

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 gentlewoman 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 gentlewoman and this Member. I appreciate the kind of cooperation and good spirit and reliability and good humor and everything else about the gentlewoman 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 gentlewoman 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.

(b) NEW BOUNDARY.—The boundary referred to in subsection (a) is the boundary—

(1) agreed to by the State of Georgia in Act Number 1044 (S.B. No. 572) approved by the Governor on April 5, 1994, and agreed to by the State of South Carolina in Act Number 375 (S.B. No. 1315) approved by the Governor on May 29, 1996;

(2) agreed to by the State of Georgia in Act Number 1044 (S.B. No. 572) approved by the Governor on April 5, 1994, and agreed to by the State of South Carolina in an Act approved by its Governor not later than 5 years after the date of the enactment of this joint resolution;

(3) agreed to by the State of South Carolina in Act Number 375 (S.B. No. 1315) approved by the Governor on May 29, 1996, and agreed to by the State of Georgia in an Act approved by its Governor not later than 5 years after the date of the enactment of this joint resolution; or

(4) agreed to by the States of Georgia and South Carolina in Acts approved by each of their Governors not later than 5 years after the date of enactment of this joint resolution.

(c) COMPACT.—The Acts referred to in subsection (b) are recognized by Congress as an interstate compact pursuant to section 10 of article I of the United States Constitution.

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 H.J. Res. 62.

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.

Just as in the previous matter, we are given the duty and responsibility now of giving our stamp of approval to the States of Georgia and South Carolina to an agreement that they have reached relative to a boundary problem that has existed for a long time between those two States. This goes back, as I understand it, historically to the Beaufort Convention of 1787, even before the Constitution as we now know it came into existence.

But, in any event, whatever the nature of those disputes were, we have come to a point now where, in seeking the approval of the Congress, those two States are conforming to the constitutional process and we find no impediment at all in granting consent by the Congress to those two States for the proposition which they have brought to us.

More fully will be discussed, I am certain, this whole set of circumstances by the gentleman from Georgia (Mr. LINDER).

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

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

Ms. DANNER. Madam Speaker, I rise in support of H.J. Res. 62. With this legislation, we fulfill our constitutional obligation to review and grant our consent to compacts between States.

I will not belabor the details of this matter. They will be more fully stated by my colleague from Georgia.

The States of Georgia and South Carolina have worked out their border dispute to their mutual satisfaction, and it deserves our support.

The bill was reported by the Committee on the Judiciary by unanimous consent, and I am aware of no opposition.

I urge the adoption of this measure.

Madam Speaker, I reserve the balance of my time.

Mr. GEKAS. Madam Speaker, I yield such time as he might consume to the gentleman from Georgia (Mr. LINDER).

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

Madam Speaker, I appreciate this opportunity to speak to my colleagues on House Joint Resolution 62, a resolution to ratify an interstate compact that corrects a long-standing border dispute between the States of Georgia and South Carolina.

It is not every day that Congress deals with borders between States. Sometimes it seems that borders are some of the only constants in the changing social and political landscape of America.

Nevertheless, Georgia and South Carolina come to Congress today to settle a dispute that has gone as high as the United States Supreme Court concerning their common border where the Savannah River meets the sea.

The issue at hand is essentially a product of time and geography. The original line between the States was set in 1787 at the Beaufort Convention. Much of the interior of the two States had not been surveyed, and officials had not even dreamed of the precise coordinate systems of today.

Therefore, the delegates to the Convention used the natural landmarks they have available and set the boundary as the northern branch of the Savannah River, reserving all islands to Georgia. This line has stood in question for 140 years until 1922, when the Supreme Court clarified the line in a case between Georgia and South Carolina involving the stage of the river that should be used to determine the boundary.

In this decision, the Court stated that where there were islands in the Savannah River, the boundary would fall at the midpoint between the island's bank and the South Carolina bank at normal stage. Where there were no islands, the border would fall at the midpoint between the two banks at normal stage.

