluable; and their role, as members of the Guam Combat Patrol, was instrumental in seeking out the remaining Japanese forces and restoring peace to the island;

(6) during the occupation, the people of Guam—

(A) were forcibly removed from their homes;

(B) were relocated to remote sections of the island;

(C) were required to perform forced labor and faced other harsh treatment, injustices, and death; and

(D) were placed in concentration camps when the American invasion became imminent and were brutalized by their occupiers when the liberation of Guam became apparent to the Japanese;

(7) the liberation of the Mariana Islands marked a pivotal point in the Pacific war and led to the American victories at Iwo Jima, Okinawa, the Philippines, Taiwan, and the south China coast, and ultimately against the Japanese home islands;

(8) the Mariana Islands of Guam, Saipan, and Tinian provided, for the first time during the war, air bases which allowed land-based American bombers to reach strategic targets in Japan; and

(9) the air offensive conducted from the Marianas against the Japanese war-making

capability helped shorten the war and ultimately reduced the toll of lives to secure peace in the Pacific.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) an appropriate commemoration of the 50th anniversary of the Mariana campaign should be planned by the United States in conjunction with the Government of Guam and the Government of the Commonwealth of the Northern Mariana Islands; and

(2) the Secretary of the Interior should take all necessary steps to ensure that appropriate visitor facilities at War in the Pacific National Historical Park on Guam are expeditiously developed and constructed; and

(3) the Secretary of the Interior should take all necessary steps to ensure that the monument referenced in Section 3(b) is completed before July 21, 1994 for the 50th anniversary commemoration, to provide adequate historical interpretation of the events described in section 1.

SEC. 3. WAR IN THE PACIFIC NATIONAL HISTORICAL PARK.

(a) AUTHORIZATION OF APPROPRIATIONS.—Subsection (k) of section 6 of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved August 18, 1978 (92 Stat. 493; 16 U.S.C. 410dd) is amended by striking "\$500,000" and inserting "\$8,000,000".

(b) DEVELOPMENT.—Section 6 is further amended by adding at the end the following subsections:

"(1) Within the boundaries of the park, the Secretary is authorized to construct a monument which shall commemorate, by individual name, those people of Guam, living and dead, who suffered personal injury, forced labor, forced marches, internment or death incident to enemy occupation of Guam between December 8, 1941, and August 10, 1944.

"(m) Within the boundaries of the park, the Secretary is authorized to implement programs to interpret experiences of the people of Guam during World War II, including, but not limited to, oral histories of those people of Guam who experienced the occupation.

"(n) Within six months after the date of enactment of this subsection, the Secretary, through the Director of the National Park Service, shall develop and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report containing updated cost estimates for the development of the park. Further, this report shall contain a general plan to implement subsections (1) and (m), including, at a minimum, cost estimates for the design and construction of the monument authorized in section (1).

"(o) Within six months after the date of enactment of this subsection, the Secretary, through the Assistant Secretary of Territorial and International Affairs, shall compile and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a list of names to appear on the monument authorized in subsection (1).

"(p) The Secretary may take such steps as may be necessary to preserve and protect various World War II vintage weapons and fortifications which exist within the boundaries of the park."

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the rule, the gentleman from Minnesota [Mr.

VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation presently under consideration.

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

There was no objection.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from Guam [Mr. UNDERWOOD] to address this matter, as he is the principal sponsor of it.

Mr. UNDERWOOD. Mr. Speaker, today it is my honor to represent the people of Guam in the House of Representatives during consideration of H.R. 1944. This bill authorizes additional development at the war in the Pacific National Historical Park on Guam in anticipation of the 50th anniversary of the liberation of Guam next year. H.R. 1944 authorizes a visitors center which will house a permanent interpretive display of the War in the Pacific, and more importantly, H.R. 1944 authorizes a monument to the Chamorro people of Guam who endured a brutal 2½ years of enemy occupation.

During the hearing on this bill on May 27, compelling testimony was given by witnesses who eloquently captured the reason this bill was introduced for Guam's 50th anniversary of liberation. The history of the occupation of Guam is a dramatic story, but unless you can associate faces with the names, you might fail to understand the terrible human toll of World War II on our island.

I can tell you of the beatings, torture, and executions that occurred; I can tell you of the forced labor, forced marches, and concentration camps; I can tell you about the mass killings in the days just before liberation. But I cannot tell you these things with the emotional force of Mrs. Beatrice Flores Emsley's testimony. As a young girl of 13, Mrs. Emsley was 1 of 11 Chamorros summarily cut down by Japanese swords and left for dead in a mass grave. Her moving story of surviving this ordeal—an attempt to behead her—and her eloquent plea that "All we want is for the United States to recognize what we went through" is the reason that the Chamorro experience of World War II must be made a part of the War in the Pacific National Historical Park.

I can tell you of the bravery of the liberating forces and their deep affection for the people of Guam whose loyalty to America so impressed these young men; but hear the words of Gen.

Louis H. Wilson, former Commandant of the Marine Corps, and Medal of Honor recipient from the Liberation of Guam in his written statement:

I saw first hand the terrible suffering experienced by the people of Guam and their absolute loyalty to America during their 32 months of captivity. * * * Now is the time to recognize the sacrifices made during this oppressive occupation.

I can tell you of the need to preserve this history in interpretive displays and to memorialize it in a monument to those who suffered the atrocities of the occupation, but hear the simple, yet profound statement of another witness from Guam, fourth grader Rosalia Rita Bordallo, whose testimony epitomizes the immense legacy of this experience for our future generations. Rosalia's grandfather and father told her of their war experiences, of merciless beatings and harsh treatment; of suffering inflicted on them and their neighbors. Rosalia learned something so important, that we must try to convey this legacy to our future schoolchildren:

My father told me that war is a terrible thing and that what the War did to our people must not be forgotten.

