

One of the hallmarks of this Republican Congress has been its commitment to empowering state and local governments to address local and regional challenges. This legislation is a great example of that commitment. H.R. 4700 imposes no federal mandates on the states of Kansas and Missouri, or on the local governments which have endorsed the compact. It does not call for the use of federal dollars. It does not require that the Compact be extended into the future. Instead, it simply gives the necessary Congressional approval to the Kansas and Missouri Metropolitan Cultural District Compact.

The Compact is a unique effort to provide a secure source of local funding for metropolitan cooperation across state lines to restore historic structures and cultural facilities. Since it was established a few years ago, local leaders have worked through the Compact to restore Kansas City's Union State, one of the Midwest's important historic landmarks. It has also led to the addition of the Kansas City Museum's Science City Project. When the Compact was initially created in 1994, sanctioning legislation sped through both the House and Senate by voice votes in just a few months.

As other advocates of H.R. 4700 have noted, the breadth of support for the Compact is overwhelming. It is supported by the legislatures of both Kansas and Missouri, the Governors of both states, and by both Republican and Democratic elected officials. I commend the gentlelady from Kansas City for bringing this measure forward, and I encourage all my colleagues to join me in voting for it.

Ms. MCCARTHY of Missouri. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania (Mr. GEKAS) is recognized to control the time of the gentleman from Arkansas (Mr. HUTCHINSON).

There was no objection.

Mr. GEKAS. 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 Arkansas (Mr. HUTCHINSON) that the House suspend the rules and pass the bill, H.R. 4700.

The question was taken.

Mr. GEKAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GRANTING CONSENT OF CONGRESS TO RED RIVER BOUNDARY COMPACT

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and agree to the joint resolution (H.J. Res. 72) granting the consent of the Congress to the Red River Boundary Compact, as amended.

The Clerk read as follows:

H.J. RES. 72

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

SECTION 1. CONGRESSIONAL CONSENT.

(a) *IN GENERAL.*—The consent of Congress is given to the Red River Compact entered into between the States of Texas and Oklahoma and the new boundary established by the compact.

(b) *NEW COMPACT.*—The compact referred to in subsection (a) sets the boundary between the States of Texas and Oklahoma as the vegetation line on the south bank of the Red River (except for the Texoma area where the boundary is established pursuant to procedures provided for in the compact) and is the compact—

(1) agreed to by the State of Texas in House Bill 1355 approved by the Governor of Texas on May 24, 1999; and

(2) agreed to by the State of Oklahoma in Senate Bill 175 approved by the Governor of Oklahoma on June 4, 1999.

(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.

(d) *CONSTRUCTION.*—The compact shall not in any manner alter—

(1) any present or future rights and interests of the Kiowa, Comanche, and Apache Tribes, the Chickasaw Nation, and the Choctaw Nation of Oklahoma and their members or Indian successors-in interest;

(2) any tribal trust lands;

(3) allotted lands that may be held in trust or lands subject to a Federal restriction against alienation;

(4) any boundaries of lands owned by the tribes and nations referred to in paragraph (1), including lands referred to in paragraphs (2) and (3), that exist now or that may be established in the future under Federal law; and

(5) the sovereign rights, jurisdiction, or other governmental interests of the Kiowa, Comanche, and Apache Tribes, the Chickasaw Nation, and the Choctaw Nation of Oklahoma and their members or Indian successors-in interest presently existing or which may be acknowledged by Federal and tribal law.

(e) *EFFECTIVE DATE.*—This Act shall take effect on August 31, 2000.

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).

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

As everyone knows by now, the Constitution requires that when any one State or more than one State wishes to enter into an agreement with one or another State, that agreement is subject to the consent of the Congress. That is why our committee, charged with the responsibility of overseeing those kinds of agreements, brings to the floor, just as we have now, this pending agreement, already reached between the States of Texas and Oklahoma with respect to the boundary line, that momentous boundary line that exists between the two States, namely the Red River.

It appears that over the years the Red River changes its contours from time to time and causes difficulty for everyone concerned in determining the actual dividing line between those two great States in the Southwest. Such continued argument about the boundary has resulted in a final resolution of it. Yet just as the final resolution was reached, it was also determined that the Indian tribes that abound in that

area were themselves hurt, or they felt that they would be hurt by the final agreement. They determined that some of their interests, land interests and other, would be harmed if they were not consulted or made a part of the agreement, so that their concerns could be addressed.

Voila, then, we have this new compact before us which takes into account all the concerns that the Indian tribes have uttered over the years. And it was as a result of the dispatch by our committee of our chief counsel, Ray Smietanka, and minority counsel, Mr. Lachmann, to that area that lay the groundwork for the final resolution of this problem.

