

control populations by destroying individual leaders and frightening entire communities. Torture is rarely used to extract information from someone."

I am a strong supporter of this program and am pleased that both the House and the Senate Foreign Operations Appropriations bills have provided \$3 million for the United Nations Voluntary Fund for Victims of Torture and \$7.5 million for the Foreign Treatment Centers for Torture Victims.

As a member of the Labor, HHS Appropriations Subcommittee, I am hopeful that once we draft our legislation, it will reflect the President's FY 2000 request of \$7.5 million for Domestic Centers for Victims of Torture.

John F. Kennedy once said, "I am certain that after the dust of centuries has passed over our cities, we, too, will be remembered not for victories or defeats in battle or in politics, but for our contribution to the human spirit." This program does just that. It works to rebuild the human spirit that was broken as an act of war and repression.

Again, Mr. Speaker, I support this legislation and encourage full funding for these programs. Because democracy is neither easy nor simple. It is, however, a goal that we must boldly pursue.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. R. 2367.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

Mr. SMITH of New Jersey. Madam 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 New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2367, 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.

#### GRANTING CONSENT OF CONGRESS TO MISSOURI-NEBRASKA BOUNDARY COMPACT

Mr. GEKAS. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 54) granting the consent of Congress to the Missouri-Nebraska Boundary Compact.

The Clerk read as follows:

#### H. J. RES. 54

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONGRESSIONAL CONSENT.

The Congress consents to the Missouri-Nebraska Boundary Compact entered into between the States of Missouri and Nebraska. The compact reads substantially as follows:

#### "MISSOURI-NEBRASKA BOUNDARY COMPACT

##### "ARTICLE I

##### "FINDINGS AND PURPOSES

"(a) The states of Missouri and Nebraska find that there are actual and potential disputes, controversies, criminal proceedings and litigation arising or which may arise out of the location of the boundary line between the states of Missouri and Nebraska; that the Missouri River constituting the boundary between the states has changed its course from time to time, and that the United States Army Corps of Engineers has established a main channel of such river for navigation and other purposes, which main channel is identified on maps jointly certified by the state surveyors of Missouri and Nebraska and identified as the "Missouri-Nebraska Boundary Maps", which maps are incorporated in this act and made part of this act by reference, and which maps shall be filed with the secretaries of state of Missouri and Nebraska.

"(b) It is the principal purpose of the states of Missouri and Nebraska in executing the compact to establish an identifiable compromise boundary between the state of Missouri and the state of Nebraska for the entire distance thereof as of the effective date of the compact without interfering with or otherwise affecting private rights or titles to property, and the states of Nebraska and Missouri declare that further compelling purposes of the compact are—

"(1) to create a friendly and harmonious interstate relationship;

"(2) to avoid multiple exercise of sovereignty and jurisdiction including matters of taxation, judicial and police powers and exercise of administrative authority;

"(3) to encourage settlement and disposition of pending litigation and criminal proceedings and avoid or minimize future disputes and litigation;

"(4) to promote economic and political stability;

"(5) to encourage the optimum mutual beneficial use of the Missouri River, its waters and its facilities;

"(6) to establish a forum for settlement of future disputes;

"(7) to place the boundary in a location which can be identified or located; and

"(8) to express the intent and policy of the states that the common boundary be established within the confines of the Missouri River and both states shall continue to have access to and use of the waters of the river.

##### "ARTICLE II

##### "ESTABLISHMENT OF BOUNDARY

"The permanent compromise boundary line between the states of Missouri and Nebraska shall be fixed at the center line of the main channel of the Missouri River as of the effective date of the compact, except for that land known as McKissick's Island as determined by the Supreme Court of the United States to be within the state of Nebraska in the case of *Missouri v. Nebraska*, 196 U.S. 23, and 197 U.S. 577, all of which is identified on maps jointly prepared and certified by the state surveyors of Missouri and Nebraska and identified as the "Missouri-Nebraska Boundary Compact Maps", incorporated in this act and made a part of this act by reference, and which maps shall be filed with the secretaries of state of Missouri and Nebraska. This center line of the main channel of the Missouri River between the states is also described in this act by metes and bounds on the "Missouri-Nebraska Boundary Compact Maps" incorporated in this act by reference and made a part of this act. This center line of the main channel of the Missouri River as described on such maps shall be referred to as the "compromise boundary".

