

and Senators for submission to the Congress."

SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this joint resolution is hereby expressly reserved by the Congress. The consent granted by this joint resolution shall not be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of the agreement.

SEC. 3. CONSTRUCTION AND SEVERABILITY.

It is intended that the provisions of this agreement shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this agreement, or legislation enabling the agreement, is held invalid, the remainder of the agreement or its application to other situations or persons shall not be affected.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from Virginia [Mr. SCOTT] each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GEKAS].

GENERAL LEAVE

Mr. GEKAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the joint resolution under consideration.

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

There was no objection.

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

Mr. Speaker, of course I rise in support of House Joint Resolution 166 and urge its adoption by the House. Just as the previous resolution, the Committee on the Judiciary has reported the bill to the House by a unanimous verdict of 25 to nothing. This one has to do with the contract between the cities of Bristol, VA, and Bristol, TN. As my colleagues can imagine, they abut, and the only thing that stands between them is the borderline.

When Tennessee and Virginia saw the need to enter into agreements to provide for mutual law enforcement assistance, they turned to their own bodies, their own legislative bodies, to approve this joint venture, and they did so, and so it comes to us now, as the Constitution, as I have said previously, demands, that the Congress approve the contract and compact between these two States.

The Bristols sit astride the Tennessee-Virginia border, with a total population of approximately 43,000. This mutual aid agreement is one that you might expect would be of considerable benefit for a community in which a State boundary runs along its main street.

The subcommittee was pleased to receive testimony and support of this legislation from our colleagues, the gentleman from Virginia [Mr. BOUCHER], sponsor of the resolution, and the gentleman from Tennessee [Mr. QUILLEN], each of whom presented a portion of the greater Bristol community agreement and who represent

their respective portions of Bristol, on both sides of the border.

Mr. Speaker, I urge adoption of this resolution.

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

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

Mr. Speaker, I rise in support of House Joint Resolution 166.

Mr. Speaker, House Joint Resolution 166 was introduced by the gentleman from Virginia [Mr. BOUCHER] and the gentleman from Tennessee [Mr. QUILLEN]. It would grant the consent of Congress to a mutual aid agreement between the cities of Bristol, VA, and Bristol, TN, to allow law enforcement officers to respond to calls made by the other city. The State line cuts across Bristol's main thoroughfare, but police officers from Bristol, VA, do not have the legal authority to make arrests or perform other law enforcement activities on the other side of the street in Bristol, TN, and vice versa. This bill allows the cities to remedy that situation, and I commend Mr. BOUCHER and Mr. QUILLEN for their fine work on behalf of their constituents.

The bill was reported, as the gentleman from Pennsylvania [Mr. GEKAS] has indicated, from the Committee on the Joint without opposition, and I urge the support of the bill at this time.

Mr. QUILLEN. Mr. Speaker, I want to commend the Judiciary Committee for expeditiously moving this bill through the legislative process and bringing it to the floor today. I'd also like to thank my good friend from Virginia, [Mr. BOUCHER] for his leadership and hard work on this bill, and I'm proud to be an original cosponsor of the resolution.

Because our districts border each other, we frequently work together on matters that affect our border cities and constituents. House Joint Resolution 166 grants congressional approval to the mutual aid agreement between the city of Bristol, VA and the city of Bristol, TN.

The Virginia/Tennessee State line cuts right across State Street in Bristol, which is the city's main thoroughfare. Needless to say, there's a great deal of activity along this street, and unfortunately, some of it is criminal activity. There is often jurisdictional confusion and restrictions on law enforcement personnel caused by the location of the State line.

This legislation will allow each city to respond to requests for law enforcement assistance made by the other city. The citizens of Bristol deserve the best police protection available, and this mutual aid agreement will accomplish that goal.

Mr. Speaker, this agreement is authorized under Tennessee and Virginia law, and I hope we can get this resolution approved by both Houses without delay.

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

Mr. GEKAS. Mr. Speaker, 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 Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the joint resolution, House Joint Resolution 166.

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

A motion to reconsider was laid on the table.

CONFERRING JURISDICTION WITH RESPECT TO LAND CLAIMS OF ISLETA PUEBLO

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 740) to confer jurisdiction on the U.S. Court of Federal Claims with respect to land claims of Pueblo of Isleta Indian Tribe.

The Clerk read as follows:

H.R. 740

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

SECTION 1. JURISDICTION.

Notwithstanding sections 2401 and 2501 of title 28, United States Code, and section 12 of the Act of August 13, 1946 (60 Stat. 1052), or any other law which would interpose or support a defense of untimeliness, jurisdiction is hereby conferred upon the United States Court of Federal Claims to hear, determine, and render judgment on any claim by Pueblo of Isleta Indian Tribe of New Mexico against the United States with respect to any lands or interests therein the State of New Mexico or any adjoining State held by aboriginal title or otherwise which were acquired from the tribe without payment of adequate compensation by the United States. As a matter of adequate compensation, the United States Claims Court may award interest at a rate of five percent per year to accrue from the date on which such lands or interests therein were acquired from the tribe by the United States. Such jurisdiction is conferred only with respect to claims accruing on or before August 13, 1946, and all such claims must be filed within three years after the date of enactment of this Act. Such jurisdiction is conferred notwithstanding any failure of the tribe to exhaust any available administrative remedy.

SEC. 2. CERTAIN DEFENSES NOT APPLICABLE.