□ 1530

But we are glad to report that here today we are ready to have the House vote on a complete finalization of the boundary line that the Red River constitutes.

Madam Speaker, I include for the RECORD the following letter and cost estimate:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 20, 2000.

Hon. HENRY J. HYDE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.J. Res. 72, granting the consent of the Congress to the Red River Boundary Compact.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

BARRY B. ANDERSON
(for Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST
ESTIMATE, JULY 20, 2000

H.J. RES. 72—GRANTING THE CONSENT OF THE CONGRESS TO THE RED RIVER BOUNDARY COMPACT, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON THE JUDICIARY ON JULY 29, 2000

H.J. Res. 72 would give Congressional consent to the Red River Compact entered into by the states of Texas and Oklahoma concerning the new boundary between these states that would be established by the compact. Enacting the resolution would result in no cost to the federal government. Because enactment of H.J. Res. 72 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. The resolution contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226-2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Madam Speaker, I reserve the balance of my time.

Mr. SCOTT. Madam Speaker, I ask unanimous consent that the gentleman from Texas (Mr. SANDLIN) whose district is affected by this compact, be allowed to control the time on this side.

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

There was no objection.

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

Madam Speaker, I would like to first thank the gentleman from Pennsylvania (Chairman GEKAS) and the gentleman from New York (Mr. NADLER), the ranking member of the House Subcommittee on Commercial and Administrative Law, as well as the committee staff, for working with all of the parties interested in this legislation so that we can bring a fair and well-crafted bill to the floor today.

Madam Speaker, House Joint Resolution 72 grants a consent of Congress to the River Boundary Compact entered into between the States of Oklahoma and Texas. This compact establishes a new practical boundary between the two States and ends over 200 years of jurisdictional uncertainty. The State legislatures of both Texas and Oklahoma have approved the compact with overwhelming support.

Madam Speaker, the Red River is 1,290 miles long. For about half of this distance, it serves as the Texas-Oklahoma border. To the great frustration of many of those trying to use the river as a jurisdictional marker, mature rivers like those of the American Midwest tend to meander a great deal.

The natural tendency of a river flowing across flat country is to meander and flow loose as it erodes the outer side of a bend and deposits sediment on the inner side. It is clear that several of the loops of the Red River have changed in this way.

As the Speaker undoubtedly knows, the State of Texas was an independent nation from the years 1836 to 1845. In 1841, engineers surveyed the border along the Red River between the Republic of Texas and the United States. The survey set the boundary between the two countries on the southern bank of the river. This definition was later refined by the Supreme Court of the United States as the gradient boundary line on the south bank.

The survey was carefully done, and the results of the survey as recorded in the engineers' report and monuments placed along the border were accepted by both governments as the true and legal boundary.

Unfortunately, however, the river paid no attention to the survey; and in the years since 1841, the Red River has left that border high and dry. As a result, the artificial boundary line long the Red River has caused general confusion in our States for many decades.

The States of Texas and Oklahoma recognize that there are actual and potential disputes, controversies, and criminal and civil litigation problems arising out of the location of the boundary line between these two States along the Red River. In particular, an inability to identify the boundary at a point in time is a significant problem for law enforcement personnel, taxing authorities, and citizens on both sides of the river.

It is in the interest of the party States to establish the boundary between the States through the use of a readily identifiable and natural landmark. This identifiable line is established in the Red River Boundary Compact. The Compact sets the boundary between the States of Texas and Oklahoma as the vegetation line on the south bank of the Red River, except for the Texoma area where the boundary is established pursuant to procedures provided for in the compact approved by both States.

The vegetation line, which includes trees, shrubs and grasses, is easily recognizable. More importantly, the use of the vegetation line as the boundary marker also maintains historical significance. Surveyors of the General Land Office and Bureau of Land Management have confirmed that the vegetation line is substantially the same as the gradient boundary line, with the important distinction of being identifiable without a survey.

Like the Red River itself, this compact is the culmination of years of work. It is not easy to settle a jurisdiction battle that dates back to the Louisiana Purchase.

The U.S. Supreme Court has tried twice to settle this dispute, which at one point brought the governor of Oklahoma to the border in a tank. However, true to the slogan "One Riot, One Ranger," the good governor of Oklahoma and his tank was held off by a lone Texas Ranger on his horse.

Madam Speaker, this is good legislation. A great deal of effort went into ensuring that the interest of all parties along the Red River are protected in the compact.

It is important to note that the terms of the Red River Boundary Compact will not affect private property ownership or boundaries. The compact is strictly political in nature and will in no way alter the property or the claims of individuals or federally recognized Indian tribes.