##### "ARTICLE III

##### "RELINQUISHMENT OF SOVEREIGNTY

"The state of Missouri hereby relinquishes to the state of Nebraska all sovereignty over all lands lying on the Nebraska side of such compromise boundary and the state of Nebraska hereby relinquishes to the state of Missouri all sovereignty over all lands lying on the Missouri side of such compromise boundary except for that land known as McKissick's Island which is identified on the "Missouri-Nebraska Boundary Compact Maps" incorporated in this act by reference and made a part of this act.

##### "ARTICLE IV

##### "PENDING LITIGATION

"Nothing in the act shall be deemed or construed to affect any litigation pending in the courts of either of the states of Missouri or Nebraska as of the effective date of the compact concerning the title to any of the lands, sovereignty over which is relinquished by the state of Missouri to the state of Nebraska or by the state of Nebraska to the state of Missouri and any matter concerning the title to lands, sovereignty over which is relinquished by either state to the other, may be continued in the courts of the state where pending until the final determination thereof.

##### "ARTICLE V

##### "PUBLIC RECORDS

"(a) The public record of real estate titles, mortgages and other liens in the state of Missouri to any lands, the sovereignty over which is relinquished by the state of Missouri to the state of Nebraska, shall be accepted as evidence of record title to such lands, to and including the effective date of such relinquishment by the state of Missouri, by the courts of the state of Nebraska.

"(b) The public record of real estate titles, mortgages and other liens in the state of Nebraska to any lands, the sovereignty over which is relinquished by the state of Nebraska to the state of Missouri, shall be accepted as evidence of record title to such lands, to and including the effective date of such relinquishment by the state of Nebraska, by the courts of the state of Missouri.

"(c) As to lands, the sovereignty over which is relinquished, the recording officials of the counties of each state shall accept for filing documents of title using legal descriptions derived from the land descriptions of the other state. The acceptance of such documents for filing shall have no bearing upon the legal effect or sufficiency thereof.

##### "ARTICLE VI

##### "TAXES

"(a) Taxes lawfully imposed by either Missouri or Nebraska may be levied and collected by such state or its authorized governmental subdivisions and agencies on land, jurisdiction over which is relinquished by the taxing state to the other, and any liens or other rights accrued or accruing, including the right of collection, shall be fully recognized and the county treasurers of the counties or other taxing authorities affected shall act as agents in carrying out the provisions of this article; provided, that all liens or other rights arising out of the imposition of taxes, accrued or accruing, shall be claimed or asserted within five years after the compact becomes effective and if not so claimed or asserted shall be forever barred.

"(b) The lands, sovereignty over which is relinquished by the state of Missouri to the state of Nebraska, shall not thereafter be subject to the imposition of taxes in the state of Missouri from and after the effective date of the compact. The lands, sovereignty over which is relinquished by the state of Nebraska to the state of Missouri, shall not

thereafter be subject to the imposition of taxes in the state of Nebraska from and after the effective date of the compact.

“ARTICLE VII  
“PRIVATE RIGHTS

“(a) The compact shall not deprive any riparian owner of such riparian owner’s rights based upon riparian law and the establishment of the compromise boundary between the states shall not in any way be deemed to change or affect the boundary line of riparian owners along the Missouri River as between such owners. The establishment of the compromise boundary shall not operate to limit such riparian owner’s rights to accretions across such compromise boundary.