Other schoolchildren submitted written statements to the committee, to voice their concern that the experience of our people be preserved at the War in the Pacific Park. It is not just for those who fought or those who lived through the war to understand it; rather, it is far more important that future generations, who did not experience the war, understand how it affected their island and changed our world forever.

We on Guam must never forget these stories. They are the stories of our own fathers and mothers, of older brothers and sisters, of grandparents and neighbors. And they help us remember, H.R. 1944 commemorates this history and authorizes its preservation. In doing so, America, by honoring its most courageous civilian community of World War II, honors itself. America, in honoring a moral commitment to return and end the occupation, honors itself. And by honoring the sacrifices and loyalty of the Chamorros whose occupation was ended by U.S. forces on July 21, 1994, America honors those marines and soldiers, and honors itself.

When the marines and soldiers return next year for the commemoration of the 50th anniversary of the Liberation of Guam, I hope that the War in the Pacific National Historical Park will be able to do justice to the courage of the Americans who fought in the Marianas and to the Chamorro people who were liberated. I hope that our Nation will be able to proudly observe this event without the shame of inaction of 49 years eclipsing a momentous event.

The 50th anniversary commemorations will be one of the most important events on Guam. In the modern history

of the Chamorro people, the occupation and liberation on July 21, 1944, ranks as the defining period of our present day community. The social upheavals and the human toll that was extracted is something less appreciated by the succeeding generations, but must not be left for history books to footnote. This legacy must be carried by our children, and their children. The commemorations that we make for the 50th anniversary, including this monument, will remain for years to come as part of the fabric of our community, long after the bands have stopped playing, and it is also one of the defining and proudest moments of the American serviceman during World War II as they reoccupied American territory. The savagery of the battle for Guam was tempered by the knowledge that the effort was on behalf of civilians whose association and love for the United States was part of crudely sewn United States flags and a wartime song of resistance and hope: "Uncle Sam, Won't You Please Come Back to Guam?" The American serviceman who came back in 1944 and who will again return in 1994 must be suitably honored and must be suitably recognized by a grateful nation and by a small island in the middle of the Pacific. This bill helps do that.

Mr. Speaker, I thank the leadership of this House, and especially the gentleman from Minnesota [Mr. VENTO] for his support and generosity of time, and all of my colleagues for the most expeditious handling of H.R. 1944.

I know that time is not our friend at this point, but I will give you the commitment of our community, that everything humanly possible that can be done on Guam to have this monument ready, and to have the War in the Pacific Park ready, will be done, I urge this body to pass H.R. 1944 in honor of, and in grateful memory of, all those American servicemen and all those Chamorro people on Guam who paid the price for the freedom and liberty that we on Guam celebrate, especially as we draw near to the 50th anniversary.

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

Mr. Speaker, I rise in support of H.R. 1944, a bill to provide for additional development at War in the Pacific National Historical Park.

This bill simply removes an arbitrary and unrealistic development ceiling, which was included in the park establishment act and authorizes the construction of a monument of indigenous Chamorros from Guam, who were cruelly treated during the Japanese occupation of the island. This legislation is timely in that the 50th anniversary of the liberation of Guam will occur next year.

I urge my colleagues to join me in supporting this bill.

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

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

Mr. Speaker, I rise in strong support of this bill, and I want to associate myself with the eloquent statement made by our new Member, the gentleman from Guam [Mr. UNDERWOOD].

Mr. Speaker, some years ago, in the late 1970's, Congress decided to recognize the war in the Pacific by the establishment of various units of the park system in Palau, in the Northern Marianas, and the island of Saipan and in Guam, three specific sites that I had the privilege to visit in 1989 with then Chairman Mo Udall who was actually stationed on Tinian and Interior Secretary Manuel Lujan; we went on a trip, and we had the chance to visit the site on Saipan. We are not able to in this legislation, although the initial legislation tried to deal with the monument on Saipan that has been deleted from this legislation. We hope that that will go forth on another legislation that passes in reconciliation after some accounting matters are clarified.

Second, though, in visiting the site on Guam, we really had a temporary building there; some land that was set aside for this and others that were not. It really is the site on the landing site where so many U.S. marines and young men gave their lives in terms of the defense of freedom of this Nation.

Mr. Speaker, it is a very moving situation where really significant loss of life did occur, as the Speaker well knows. Furthermore, it should be pointed out that one in five people on Guam lost their lives during the Japanese occupation. It was a brutal occupation. Guam, which was then a territory of the United States, and U.S. citizens since the first part of this century, and it is very important, I think to recognize the sacrifice and loyalty of these people which is being really recognized and requested by this legislation which sets as a goal to establish the memorial on the 50th anniversary of the U.S. liberation in 1944 of Guam.

□ 1300

Mr. Speaker, I think that the gentleman from Guam [Mr. UNDERWOOD] is to be commended. Obviously, from his personal experience and for his family and friends and relatives and the small families on Guam, the Chamorro people and the other people of Guam, it is very important to recognize that type of commitment. As noted historians have said, those who forget history are likely to relive it. This is a point in history of something we should keep in mind and remember and celebrate. We should celebrate the freedom of the people of Guam and their loyalty to this country and recognize the loss of life and the efforts that were made and should be remembered in history, the events that the people lived through.

Ironically, Mr. Speaker, as we visited some of the sites in the Northern Marianas, and even on Guam, we saw many

memorials by the Koreans, by the Japanese, and by others that had lost their lives. So I think it is important that we stand up and take our place in history and make certain that that is recognized through this memorial and through this Visitor's Center.

Unfortunately, the cost of doing things in the far reaches of the Western Pacific are sometimes a little higher, but as I say, some people know the cost of everything and the value of nothing. I hope that we recognize today what the value of this contribution is and what this moment in history meant to us then and means to us today.