Finally, I want to take this opportunity before the House to recognize the tireless efforts of the chairman of the Red River Boundary Commission of the State of Texas, Mr. William Abney, from Marshall, Texas, a well-respected East Texas attorney, as well as the other members of both the Texas and Oklahoma commissions.

I would also like to offer special thanks to my colleague from Texas (Mr. THORNBERRY) who is here today for his work and for the work of his staff. I think both the gentleman from Texas (Mr. THORNBERRY) and I recognize that the true work of the House is done by the staff.

I urge Congress to pass House Joint Resolution 72.

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

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

Mr. THORNBERRY. Madam Speaker, this resolution deals with a special

function entrusted to Congress under article I, section 10 of the Constitution.

I want to express my gratitude to the gentleman from Pennsylvania (Chairman GEKAS) and also the gentleman from New York (Mr. NADLER), the ranking member, for the serious, thoughtful way that they have met this responsibility and for their patience and persistence in making sure that we get every detail of this compact just right.

I also want to thank their staffs, especially Ray Smietanka and David Lachmann, for their work which brought this matter to a successful conclusion and, of course, the gentleman from Texas (Mr. SANDLIN) and the other cosponsors of this bill, the gentleman from Texas (Mr. HALL), the gentleman from Oklahoma (Mr. LUCAS), the gentleman from Oklahoma (Mr. WATKINS) and the gentleman from Oklahoma (Mr. WATTS), all of whom represent the border between Texas and Oklahoma.

Finally, I want to thank Trey Bahm of my staff for his work in making sure that we get it right.

As the gentleman from Texas (Mr. SANDLIN) said, Madam Speaker, this dispute goes back 200 years to the Louisiana Purchase. The boundary line between the Louisiana territory and Spain was not well defined at that time. But a treaty with Spain concluded in 1819 by Secretary of State John Quincy Adams helped to define the boundary somewhat more clearly. That boundary was reaffirmed by the U.S. and Mexico and the U.S. and the Republic of Texas.

Later the Supreme Court found that the proper boundary was the gradient boundary along the south bank of the Red River. The problem is that changes periodically, and so it is a difficult thing to measure. They have to have a survey crew go out there to decide where the boundary is every time the river changes. Obviously, that has not worked very well.

Over the years there have been disputes of various kinds. The incident that my colleague the gentleman from Texas (Mr. SANDLIN) referred to in the 1930s was one in which Oklahoma failed to follow a court ruling to close the border. One of the Rangers that was sent to deal with the Oklahoma National Guard and the tanks that they brought happened to be my wife's grandfather. And there was a picture of him in Life Magazine meeting the tank, proving that one tank and one Ranger was a pretty equal match.

More recently we have not had that kind of open warfare, but we have had difficulties in law enforcement taxation.

So having a clearly identifiable border, which this resolution sets out, which has been passed by both the State legislatures of Oklahoma and Texas I think makes sense. We guarantee private property rights. We guarantee the rights of the Indian tribes, as the gentleman from Pennsylvania (Chairman GEKAS) pointed out.

So this, I think at long last, after 200 years, brings to conclusion the disputes and the difficulties raised by this border. I hope that it will gain the unanimous approval of my colleagues.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB B. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The SPEAKER pro tempore. Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob B. Chestnut and Detective John M. Gibson.

Members in the Chamber and the staff and those in the gallery may wish to rise for a moment of silence.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Madam Speaker, we had mentioned the fact that the concerns of the Indian tribes in the area were a highlight of the agreement that was finally reached. As a matter of fact, we approved an amendment in full committee, which is now part of the bill, which takes into account those concerns.

Here we have a resolution issued by the Kiowa, Comanche & Apache Intertribal Land Use Committee, which, in effect, approves and supports the amendment, the language that is now in the bill that expresses our concern about the Indian tribe concerns. And it has been duly certified and rendered to our committee. I include for the RECORD that resolution:

KIOWA, COMANCHE AND APACHE INTERTRIBAL
LAND USE COMMITTEE
RESOLUTION NO. 00-10

Whereas, the Kiowa, Comanche and Apache Tribes of Oklahoma are federally recognized Tribes with approved constitutions; and

Whereas, the Kiowa, Comanche and Apache Intertribal Land Use Committee (KCAILUC) is the duly authorized and delegated official body given the responsibility and authority by the three tribes to act on their behalf with respect to the care, maintenance and development of commonly owned tribal properties and resources; and

Whereas, it is the desire of the Kiowa, Comanche and Apache Intertribal Land Use Committee (KCAILUC) to accept the Amendment to H.J. Res. 72 Offered by Mr. Gekas as follows:

(d) CONSTRUCTION—The compact shall not in any manner alter—(1) any present or future rights and interests of the Kiowa, Comanche, and Apache Tribes, the Chickasaw Nation, and the Choctaw Nation of Oklahoma and their members or Indian successors-in-interest; (2) any tribal trust lands; (3) allotted lands that may be held in trust or lands subject to a Federal restriction against alienation; (4) any boundaries of lands owned by the tribes and nations referred to in paragraph (1), including lands referred to in paragraphs (2) and (3), that exist now or that may be established in the future under Federal law; and (5) the sovereign rights, jurisdiction, or other governmental interests of the Kiowa, Comanche, and Apache Tribes, the Chickasaw Nation, and the Choctaw Nation of Oklahoma and their members or Indian successors-in-interest presently existing or which may be acknowledged by Federal and tribal law.