Any award made to any Indian tribe other than the Pueblo of Isleta Indian Tribe of New Mexico before, on, or after the date of the enactment of this Act under any judgment of the Indian Claims Commission or any other authority with respect to any lands that are the subject of a claim submitted by the tribe under section 1 shall not be considered a defense, estopped, or set-off to such claim, and shall not otherwise affect the entitlement to, or amount of, any relief with respect to such claim.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Virginia [Mr. SCOTT] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 740, introduced by the gentleman from New Mexico [Mr. SCHIFF] and the gentleman from New Mexico [Mr. SKEEN] would permit the Pueblo of Isleta Indian Tribe to file a claim in the U.S. Court of Federal Claims for certain aboriginal lands acquired from the tribe by the United States. The tribe was erroneously advised by the Bureau of Indian Affairs in regard to this claim, and as a result never filed a claim for aboriginal lands before the expiration of the statute of limitations.

The court's jurisdiction would apply only to claims accruing on or before August 13, 1946, as provided in the Indian Claims Commission Act.

The Pueblo of Isleta Tribe seeks the opportunity to present the merits of its aboriginal land claims, which otherwise would be barred as untimely. The tribe cites numerous precedents for conferring jurisdiction under similar circumstances, such as the case of the Zuni Indian Tribe in 1978.

An identical bill passed the Senate in the 103d Congress, but was not considered by the House. In the 102d Congress, H.R. 1206, amended to the current language, passed the House, but was not considered by the Senate before adjournment. On June 11, 1996, the Judiciary Committee favorably reported this bill by unanimous voice vote.

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

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

Mr. Speaker, I think the bill has been explained that was introduced by the gentleman from New Mexico [Mr. SKEEN] and the gentleman from New Mexico [Mr. SCHIFF]. It is a fair bill, and I would just urge colleagues to support it at this time.

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

Mr. RICHARDSON. Mr. Speaker, I wish to extend my strong support for H.R. 740 which deals with the Pueblo of Isleta Indian land claims. H.R. 740 comes before Congress for a vote which will correct a 45-year-old injustice. In 1951, the Pueblo of Isleta was given erroneous advice by employees of the Bureau of Indian Affairs regarding the nature of the claim the Pueblo could mount under the Indian Claims Commission Act of 1946. This is documented and supported by testimony. The Pueblo was not made aware of the fact that a land claim could be made based upon aboriginal use and occupancy. As a result, it lost the opportunity to make such a claim.

The Pueblo of Isleta was a victim of circumstances beyond its control, and this bill is an opportunity for us to correct this wrong. No expenditure or appropriations of funds are provided for in this bill: only the opportunity for the Pueblo to make a claim for aboriginal lands which the Isletas believe to be rightfully theirs. This bill may be the last chance for the United States to correct an injustice which occurred many years ago because of misinformation from the BIA.

Therefore, I urge my colleagues to support H.R. 740.

Mr. SMITH of Texas. Mr. Speaker, 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 Texas [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 740.

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.

WAR CRIMES ACT OF 1996

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3680) to amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

The Clerk read as follows:

H.R. 3680

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 "War Crimes Act of 1996".

SEC. 2. CRIMINAL PENALTIES FOR CERTAIN WAR CRIMES.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

"CHAPTER 118—WAR CRIMES

"Sec.

"2401. War crimes.

"§ 2401. War crimes

"(a) OFFENSE.—Whoever, whether inside or outside the United States, commits a grave breach of the Geneva Conventions, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

"(b) CIRCUMSTANCES.—The circumstances referred to in subsection (a) are that the person committing such breach or the victim of such breach is a member of the armed forces of the United States or a national of the United States (as defined in section 101 of the Immigration and Nationality Act).

"(c) DEFINITIONS.—As used in this section, the term 'grave breach of the Geneva Conventions' means conduct defined as a grave breach in any of the international conventions relating to the laws of warfare signed at Geneva 12 August 1949 or any protocol to any such convention, to which the United States is a party."

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

"118. War crimes 2401".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. SMITH] and the gentleman from Virginia [Mr. SCOTT] each will control 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3680 is designed to implement the Geneva conventions for the protection of victims of war. Our colleague, the gentleman from North Carolina, WALTER JONES, should be commended for introducing this bill and for his dedication to such a worthy goal.

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Mr. Speaker, the Geneva Conventions of 1949 codified rules of conduct for military forces to which we have long adhered. In 1955 Deputy Under Secretary of State Robert Murphy testified to the Senate that—

The Geneva Conventions are another long step forward towards mitigating the severity of war on its helpless victims. They reflect enlightened practices as carried out by the United States and other civilized countries, and they represent largely what the United States would do, whether or not a party to the Conventions. Our own conduct has served to establish higher standards and we can only benefit by having them incorporated in a stronger body of wartime law.

Mr. Speaker, the United States ratified the Conventions in 1955. However, Congress has never passed implementing legislation.

The Conventions state that signatory countries are to enact penal legislation punishing what are called grave breaches, actions such as the deliberate killing of prisoners of war, the subjecting of prisoners to biological experiments, the willful infliction of great suffering or serious injury on civilians in occupied territory.

While offenses covering grave breaches can in certain instances be prosecutable under present Federal law, even if they occur overseas, there are a great number of instances in which no prosecution is possible. Such nonprosecutable crimes might include situations where American prisoners of war are killed, or forced to serve in the Army of their captors, or American doctors on missions of mercy in foreign war zones are kidnapped or murdered. War crimes are not a thing of the past, and Americans can all too easily fall victim to them.

H.R. 3680 was introduced in order to implement the Geneva Conventions. It prescribes severe criminal penalties for anyone convicted of committing, whether inside or outside the United States, a grave breach of the Geneva Conventions, where the victim or the perpetrator is a member of our Armed Forces. In future conflicts H.R. 3680 may very well deter acts against Americans that violate the laws of war.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, as the gentleman from Texas has fully explained, H.R. 3680 implements this country's international