“(b) No private individual or entity claims of title to lands along the Missouri River, over which sovereignty is relinquished by the compact, shall be prejudiced by the relinquishment of such sovereignty and any claims or possessory rights necessary to establish adverse possession shall not be terminated or limited by the fact that the jurisdiction over such lands may have been transferred by the compact. Neither state will assert any claim of title to abandoned beds of the Missouri River, lands along the Missouri River, or the bed of the Missouri River based upon any doctrine of state ownership of the beds or abandoned beds of navigable waters, as against any land owners or claimants claiming interest in real estate arising out of titles, muniments of title, or exercises of jurisdiction of or from the other state, which titles or muniments of title commenced prior to the effective date of this compact.

“ARTICLE VIII  
“READJUSTMENT OF BOUNDARY BY  
NEGOTIATION

“If at any time after the effective date of the compact the Missouri River shall move or be moved by natural means or otherwise so that the flow thereof at any point along the course forming the boundary between the states occurs entirely within one of the states, each state at the request of the other, agrees to enter into and conduct negotiations in good faith for the purpose of readjusting the boundary at the place or places where such movement occurred consistent with the intent, policy and purpose hereof that the boundary will be placed within the Missouri River.

“ARTICLE IX  
“EFFECTIVE DATE

“(a) The compact shall become effective on the first day of January of the year after it is ratified by the general assembly of the state of Missouri and the legislature of the state of Nebraska and approved by the Congress of the United States.

“(b) As of the effective date of the compact, the state of Missouri and the state of Nebraska shall relinquish sovereignty over the lands described in the compact and shall assume and accept sovereignty over such lands ceded to them as provided in the compact.

“(c) In the event the compact is not approved by the general assembly of the state of Missouri and the legislature of the state of Nebraska on or before October 1, 1999, and approved by the Congress of the United States within three years from the date of such approval, the compact shall be inoperative and for all purposes shall be void.

“ARTICLE X  
“ENFORCEMENT

“Nothing in the compact shall be construed to limit or prevent either state from instituting or maintaining any action or proceeding, legal or equitable, in any court having jurisdiction, for the protection of any right under the compact or the enforcement of any of its provisions.

“ARTICLE XI  
“AMENDMENTS

“The compact shall remain in full force and effect unless amended in the same manner as that by which it was created.”

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

The right to alter, amend, or repeal this joint resolution is hereby expressly reserved. 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 compact.

**SEC. 3. CONSTRUCTION AND SEVERABILITY.**

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

**SEC. 4. INCONSISTENCY OF LANGUAGE.**

The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the 2 states.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GEKAS) and the gentlewoman from Missouri (Ms. DANNER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GEKAS).

GENERAL LEAVE

Mr. GEKAS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and to include extraneous material on the joint resolution presently under consideration, H.J. Res. 54.

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

There was no objection.

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

This resolution, I say to the Members, is an exercise of constitutional authority, really a constitutional mandate. When two States, two or more States, enter into agreements in their mutual interest, those kinds of agreements, the compact, must gain the approval of the Congress. That was a salient feature of our constitutional process from the very beginning, and we find ourselves here today in sorting out the difference that existed between the mindsets in Missouri and Nebraska on an avulsion and accretion of the Missouri River which affected their boundaries.

The Congress has reviewed it, held hearings on it in our committee, and we are prepared today to signify the Congress’ approval of the compact entered into by the legislatures of the States of Missouri and Nebraska.

□ 1615

This problem, as I understand it, will be more fully explained by the gentleman from Nebraska (Mr. BEREUTER) and the gentlewoman from Missouri (Ms. DANNER). But this does date back historically, and would I like the record to completely reflect the fact that Lewis and Clark were the first to

observe the problem that the gentleman from Nebraska (Mr. BEREUTER) and the gentlewoman from Missouri (Ms. DANNER) are fixing today.

Madam Speaker, I reserve the balance of my time.

Ms. DANNER. Madam Speaker, I yield myself such time as I may consume.

I rise in support of House Joint Resolution 54.