Mr. Speaker, H.R. 1944 provides for additional development at War in the Pacific National Historical Park. H.R. 1944 was introduced by my colleague on the Natural Resources Committee, Mr. UNDERWOOD, and was approved by the committee on June 16, 1993.

War in the Pacific National Historical Park was authorized by Congress in 1978 to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic and historic values and objects on the Island of Guam. The park includes seven units each providing a different insight into the Pacific war. These sites contain both Japanese and American artifacts and interpret military aspects of the war in the Pacific on Guam. No park site interprets the story of the people of Guam in this conflict.

At the May 27 hearing on this legislation, the Subcommittee on National Parks, Forests and Public Lands received moving and eloquent testimony about the atrocities suffered by the people of Guam during Japanese occupation of the island and about the lack of appropriate recognition for the sacrifices made by the people of Guam to protect American interests in the Pacific during World War II. The 50th anniversary of the liberation of the Mariana Islands will be commemorated next year. It is time to acknowledge this heritage and recognize appropriately the loyalty of the people of Guam.

H.R. 1944, as amended, expresses the sense of Congress that an appropriate commemoration of the 50th anniversary of the Mariana campaign should be planned, that the Secretary of the Interior should take all necessary steps to ensure that visitor facilities at War in the Pacific National Historical Park on Guam are expeditiously developed and constructed, and that a monument to the people of Guam should be completed before July 21, 1994, the 50th anniversary commemoration.

The amended bill also increases the development ceiling for War in the Pacific National Historical Park from \$500,000 to \$8,000,000 and authorizes the construction of a monument within the park to the people of Guam who suffered personal injury, forced labor, forced marches, internment or death as a result of enemy occupation during World War II. The Secretary is also authorized to implement programs to interpret the experiences of the people of Guam during World War II.

While War in the Pacific National Historical Park interprets World War II military events on Guam, the story of the people of Guam and

their experiences during the world have not been fully recognized. The people of Guam suffered great hardship as the result of Japanese occupation, yet no monument to their contribution and sacrifice has been constructed. This legislation provides for the development of an appropriate monument which will recognize the people of Guam who suffered and would list the names of the people of Guam who were killed during the Japanese occupation.

This monument is intended to make the war interpretation on Guam complete and will complement the plans to honor the American Armed Forces who died in the liberation of Guam. This is a long overdue improvement to the park and I urge my colleagues' support.

Mr. DELUGO. Mr. Speaker, I raise today in support of H.R. 1944 a bill to provide for additional development at the War in the Pacific National Historical Park on Guam.

I want to begin by commending my colleague from Guam, BOB UNDERWOOD, for introducing this legislation to commemorate the sacrifices of the U.S. Armed Forces in the Pacific during World War II, and to honor the memory of the American nationals of Guam who patriotically and courageously endured violence and suffering during the long Japanese occupation of their island.

Next year will mark the 50th anniversary of the Marianas campaign of World War II, in which American forces captured the islands of Saipan and Tinian in the Northern Marianas and liberated the United States territory of Guam from Japanese occupation.

This anniversary makes it an appropriate time for the Congress to act to ensure that the tremendous sacrifices of that time will be remembered.

Approximately 5,700 United States troops were killed or missing and 21,900 wounded in the Marianas campaign.

In addition, the Chamorro people of Guam suffered painful horrors at the hands of Japanese soldiers during the 2½ years that the island occupied; including beheadings, rapes, torture and senseless other brutalities.

And those fortunate enough to escape death were relocated to remote sections of the island, required to perform forced labor and eventually placed into concentration camps and subjected to retribution when the impending liberation of the island became apparent.

Mr. Speaker, H.R. 1944 will commemorate the suffering of the people of Guam by authorizing of the building of a monument in their honor. It will do so by increasing the authorization for development of the War in the Pacific National Historical Park territory to \$8 million.

In closing, I want to urge my colleagues to support passage of this very worthwhile bill, because in a little over a year from now hundreds of veterans are expected to visit Guam to commemorate the 50th anniversary of their victory over the Japanese and of the liberation of Guam.

It would be a shame if there isn't an adequate monument or memorial to the thousands of Americans and Guamanians in place before that time, especially since the island currently has splendid monuments built by Japan to commemorate their war dead.

Finally, I to also commend my colleague, BRUCE VENTO, chairman of the Subcommittee

on National Parks, Forest and Public Lands for his support and leadership in bringing this bill to the floor today. I also want to thank the chairman of the Natural Resources Committee, GEORGE MILLER for his help and support of this legislation as well.

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

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 1944, 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.

STATUS OF CERTAIN LANDS RELINQUISHED TO THE UNITED STATES

Mr. VENTO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 765) to resolve the status of certain lands relinquished to the United States under the act of June 4, 1897 (30 Stat. 11, 36), and for other purposes, as amended.

The Clerk read as follows:

H.R. 765

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

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Pursuant to the invitation and requirements contained in the 15th paragraph under the heading "Surveying the Public Lands" in the Act of June 4, 1897 (30 Stat. 11, 36), as amended or supplemented by the Acts of June 6, 1900 (31 Stat. 588, 614), March 4, 1901 (31 Stat. 1010, 1037), and September 22, 1922 (42 Stat. 1067), certain landowners or entrymen within forest reserves acted to transfer their lands to the United States as the basis for an in lieu selection of other Federal lands (hereafter in this Act referred to as "lieu lands") in exchange for such lands within such reserves (hereafter in this Act referred to as "base lands").

(2) By the Act of March 3, 1905 (33 Stat. 1264), Congress repealed the in lieu selection provisions of the Act of June 4, 1897, as amended, and terminated the right to select lieu lands, but expressly preserved the rights of land owners who had valid pending applications for in lieu selections, most of which have subsequently been granted.

(3) Other persons affected by the Acts cited in paragraphs (1) and (2) who acted to transfer base lands, or their successors in interest, have never obtained either (A) a patent to the lieu lands or any other consideration for their relinquishment, or (B) a quitclaim of their base lands, notwithstanding relief legislation enacted in 1922 and 1930.