In the years following this decision, the obvious question arose concerning

whether islands that had formed since the Beaufort Convention automatically belong to Georgia or to the State in whose territory the islands would have fallen at the time of the Convention.

Dredging performed by the Army Corps of Engineers in the Savannah River and additional questions involving the mouth of the river further complicated the border dispute.

The expansion of the Port of Savannah and the economic interests in the region began to be disrupted by the confusion.

□ 1630

Finally, Madam Speaker, in 1990 the Supreme Court decided the issue by assigning the particular set of islands in dispute, the Barnwell Islands, to South Carolina. Further, the Court found that the Beaufort Convention did not control the islands formed in the river since its ratification. The Court directed the States to draw up new boundary agreements based on these principles. The two States have worked with the National Oceanic and Atmospheric Administration, using the best mapping and surveying equipment available to set a boundary that is in keeping with the Court's findings.

It is this new agreement that we bring before the House today. H.J. Res. 62 ratifies the boundary agreed upon by both States and codified into law by both State legislatures. The line runs roughly along the center of Savannah River and incorporates the findings of the Supreme Court in its latest decision. I understand that there are some discrepancies between the authorizing bills from the two States, but I believe that this resolution will allow Congress to approve the agreement while giving the States the flexibility to make any final corrections that may be necessary.

I would like to thank the gentleman from Pennsylvania (Mr. GEKAS) for his hard work on this legislation and the gentlewoman from Missouri (Ms. DANNER). This joint resolution satisfies the Constitution's requirement that Congress ratify all interstate compacts. I hope that the House will look favorably on our States' efforts to legally clarify our borders using today's sophisticated mapping technology, and I appreciate this opportunity to address the Nation that uniquely affects the people of my State.

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

In closing, I would like to add my personal appreciation, vote of thanks, to the gentleman from Pennsylvania (Mr. GEKAS). As my colleagues know, a number of people are not involved, and this legislation is perhaps not terribly important to great numbers of people, millions of people, but to those people to whom this does apply this is a very important piece of legislation, and I want to express publicly my appreciation to the chairman of the committee for all he has done to bring this bill

forward in such a timely manner; and we are deeply appreciative, and we thank you so much.

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

Mr. GEKAS. Madam Speaker, I yield myself such time as I might consume only to allow the RECORD to reflect that we also appreciate the efforts of the gentleman from New York (Mr. NADLER), the ranking minority member on our committee, who helped to shepherd this whole issue to both the hearing stage in our subcommittee and to the point where we now seek the final approval of the Congress of the compact in question, and also to David Lachman and to other staff members, some of whom are better known than others to us, but nevertheless to whom we are all grateful.

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. 62.

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.

APPOINTMENT OF CONFEREES ON
H.R. 2084, DEPARTMENT OF
TRANSPORTATION AND RELATED
AGENCIES APPROPRIATIONS
ACT, 2000

Mr. WOLF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. LINDER). Is there objection to the request of the gentleman from Virginia?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. SABO

Mr. SABO. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. SABO moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2084, be instructed to provide maximum funding, within the scope of conference, for the functions and operations of the Office of Motor Carriers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. SABO) and the gentleman from Virginia (Mr. WOLF) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. SABO).

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

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

Mr. Speaker, this motion is very straightforward. The House bill includes \$70.484 million for the functions and operations of the Office of Motor Carriers. Senate bill provides \$57.418 million, and this motion to instruct simply instructs the House conferees to provide the maximum amount possible for motor carrier safety operations.

Mr. Speaker, I want to particularly commend the gentleman from Virginia (Mr. WOLF), the chair of the subcommittee, for his ongoing effort to make sure that we maximize our ability to monitor and inspect and make sure we have the safest motor vehicle safety program in this country and in particular his focus on drug safety, and I commend his leadership, and I just think we should follow his leadership and provide the funding that is provided in the House bill.