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

Ms. DANNER. Madam Speaker, in 1864, the poet Longfellow wrote “All things come round to him who will but wait.” Well, those are prophetic words for me because I have, first as a Missouri State senator and now as a Member of Congress, waited 7 years for this agreement on the exact location of the boundary between our States of Missouri and Nebraska.

More importantly, the people of Missouri and Nebraska have waited patiently, or I should say perhaps impatiently, since the 1930s, when the Army Corps of Engineers straightened and channelized the Missouri River and disputes over the proper border began to emerge.

Despite a number of costly court efforts, the exact location of the border could not be agreed upon; and, so for decades both Missouri and Nebraska considered land compact legislation to resolve an issue that had plagued both our States since the last century.

However, each time one State adopted a version, the other State would refuse to accept that version. Thus, as a State senator, after hearing from many of my constituents who were facing taxation by both Missouri and Nebraska, I sponsored legislation in the Missouri Senate creating the Missouri Boundary Commission which was charged with resolving this matter.

Subsequently, the Missouri Boundary Commission, joined by the Nebraska Boundary Commission, reached the agreement that is before us in the House of Representatives today.

In July of this year, the Missouri Department of Natural Resources completed the survey of the new border and the State of Nebraska has seen and approved this survey. This new boundary will follow the centerline of the Missouri River design channel with the exception of an area of land known as McKissick’s Island, which is east of the Missouri but has been ruled part of Nebraska by the Supreme Court of the United States. Now that Missouri and Nebraska have agreed on the exact border, all that remains is congressional approval and the matter will be finally settled.

This legislation reflects not only the joint effort of the Missouri and Nebraska legislatures but the cooperation between the gentleman from Nebraska (Mr. BEREUTER) and me. Our bipartisan approach and our commitment to working together has ensured the rapid movement of this bill, which will result

in many benefits for the affected citizens of our respective States.

Thus, I wish to thank the congressman, the members of the Missouri and Nebraska Boundary Commissions, and all those who have been involved in implementing this compact.

Today I am very hopeful that the waiting Mr. Longfellow spoke of so many, many years ago will result in the passage of House Joint Resolution 54.

Madam Speaker, I reserve the balance of my time.

Mr. GEKAS. Madam Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Madam Speaker, I want to thank the gentleman for yielding me this time.

Madam Speaker, I rise in support, of course, of H.J. Res. 54.

I would like to begin by expressing my appreciation to the chairman of the committee, the gentleman from Illinois (Mr. HYDE), and the distinguished gentleman from Michigan (Mr. CONYERS), the ranking member of the committee, but especially to the gentleman from Pennsylvania (Chairman GEKAS) for expediting this legislation as well as the ranking member, the gentleman from New York (Mr. NADLER).

This Member is pleased to be a cosponsor of this legislation which was introduced by our distinguished colleague, the gentleman from Missouri (Ms. DANNER). I have heard about her long experience with this legislation, beginning as a State senator.

The land affected is exclusively in the congressional district of the gentleman and this Member. I appreciate the kind of cooperation and good spirit and reliability and good humor and everything else about the gentleman in moving ahead with this problem. And I look forward to cooperating with her on the improvement of the Rulo Bridge, as a matter of fact, between our districts.

House Joint Resolution 54 will provide, as the chairman indicated, approval of the land compact which was previously approved by the State legislatures of Missouri and Nebraska. The only exception, which will be on the other side of the river, will be McKissick's Island, which, as the gentleman has mentioned, has already been spoken to by the U.S. Supreme Court.

I think this is likely to be the last time that this issue needs to come before the Congress because of the stabilization and the channels work that has been completed by the Corps of Engineers.

The problems necessitating this compact have been around for a long time. As observed by Lewis and Clark, they saw how reckless and rambunctious the Missouri River was in moving around

its channel during the spring rise and the winter flood season as it broke into spring.