(4) By the Act of July 6, 1960 (74 Stat. 334), Congress established a procedure to compensate persons affected by the Acts cited in paragraphs (1) and (2) who had not received appropriate relief under prior legislation. However, no payments of such compensation were made under that Act.

(5) Section 4 of the Act of July 6, 1960, further provided that lands with respect to which compensation under that Act were or could have been made, and not previously disposed of by the United States, shall be a part of any national forest, national park, or other area withdrawn from the public domain wherein they are located.

(6) Absent further legislation, lengthy and expensive litigation will be required to resolve existing questions about the title to lands covered by section 4 of the 1960 Act.

(b) PURPOSE.—The purpose of this Act is to resolve the status of the title to base lands affected by the past legislation cited in subsection (a).

SEC. 2. IDENTIFICATION AND QUITCLAIM OF FEDERAL INTEREST IN BASE LANDS.

(a) QUITCLAIM.—Except as otherwise provided by this Act, and subject to valid existing rights, but notwithstanding any other provision of law, the United States hereby quitclaims to the listed owner or entryman, his heirs, devisees, successors, and assigns, all right, title, and interest of the United States in and to the base lands described on a final list published pursuant to subsection (d)(1), effective on the date of publication of such list.

(b) PREPARATION OF INITIAL LISTS.—(1) Not later than 6 months after the date of enactment of this Act, the Secretary of the Interior, with respect to lands under such Secretary's jurisdiction, and the Secretary of Agriculture with respect to National Forest System lands, shall each prepare an initial list of all parcels of base lands that were relinquished to the United States pursuant to the Act of June 4, 1897 (as amended), and for which selection or other rights under that Act or supplemental legislation were not realized or exercised.

(2) The initial lists prepared under paragraph (1) shall be based on information in the actual possession of the Secretaries of the Interior and Agriculture on the date of enactment of this Act, including information submitted to Congress pursuant to the directive contained in Senate Report No. 98-578, issued for the Fiscal Year 1985 Interior and Related Agencies Appropriation, as revised and updated. The initial lists shall be published and distributed for public review in accordance with procedures adopted by the Secretary concerned.

(3) For a period of 180 days after publication of a list pursuant to paragraph (2), persons asserting that particular parcels omitted from such a list should have been included may request the Secretary concerned to add such parcels to the appropriate list. The Secretary concerned shall add to the list any such parcels which the Secretary determines meet the conditions specified in paragraph (1).

(c) NATIONALLY SIGNIFICANT LANDS.—(1) During preparation or revision of an initial list under subsection (b), the Secretary concerned shall identify those listed lands which are located wholly or partially within any conservation system unit and all other listed lands which Congress has designated for specific management or which the Secretary concerned decides, in the concerned Secretary's sole discretion, should be retained in order to meet public, resource protection, or administrative needs. For purposes of this paragraph, the term "conservation system unit" means any unit of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, or National Wilderness Preservation System, a national forest monument, or a national conservation area,

a national recreation area, or any lands being studied for possible designation as part of such a system or unit.

(2) The provisions of subsection (a) shall not apply to any lands identified by the Secretary concerned pursuant to paragraph (1). The Secretary concerned shall not include any such lands on any list prepared pursuant to subsection (d). Subject to valid existing rights arising from factors other than those described in subsection (b)(1), any right, title, and interest in and to lands identified pursuant to paragraph (1) and not previously vested in the United States is hereby vested and confirmed in the United States.

(3) In the same manner as the initial list was published and distributed pursuant to subsection (b)(2), the Secretary concerned shall publish and distribute an identification of all lands in which right, title, and interest is vested and confirmed in the United States by paragraph (2).

(d) FINAL LISTS.—(1) As soon as possible after considering any requests made pursuant to subsection (b)(3) and the identification of lands pursuant to subsection (c), the Secretary of the Interior and the Secretary of Agriculture shall each publish a final list, consisting of lands included on each Secretary's initial list not identified pursuant to subsection (c)(1). Unless a Secretary has published a final list on or before the date 24 months after the date of publication, pursuant to subsection (b)(2), of such Secretary's initial list, the initial list prepared by such Secretary shall be deemed on such date to be the final list required to be published by such Secretary, and thereafter no lands included on such initial list shall be excluded from operation of subsection (a) except lands located wholly or partially within a conservation system unit or any other area which Congress has designated for specific management.

(2) If after publication of a final list a court makes a final decision that a parcel of land was arbitrarily and capriciously excluded from an initial list as provided by subsection (b), such parcel shall be deemed to have been included on a final list published pursuant to paragraph (1), unless such parcel is located wholly or partially inside a conservation system unit or any other area which Congress has designated for specific management, in which case such parcel shall be subject to the provisions of subsection (c)(2).

(e) ISSUANCE OF INSTRUMENTS.—(1) Except as otherwise provided in this Act, no later than 6 months after the date on which the Secretary concerned publishes a final list of lands pursuant to subsection (d), the Secretary concerned shall issue documents of disclaimer of interest confirming the quitclaim made by subsection (a) of this section of all right, title, and interest of the United States in and to the lands included on such final list, subject to valid existing rights arising from factors other than a relinquishment to the United States of the type described in subsection (b). Each such confirmatory document of disclaimer of interest shall operate to estop the United States from making any claim of right, title, or interest of the United States in and to the base lands described in the document of disclaimer of interest, shall be made in the name of the listed owner or entryman, his heirs, devisees, successors, and assigns, and shall be in a form suitable for recordation and shall be filed and recorded by the United States with the recorder of deeds or other like official of the county or counties within which the lands covered by such confirmatory docu-

ment of disclaimer of interest are located so that the title to such lands may be determined in accordance with applicable State law.