Now Therefore Be It Resolved, that the Kiowa, Comanche and Apache Intertribal

Land Use Committee (KCAILUC) hereby approve and support the Amendment to H.J. Res. 72 Offered by Mr. Gekas.

CERTIFICATION

The foregoing KCAILUC Resolution No. 00-10 was duly adopted at a Regular Monthly Meeting of the Kiowa, Comanche and Apache Intertribal Land Use Committee held at the KCA Administration Office on July 12, 2000, by a vote of 6 For 1 Against 0 Abstain. A quorum being present and at least two representatives from each tribe concurring in the vote.

BILLY EVANS HORSE,
Chairman.

MELVIN KERCHIE, Jr.,
Secretary.

Mr. CONYERS. Madam Speaker, I am pleased to rise in support of H.J. Res. 72, a Joint Resolution granting the consent of Congress to the Red River Boundary compact. This bipartisan legislation will re-enforce the eroding Red River south bank and establish a new boundary between the states of Texas and Oklahoma. The new boundary is a vegetation line that is not as susceptible to the forces of nature and is substantially the same as the gradient line used to originally determine the states' boundaries.

Initially, three tribal nations, the Kiowa, the Comanche, and the Apaches expressed concerns regarding this legislation's effect on the status of land from which the tribes derive oil and gas royalties. To remedy that issue, language, approved by officials from Texas, Oklahoma, the Indian Tribes, and the Bureau of Indian Affairs, was put into the legislation confirming that neither the rights of the Indian nations nor the boundaries of the Indians lands will be altered by the compact.

I commend my colleagues for working together in a bipartisan manner to resolve this important issue and I strongly support the effort.

Mr. WATTS of Oklahoma. Madam Speaker, I rise as a cosponsor of H.J. Res. 72, the Red River Boundary Compact, and urge my colleagues to support this important legislation. Today, with Congressional consent the border dispute between Oklahoma and Texas that has existed for more than 100 years will come to an end.

The official boundary is currently the south bank of the Red River. However, the Red River constantly runs dry, which makes determining the south bank difficult. There was an obvious need for a new, more definitive way to determine the border.

In 1996, Oklahoma and Texas agreed upon creating a Red River Boundary Commission to solve this border dispute. In the last year, this commission released their findings and both Oklahoma and Texas state governments have agreed on this compromise. This agreement would clarify and affix the boundary between Oklahoma and Texas as the vegetation line on the south bank of the Red River. This agreement would mean that the Red River would be part of the State of Oklahoma, where it belongs.

Madam Speaker, I urge my colleagues to support this resolution. We need to put a stamp on this agreement which will end the Red River War, and I urge my colleagues to support H.J. Res. 72.

Mr. GEKAS. Madam Speaker, 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, H.J. Res. 72, as amended.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills on Thursday, July 20, 2000:

H.R. 1791, to amend title 18, United States Code, to provide penalties for harming animals used in Federal law enforcement;

H.R. 4249, to foster cross-border cooperation and environmental cleanup in northern Europe.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 42 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KUYKENDALL) at 5 o'clock and 30 minutes p.m.

SENSE OF CONGRESS REGARDING NATIONAL MOTTO FOR GOVERNMENT OF A RELIGIOUS PEOPLE

Mr. BARR of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H.Res. 548) expressing the sense of Congress regarding the national motto for the government of a religious people, as amended.

The Clerk read as follows:

Whereas the national motto of the United States is "In God we trust";

Whereas the national motto was adopted in 1956 and is codified in the laws of the United States at section 302 of title 36, United States Code;

Whereas the national motto is a reference to the Nation's "religious heritage" (*Lynch v. Donnelly*, 465 U.S. 668, 676 (1984));

Whereas the national motto recognizes the religious beliefs and practices of the American people as an aspect of our national history and culture;

Whereas nearly every criminal law on the books can be traced to some religious principle or inspiration;

Whereas the national motto is deeply interwoven into the fabric of our civil polity;

Whereas the national motto recognizes the historical fact that our Nation was believed to have been founded "under God";

Whereas the content of the national motto is as old as the Republic itself and has always been as integral a part of the first