I would think that there is a sense of urgency because of the confusion regarding taxation of farmland into the disputed areas. In some cases, farmers and other landowners are receiving tax notices from both States. With the agriculture community facing such times, the last thing a farmer needs is to pay taxes twice or to be charged, at least, twice.

This summer I held a town hall meeting in Fall City, Nebraska, one of the counties on the Missouri River border. And the superintendent of schools of the Fall City Public School District came to me and objected to the legislation. Indeed, in this land swap arrangement, some political subdivisions, some school districts, some counties, some other types of political subdivisions will be winners in terms of valuation, real estate added or subtracted, and some are losers. According to the superintendent, Fall City is a loser.

But it is an issue which the Nebraska legislature has concentrated their attention and finally taken action, in concert with similar action that had taken place over in Jefferson City.

I would say to this distinguished superintendent of schools that he needs to go to his State senator, possibly to Senator Wehrbein, the sponsor of the legislation, State Senator Wehrbein, and seek legislative redress if in fact the Fall City public schools is a substantial loser in terms of valuation for that district.

I believe the resolution is there. The Nebraska legislature spoke unequivocally on this issue, and it is our responsibility, I think, to discharge the remaining constitutional requirements.

The people of Nebraska and Missouri will have occasional disagreements about important matters, such as football and baseball, and they will be playing that out in a stadium this week in Columbia. But with enactment of H.J. Res. 54, at long last, at least we are going to have solved the boundary dispute to the satisfaction of both State governments.

Again, I thank the chairman for expediting legislation. I thank my distinguished colleague for her crucial role in the Missouri legislature and here in the House. I urge my colleagues to support H.J. Res. 54.

The center of the Missouri River formed the original boundary between Nebraska and Missouri. However, the boundary disputes originated from the shifting Missouri River which cut new channels and created avulsions. This natural process was greatly halted when the U.S. Army Corps of Engineers began efforts to stabilize the river in the 1930s. Since then, the river has generally maintained its current channel.

The problems necessitating this compact have been around for decades and it is now time to settle this troublesome matter. This Member also believe there is a renewed sense of urgency because of the confusion regarding the taxation of farmland in the dis-

puted areas. In some cases, farmers are receiving tax notices from both Nebraska and Missouri. With the agricultural community facing such difficult economic times, the last thing a farmer needs is to pay taxes twice on the same land.

In addition to taxation concerns, there are also jurisdictional problems related to law enforcement and the delivery of services. It is currently possible, for example, that because of jurisdictional uncertainties, an individual could escape punishment if a crime is committed in the disputed areas. Clearly, these are serious problems that would be resolved by this legislation.

In certain cases, costly litigation is needed to determine the true and correct boundary line. In some instances, a Missouri court may determine that the land should be located in Missouri, while a Nebraska court will find that the same land belongs to Nebraska. It is in the best interests of both states, as well as those landowners affected by this uncertainty, to have these disputes handled in a formal manner which makes sense. The compact is intended to do just that.

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

Mr. GEKAS. Madam Speaker, I yield myself such time as I may consume only to add a note to the CONGRESSIONAL RECORD that in this and many other issues that come before our committee our legal staff, Ray Smitanka and Jim Harper, Susan Conklin, and others have helped immensely from beginning to end. I want, in his absence, to also commend Demetrios Kouzoukas, who acted as and was an intern in our office and worked specifically on this piece of legislation, and I want the RECORD to indicate our gratitude to him for his efforts there.

I urge support and passage of this legislation.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GEKAS) that the House suspend the rules and pass the joint resolution, H.J. Res. 54.

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.

#### CONSENT OF CONGRESS TO BOUNDARY CHANGE BETWEEN GEORGIA AND SOUTH CAROLINA

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 62) to grant the consent of Congress to the boundary change between Georgia and South Carolina

The Clerk read as follows:

H.J. RES. 62

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONSENT OF CONGRESS.

(a) IN GENERAL.—The consent of Congress is given to the establishment of the boundary between the States of Georgia and South Carolina.