(2) The United States shall not adjudicate and, notwithstanding any provision of law to the contrary, does not consent to be sued in any suit instituted to adjudicate the ownership of, or to quiet title to, any base land included in a final list and described in a confirmatory document of disclaimer of interest.

(3) Neither the Secretary of the Interior nor the Secretary of Agriculture shall be required to inspect any lands included on a final list nor to inform any member of the public regarding the condition of such lands prior to the issuance of any confirmatory document of disclaimer of interest required by this subsection, and nothing in this Act shall be construed as affecting any valid rights with respect to lands covered by a confirmatory document of disclaimer of interest issued pursuant to this subsection that were in existence on the date of issuance of such confirmatory document of disclaimer of interest.

(4) For purposes of this Act, the term "document of disclaimer of interest" means a memorandum or other document, however styled or described, that references the quitclaim made by subsection (a) of this section and that meets the requirements for recordation established by applicable laws of the State in which the lands to which such document refers are located.

(f) WAIVER OF CERTAIN CLAIMS AGAINST THE UNITED STATES.—Any person or entity accepting the benefits of this Act or failing to act to seek such benefits within the time allotted by this Act with respect to any base or other lands shall be deemed to have waived any claims against the United States, its agents or contractors, with respect to such lands, or with respect to any revenues received by the United States from such lands prior to the date of enactment of this Act. All non-Federal, third party rights granted by the United States with respect to base lands shall remain effective subject to the terms and conditions of the authorizing document. The United States may reserve any rights-of-way currently occupied or used for Government purposes.

SEC. 3. OTHER CLAIMS.

(a) JURISDICTION AND DEADLINE.—(1) Subject to the requirements and limitations of this section, a party claiming right, title, or interest in or to land vested in the United States by section 2(c)(2) of this Act may file in the United States Claims Court a claim against the United States seeking compensation based on such vesting. Notwithstanding any other provision of law, the Claims Court shall have exclusive jurisdiction over such claim.

(2) A claim described in paragraph (1) shall be barred unless the petition thereon is filed within 1 year after the date of publication of a final list pursuant to section 2(d) of this Act.

(3) Nothing in this Act shall be construed as authorizing any claim to be brought in any court other than a claim brought in the United States Claims Court based upon the vesting of right, title, and interest in and to the United States made by section 2(c)(2) of this Act.

(b) LIMITATIONS, DEFENSES, AND AWARDS.—(1) Nothing in this Act shall be construed as diminishing any existing right, title, or interest of the United States in any lands covered by section 2(c), including but not limited to any such right, title, or interest established by the Act of July 6, 1960 (74 Stat. 334).

(2) Nothing in this Act shall be construed as precluding or limiting any defenses or claims (including but not limited to defenses based on applicable statutes of limitations, affirmative defenses relating to fraud or speculative practices, or claims by the United States based on adverse possession) otherwise available to the United States.

(3) Nothing in this Act shall be construed as entitling any party to compensation from the United States. However, in the event of a final judgment of the United States Claims Court in favor of a party seeking such compensation, or in the event of a negotiated settlement agreement made between such a party and the Attorney General of the United States, the United States shall pay such compensation from the permanent judgment appropriation established pursuant to section 1304 of title 31, United States Code.

(c) SAVINGS CLAUSE.—This Act does not include within its scope selection rights required to be recorded under the Act of August 5, 1955 (69 Stat. 534), regardless of whether compensation authorized by the Act of August 31, 1964 (78 Stat. 751) was or was not received.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes and the gentleman from California [Mr. POMBO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 765, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, except for one technical correction and the deletion of a non-germane provision, H.R. 765 is identical to a bill introduced by our former colleague from California, Mr. Lagomarsino, that was passed by the House in the 102d Congress.

Unfortunately, action on the bill was not completed before last year's sine die adjournment, because of the parliamentary situation in the House which prevented us from approving the bill after it came back to us from the Senate with the one necessary technical correction.

Therefore, several members of the Natural Resources Committee, led by the gentleman from California [Mr. DOOLEY], and including the gentleman from Utah [Mr. HANSEN] and the gentleman from California [Mr. HERGER], joined to reintroduce the bill this year.

The purpose of the bill is to finally resolve disputes between the United States and private parties over ownership of some 28,500 acres in 10 Western States, growing out of the so-called in

lieu selection provisions of an act of 1897.

In summary, the bill would—

First, require the Secretaries of Agriculture and the Interior to compile lists of all affected lands;

Second, confirm the national ownership of any listed lands within conservation areas—for example, national parks, wilderness areas, and the like—and any other listed lands that the secretaries decide should be held for public, resource protection, or administrative purposes;

Third, relinquish any right, title, or interest of the United States in the remainder of the listed lands, leaving any disputes over their ownership to be resolved under State law; and

Fourth, allow anyone claiming that the bill was a taking of property a 1-year opportunity to bring an action in the claims court to ask for monetary compensation from the permanent judgment fund, while retaining any and all defenses the National Government might have in any such lawsuit.

When we considered the bill in committee, a few technical changes were made in response to suggestions by the administration, but the bill is still essentially the same as the bipartisan measure the House passed in the last Congress.

Compared to some of the bills the House has already considered this year or will consider later, this may seem like a minor measure. But it is a very important one to people in a number of Western States who have found that they are unable to get title insurance on lands they occupy, or who have encountered other problems because of the clouds on the title to lands covered by the bill.

I commend the sponsors of the bill for their leadership on this, and I urge the House to approve the bill.

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

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

Mr. Speaker, I rise in support of H.R. 765, better known as the in lieu claims bill. This action will provide a mechanism to resolve nearly 100 years of property rights disputes between private property owners and the Federal Government. I personally believe that private property rights are fundamental to our country and of utmost importance to our citizens. Any efforts this House can take to preserve private property rights is vitally important.