Mr. Speaker, this Motion to Instruct is very straightforward. The House bill includes \$70.484 million for the functions and operations of the Office of Motor Carriers. The Senate bill provides \$57.418 million. This Motion to Instruct simply instructs the House conferees to provide the maximum amount possible for motor carrier safety operations.

Mr. Speaker, I want to commend the gentleman from Virginia, Mr. WOLF, for his efforts over the past two years in shining a bright light on the serious deficiencies in the Department of Transportation's oversight of truck safety. Nearly every driving American has had the unpleasant experience of looking in his or her rear view mirror at a very large truck speeding down the highway.

Nearly 5,400 deaths occurred from large truck accidents in 1997—the most recent year available. This is the equivalent of a major airline crash with 200 fatalities every 2 weeks. And, regardless of the cause of these accidents, it is nearly always the occupant in the car involved that loses.

One out of every four large trucks that get inspected each year are so unsafe that they are pulled off the roads. That is the safety record of those trucks that are inspected—a large number are never even inspected.

Over 6,000 motor carriers received a less than satisfactory safety rating between 1995 and 1998 and many of these carriers continue to operate.

The number of compliance reviews OMC performed has declined by 30% since FY 1995, even though there has been a 36% increase in the number of motor carriers over this period. Nearly 250 high-risk carriers recommended for a compliance review in March 1998 did not receive one.

Only 11% of more than 20,000 motor carrier violations in 1998 resulted in fines, and the average settlement per enforcement case decreased from \$3,700 to \$1,600 from 1995 to 1998.

The General Accounting Office and the DOT Inspector General have issued several highly critical reports on the Motor Carrier Office. A third independent review commissioned by the Department of Transportation and led by former Congressman Norm Mineta also concluded that DOT motor carrier safety operations need to be improved and more effectively managed.

Mr. Speaker, this Motion does not address the issue of where the Office of Motor Carriers should be located within the Department of Transportation. Last year, the distinguished gentleman from Virginia was thwarted in his efforts to transfer the Office of Motor Carrier Safety from the Federal Highway Administration to the National Highway Traffic Safety Administration. Last year, we passed a bill to do just that, but the provision was deleted in conference. This year, various proposals have been introduced to create a new Motor Carrier Administration within DOT. I do not know precisely what the right answer is on how this office should be organized in DOT.

I do know, however, that the safety of the American traveling public is at stake, and that the public interest—not special interests—should govern federal oversight of truck safety. Regardless of how we change the boxes on the organizational chart, we need real reform in the Office of Motor Carriers that focuses on increased truck inspections, more safety reviews and compliance audits; improved accident data collection and information systems; increased border inspectors; additional research; and stronger accountability. Additional resources are needed to do the job.

This Motion to Instruct simply recognizes that getting dangerous, speeding and unsafe trucks off the roads should be one of the highest priorities in this bill and we must provide the funding needed to ensure that the DOT has an aggressive safety and enforcement program. I urge the adoption of the Motion to Instruct and I reserve the balance of my time.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. SABO) for the motion because I think if it is carried and it is followed through, it will end up saving a lot of lives.

Mr. Speaker, I rise in support of the motion offered by the gentleman from Minnesota (Mr. SABO) that instructs the conferees to provide maximum funding within the scope of conference for the Office of Motor Carriers. As the body knows, the House-passed bill provides 70.5 million for motor carriers operations. The level is more than 17 million over the fiscal year 1999 enacted level and 15 million more than the Senate passed bill. These funds are needed for critical improvements in crash data, safety system/data base modernization, census information, incident management, and post accident training.

In addition, these funds will provide for additional inspectors to better the enforcement and compliance program and improve motor carrier safety. And lastly, the funds will provide additional resources to address the delay in the backlog of critical safety regulations including those relating to hours of service.

In short, these funds are needed, and I thank the gentleman from Minnesota for his leadership to improve the safety of the motoring public and to eliminate unsafe trucks in the Nation's highway. However, Mr. Speaker, this subcommittee has been concerned now for over a year that the Office of Motor