Many Western States are faced with these in-holdings problems. H.R. 765 represents a bipartisan compromise that would transcend nearly 100 years of congressional mishaps and would finally clear the title to over 28,000 acres in 10 Western States. I request this body's support and hope that we can move this legislation on to the Senate in an expeditious manner.

Mr. DOOLEY. Mr. Speaker, I am pleased to support this legislation to resolve long-standing

problems resulting from the so-called forest in lieu selection provisions of the 1897 law that established the National Forest System.

The bipartisan measure we have before us today is essentially the same as legislation introduced by our former colleague from California, Mr. Lagomarsino, in the 102d Congress. Mr. Lagomarsino's bill was supported by the administration and by Members from both sides of the aisle. It passed the House on a suspension vote last May, and a virtually identical measure was approved by the Senate in October.

However, as the gentleman from Minnesota [Mr. VENTO] has noted, there was a one-word difference between the House and Senate versions of the bill, and the 102d Congress adjourned before that very slight difference could be resolved. Similar legislation in the 101st Congress met the same fate when the Senate failed to act on a House-passed bill before adjournment.

I'm glad that we're getting an early start this time.

Mr. VENTO and my colleagues from Utah [Mr. HANSEN] and Oregon [Mr. SMITH] have joined me in sponsoring H.R. 765, which will clear up a century of confusion over the ownership of 28,000 acres of national forest, national park, and BLM lands in 10 Western States. More than a third of that acreage is in my State of California.

The problem was created by 1897 Forest Management Act, which included provisions to consolidate Federal forest land holdings by allowing private landowners in the forests to exchange their property for public lands elsewhere. Many property owners gave up their deeds to the Government but, for one reason or another, received nothing in return. Over the next 70 years Congress tried three times to correct the situation, but the remedies only made matters worse.

Now, almost 100 years later, the ownership of thousands of acres remains in doubt, causing problems for private citizens and Federal land managers alike.

H.R. 765 would put an end to that uncertainty. It would require the Departments of Agriculture and Interior to compile a list of all the affected lands and to confirm Federal ownership of parcels important for conservation purposes, such as those in wilderness areas. The Federal Government would be required to give up claim to the rest of the lands, leaving any ownership disputes among private parties to be settled by the State courts. Anybody who believes that the Federal Government unjustly claimed ownership of their lands under this bill would have 1 year to seek compensation from the Federal Court of Claims.

H.R. 765 includes a number of technical amendments requested by the Interior and Agriculture Departments. This is a good bill. It has broad support. I urge its adoption by the House.

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

Mr. VENTO. Mr. Speaker, I urge the Members to support this bill. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 765, 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.

AMERICAN INVOLVEMENT IN MACEDONIA

The SPEAKER pro tempore (Mr. MONTGOMERY). Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 60 minutes.

Mr. ROTH. Mr. Speaker, the Clinton administration has issued several pronouncements in recent weeks that the United States will become more involved militarily in United Nations peacekeeping operations around the world. Now is precisely the time for us in Congress, and the American people, to carefully consider this new course of action and the implications for our country.

However, within the Clinton administration, the debate seems to be over. In fact according to senior defense and diplomatic officials, the administration already is drafting a new set of criteria for U.S. involvement in U.N. peacekeeping operations that would provide for a much wider role for U.S. military personnel.

Under these proposed criteria, U.S. forces would help plan, train and participate in U.N. peacekeeping activities when justified by general U.S. interests, not just when the United States could make a unique military contribution.

In fact, the President has already taken the first steps to put this policy into effect. He has offered 300 American combat troops to be added to the U.N. forces in Macedonia. Last Friday, the U.N. Security Council voted 15 to 0 to accept the American forces. An advance party of eight American officers is now in Macedonia, to make arrangements for our forces to be deployed. According to news reports, our troops will be under command of a Danish general, to augment the 700 Scandinavian troops already stationed in that region.

According to the President and Secretary of State Christopher, the mission of our 300 troops in Macedonia will be to contain the Bosnian war and prevent its spread to Macedonia. Specifically, our forces will be deployed along the border with Serbia, to observe and report any military threats. Everyone acknowledges that in the event fighting breaks out, our forces would have no military value in defending Macedonia. They are there as a trip-wire, to trigger a larger American involvement in the Balkans if the Serbs attack in

that southern Balkan region. Secretary Christopher has all but stated explicitly that a Serb attack in Macedonia would bring United States retaliation. In that event, the United States would become involved militarily in the Balkans.

Now is the time for the Congress to weigh the pros and cons of the President's initiative in Macedonia. However, the President has not formally consulted with Congress. Our troops will be on the ground in Macedonia before Congress is consulted. In my view, this is wrong.

Consider the military situation. Serbia has some 135,000 active duty troops, with another 40,000 reserves. The Bosnian Serbs have another 60,000 men under arms. Together these forces total 235,000 combat troops. The Serbs also have some 1,000 tanks and 1,350 artillery pieces. This is a formidable army.

By contrast, the Macedonians are still trying to raise an army, and would be able to field 10,000 troops at best. They would be hard-pressed to defend their 10,000-square-mile territory and their 2.1 million population.

By committing the United States to defend Macedonia, the Clinton administration has taken on the responsibility of defending a weak country against a strong neighbor. If Serbia attacks Macedonia, it would take tens of thousands of American troops—perhaps more than 100,000—to turn the Serbs back.

So the 300 American troops will only serve to draw America into a major war in the Balkans.

Before the United States marches off helter-skelter to defend Macedonia, or any other foreign territory, we must set some rational guidelines for these commitments. In my view, none are more relevant or sensible than those set forth by Secretary of State Christopher on April 27. He said that before we become involved in the Balkans, four tests must be met. They are:

First, the goal must be clearly set;

Second, there must be strong likelihood of success;

Third, there must be an exit strategy; and

Fourth, there must be sustained public support. Measured against these four tests, the President's commitment of troops to Macedonia fails on all counts.

First, the goal is not clear. Are we sending these troops to defend Macedonia? If so, how does a company of United States infantry help defend against 235,000 Serbian forces? If the goal is to monitor the border against attack, isn't the President simply sacrificing these troops in the event of an attack? To many of us, this brings back the horrible memory of the 241 marines that were massacred in Beirut in 1983. Is that what the President wants to repeat? If the goal is not really military, but is a political gesture to counter

European criticism, then aren't our troops being cynically used as pawns in our diplomatic relations with Europe?

Second, how can anyone say we have a good chance of success in Macedonia? If Serbia attacks, it will be with overwhelming force. The battalion of U.N. troops will not stop the Serbs, nor will it even slow them down. The United States either would have to commit a huge force to fight Serbia in that mountainous region, or we would have to pull our forces out. Either way, an American military victory is not likely.

Third, if we do become embroiled in fighting Serbia, how does President Clinton propose that we extricate ourselves? Does he envisage America occupying the southern Balkans for the next generation? Or does he plan to retreat if the Serbs do attack? Either way, America is the loser and we have no way out.

And finally, where is the support among the American people. I know of no body of public opinion that supports getting America into a war in the Balkans. The American people understand the risks that such a war poses for our country. In this regard, the American people are a lot smarter than President Clinton's foreign policy team.

The crucial point to remember is that the United States is not in control of events in the Balkans. If the President follows through with his commitment to Macedonia, then events will begin to control us. Barbara Tuckman's "The Guns of August," the classic work, on the outbreak of World War I is illustrative. She recounts the anecdote of the British general who asks General Föch how many troops he wants Britain to send—Föch is reported to have said, "just send me one after he gets killed you'll send me all you have." So it will be for America in the Balkans.

To those who contend that the United States commitment to Macedonia is harmless, let me say it can quickly become most precarious. On June 2, the top U.N. civilian official in the Balkans, Cedric Thornberry, said publicly that the situation in the southern Balkans is potentially more dangerous than the current fighting in Bosnia. Kosovo is a powderkeg, with Serbian security forces repressing the ethnic Albanians. Kosovo is adjacent to Macedonia, and Mr. Thornberry predicted that if fighting breaks out in Kosovo, it will spread to Macedonia. And our 300 troops would be right in the middle.

If the U.S. troops were involved in hostilities, what would be our next step? The Pentagon tells us that we would then have two options:

Further reinforcements of American combat troops.

Or withdrawal of our forces.

For any policy to dictate those two options is in my opinion a policy that sets America up for a great deal of pain.

My conclusion is that the present course is only a pretext for more and deeper involvement of United States forces in the Balkans. Therefore, to pursue the present policy is unwise at best and disastrous at worst.

The wiser course for us is to try to cool the violence in Bosnia, Croatia, Serbia by working for a peaceful solution. Partition raises hackles in the West, but if it would settle the strife and allow for peace to descend on the land, it may be the only viable solution. In the present circumstance, it may be the best solution available.

The present course by the Clinton administration is so murky, and the steps we are taking so potentially awesome, that our Government must be more deliberate and circumspect. We must look at all the options. To use an old American adage: "look before we leap."

First and foremost, U.S. troops must not be the 911 for every trouble spot in the world. Under the President's policy, we are quickly becoming what we must not become; the world's policeman. A superpower, whatever that means in the world today, must not get involved in every little squabble all over the world. That is not a rational conception of the new world order.

So, we must think through the consequences of our actions. In today's world we can't predict the future course with certainty, or even a comfortable degree of certainty.

Somalia is a case in point. When the United States embarked in its mission in December 1992—the projections were that the United Nations would take over the mission by January 20, Inauguration Day. Even Gen. Colin Powell, Chairman of the Joint Chiefs of Staff, said in his assessment, as our troops were introduced into Somalia, that he was "very very confident that in a couple of months—two or three is my best guess—this will be completely turned over to the United Nations." Our then Secretary of Defense had a similar assessment. That goal still isn't even close to being met.

Consider how differently events have unfolded in Somalia. On December 9, the prediction was that our troops would be out by January 20. Now, the United States is beginning its seventh month, and American troops now are no longer peacekeepers but aggressive peacemakers. On May 25, Congress completed action on a resolution to keep our troops in Somalia for a year or longer.

In Somalia, the U.N. forces are being tied down by a hapless, ill-trained band of gunmen. That experience should tell us something about what we will face in Macedonia if America must fight Serbia.

The second stark lesson that Somalia must teach us is that the United States always winds up doing the heavy lifting when it comes to U.N. peacekeeping operations.

Six weeks ago, President Clinton had our troops at the White House thanking them for a job well-done in Somalia. And our forces did a very admirable job. But events in Somalia have taken an unexpected turn. Now, our forces are being built up again. So, no matter how you slice it, U.N. actions are really American actions.

In this new world we must think anew and act anew. We can't be tied to the old metaphors. For example, those who advocate intervening in Bosnia always serve up the image of Neville Chamberlain and Munich. However, there is another reference that applies. Recall the words of Lord Salisbury who said, "the commonest error in politics, sticking to the carcasses of dead policies."

I fervently hope that this Congress will fulfill its responsibilities and have a genuine open and comprehensive debate on our policy in the Balkans.

But instead of an open and free debate on the key questions, the foreign policy establishment is stifling such initiatives.

Take the example of Under Secretary of State Peter Tarnoff. You would think from press and administration this man had committed an unforgivable gaffe. Why? He committed the political sin of raising the relevant questions about our role in the new world.

To many of us, Mr. Tarnoff was more realistic, given the new paradigm under which we live, than all of the fossilized thinking in the administration and State Department combined.

In his recent speech, Mr. Tarnoff acknowledged that the United States does not have the resources to clean up everyone's backyard throughout the world, or to resolve every domestic dispute worldwide. The majority in Congress may state a different view than Mr. Tarnoff, but if one looks at the defense budget, the majority tacitly agree. In other words, Congress may give voice to the inclination of the Clinton administration and the State Department, but congressional actions follow the Tarnoff statements to a "T."

Mr. Tarnoff is committed to what Churchill said was a policy of "jaw jaw rather than war war." In today's world, this is wise counsel. We can always go to war, but we can't always disengage once our troops are committed. Secretary Christopher was right on "Nightline" when he said, "If we insisted on doing everything ourselves, we would not be a superpower * * * we must save our power for those situations which threaten our deepest national interest."

The United States keeps making the mistake of allowing us to be selected to insure that we mediate every violation of peace around the world. Why? Who elected the United States? Who said we must lead with our chin everytime there is a squabble somewhere in the world?

And after all is said and done, we must ask what is in the best interest of our country? How will all these foreign adventures further America's future? And how will America's involvement in all these conflicts help the goal of world peace?

We in Congress and the American people need a new paradigm to guide us in making decisions in foreign policy. The four guideposts I recommend are the four enunciated by our own Secretary of State.

A clearly stated goal;
A strong likelihood of success;
An exit strategy; and
Sustained public support.

Has it ever occurred to the foreign policy establishment that maybe the problems of the world today do not lend themselves to U.S.-imposed military or economic solutions? The forces that clash in the world today go beyond military power or economic—but are characterized by a conflict of values. The 21st century will be a time of competing values. That's why before the United States embarks on any intervention—be it Somalia, Macedonia, or anywhere else—we have to look at the culture of that nation. What are their values? How do they see the world's? What are their beliefs? What are their interests? Only by seeing the world through their eyes can we ever hope for a modicum of success.

Mr. Speaker, 300 American troops soon will be in Macedonia. Before this occurs, Congress must act to insure that this grave step is fully considered and its implications fully assessed. This is the beginning of a new policy for America's role in the world. That must not take place until we, the representatives of the American people, are able to discharge our responsibility to act on behalf of the people we are elected to represent, and protect.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POMBO) to revise and extend their remarks and include extraneous material:)

Mr. ISTOOK, for 5 minutes each day, on June 22, 23, and 24.

Mr. MCCOLLUM, for 60 minutes each day, on June 29 and 30.

(The following Members (at the request of Mr. VENTO) to revise and extend their remarks and include extraneous material:)

Mr. PICKETT, for 5 minutes, on June 22.

Mr. UNDERWOOD, for 30 minutes, on June 22.

Mr. GONZALEZ, for 60 minutes each day, on June 24 and 28.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. POMBO) and to include extraneous matter:)

- Mr. GOODLING.
Mr. LEWIS of California.

(The following Members (at the request of Mr. VENTO) and to include extraneous matter:)

- Mr. KANJORSKI.
Mr. TUCKER.
Mr. HAMILTON.
Mr. WAXMAN.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2343. An act to amend the Forest Resources Conservation and Shortage Relief Act of 1990 to permit States to adopt timber export programs, and for other purposes.

ADJOURNMENT

Mr. ROTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 22, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1460. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Kingdom of Thailand, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

1461. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Joseph A. Saloom, of Virginia, to be Ambassador to the Republic of Guinea; of Raymond Leo Flynn, of Massachusetts, to be Ambassador to the Holy Sea; and of Dennis C. Jett, of New Mexico, to be Ambassador to the Republic of Mozambique, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1462. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Laurence E. Pope, of Maine, to be Ambassador to the Republic of Chad; and Howard F. Jeter, of South Carolina, to be Ambassador to the Republic of Botswana, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1463. A letter from the Acting Assistant Secretary for Civil Works, Department of the Army, transmitting a report from the Chief of Engineers, Department of the Army, on the possible commercial and recreational navigation needs at Mexico Beach, FL, pursuant to Public Law 89-789, section 209 (80 Stat. 1423); to the Committee on Public Works and Transportation.

1464. A letter from the Acting Assistant Secretary for Civil Works, Department of the Army, transmitting a report dated February 8, 1990, from the Chief of Engineers, Department of the Army, on the possible flood control needs in the Black River Basin, NY, pursuant to Public Law 89-789, section 209 (80 Stat. 1423); to the Committee on Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California. Committee on Natural Resources. H.R. 1134. A bill to provide for the transfer of certain public lands located in Clear Creek County, CO, to the U.S. Forest Service, the State of Colorado, and certain local governments in the State of Colorado, and for other purposes, with amendments (Rept. 103-141). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California. Committee on Natural Resources. S. 80. An act to increase

the size of the Big Thicket National Preserve in the State of Texas by adding the Village Creek corridor unit, the Big Sandy corridor unit, and the Canyonlands unit (Rept. 103-142). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California. Committee on Natural Resources. H.R. 1347. A bill to modify the boundary of Hot Springs National Park (Rept. 103-144). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California. Committee on Natural Resources. H.R. 1944. A bill to provide for additional development at War in the Pacific National Historical Park, and for other purposes, with amendments (Rept. 103-145). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 2150. A bill to authorize appropriations for fiscal year 1994 for the U.S. Coast Guard, and for other purposes, with an amendment (Rept. 103-146). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California. Committee on Natural Resources. H.R. 1183. A bill to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Co., with an amendment (Rept. 103-143). Referred to the Committee of the Whole House.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

- H.R. 306: Mr. SHAYS.
H.R. 1141: Mr. TALENT and Mrs. MORELLA.
H.R. 1377: Mr. WASHINGTON and Mr. OWENS.
H.R. 1528: Mr. BAKER of Louisiana, Mr. KYL, Mr. RIDGE, and Mr. BARTLETT of Maryland.
H.R. 1738: Mr. COMBEST.
H.R. 2353: Mr. WYNN.
H. Con. Res. 108: Mr. LAZIO.