

Nothing in this subsection shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the United States, or any agency, officer, or employee of the United States, acting under any law other than this subsection, to institute or intervene in any proceeding.

(g) **LIMITATION.**—If the only jurisdictional basis for applying a provision of this Act is a claim that a substantial burden by a government on religious exercise affects, or that removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, the provision shall not apply if the government demonstrates that all substantial burdens on, or the removal of all substantial burdens from, similar religious exercise throughout the Nation would not lead in the aggregate to a substantial effect on commerce with foreign nations, among the several States, or with Indian tribes.

SEC. 5. RULES OF CONSTRUCTION.

(a) **RELIGIOUS BELIEF UNAFFECTED.**—Nothing in this Act shall be construed to authorize any government to burden any religious belief.

(b) **RELIGIOUS EXERCISE NOT REGULATED.**—Nothing in this Act shall create any basis for restricting or burdening religious exercise or for claims against a religious organization including any religiously affiliated school or university, not acting under color of law.

(c) **CLAIMS TO FUNDING UNAFFECTED.**—Nothing in this Act shall create or preclude a right of any religious organization to receive funding or other assistance from a government, or of any person to receive government funding for a religious activity, but this Act may require a government to incur expenses in its own operations to avoid imposing a substantial burden on religious exercise.

(d) **OTHER AUTHORITY TO IMPOSE CONDITIONS ON FUNDING UNAFFECTED.**—Nothing in this Act shall—

(1) authorize a government to regulate or affect, directly or indirectly, the activities or policies of a person other than a government as a condition of receiving funding or other assistance; or

(2) restrict any authority that may exist under other law to so regulate or affect, except as provided in this Act.

(e) **GOVERNMENTAL DISCRETION IN ALLEVIATING BURDENS ON RELIGIOUS EXERCISE.**—A government may avoid the preemptive force of any provision of this Act by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

(f) **EFFECT ON OTHER LAW.**—With respect to a claim brought under this Act, proof that a substantial burden on a person's religious exercise affects, or removal of that burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, shall not establish any inference or presumption that Congress intends that any religious exercise is, or is not, subject to any law other than this Act.

(g) **BROAD CONSTRUCTION.**—This Act shall be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of this Act and the Constitution.

(h) **NO PREEMPTION OR REPEAL.**—Nothing in this Act shall be construed to preempt State law, or repeal Federal law, that is equally as protective of religious exercise as, or more protective of religious exercise than, this Act.

(i) **SEVERABILITY.**—If any provision of this Act or of an amendment made by this Act, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provision to any other person or circumstance shall not be affected.

SEC. 6. ESTABLISHMENT CLAUSE UNAFFECTED.

Nothing in this Act shall be construed to affect, interpret, or in any way address that portion of the first amendment to the Constitution prohibiting laws respecting an establishment of religion (referred to in this section as the "Establishment Clause"). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. In this section, the term "granting", used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

SEC. 7. AMENDMENTS TO RELIGIOUS FREEDOM RESTORATION ACT.

(a) **DEFINITIONS.**—Section 5 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb-2) is amended—

(1) in paragraph (1), by striking "a State, or a subdivision of a State" and inserting "or of a covered entity";

(2) in paragraph (2), by striking "term" and all that follows through "includes" and inserting "term 'covered entity' means"; and

(3) in paragraph (4), by striking all after "means" and inserting "religious exercise, as defined in section 8 of the Religious Land Use and Institutionalized Persons Act of 2000."

(b) **CONFORMING AMENDMENT.**—Section 6(a) of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb-3(a)) is amended by striking "and State".

SEC. 8. DEFINITIONS.

In this Act:

(1) **CLAIMANT.**—The term "claimant" means a person raising a claim or defense under this Act.

(2) **DEMONSTRATES.**—The term "demonstrates" means meets the burdens of going forward with the evidence and of persuasion.

(3) **FREE EXERCISE CLAUSE.**—The term "Free Exercise Clause" means that portion of the first amendment to the Constitution that proscribes laws prohibiting the free exercise of religion.

(4) **GOVERNMENT.**—The term "government"—

(A) means—

(i) a State, county, municipality, or other governmental entity created under the authority of a State;

(ii) any branch, department, agency, instrumentality, or official of an entity listed in clause (i); and

(iii) any other person acting under color of State law; and

(B) for the purposes of sections 4(b) and 5, includes the United States, a branch, department, agency, instrumentality, or official of the United States, and any other person acting under color of Federal law.

(5) **LAND USE REGULATION.**—The term "land use regulation" means a zoning or landmarking law, or the application of such a law, that limits or restricts a claimant's use or development of land (including a structure affixed to land), if the claimant has an ownership, leasehold, easement, servitude, or other property interest in the regulated land or a contract or option to acquire such an interest.

(6) **PROGRAM OR ACTIVITY.**—The term "program or activity" means all of the operations of any entity as described in paragraph (1) or (2) of section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

(7) **RELIGIOUS EXERCISE.**—

(A) **IN GENERAL.**—The term "religious exercise" includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief.

(B) **RULE.**—The use, building, or conversion of real property for the purpose of religious exercise shall be considered to be religious exercise of the person or entity that uses or intends to use the property for that purpose.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEXAS NATIONAL FORESTS IMPROVEMENT ACT OF 1999

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from further consideration of the bill (H.R. 4285) to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4285

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 "Texas National Forests Improvement Act of 1999".

SEC. 2. CONVEYANCE OF ADMINISTRATIVE SITES, TEXAS NATIONAL FOREST SYSTEM LANDS.

(a) **AUTHORITY TO SELL OR EXCHANGE.**—The Secretary of Agriculture may convey, by sale or exchange, under such terms and conditions as the Secretary may prescribe, any and all right, title, and interest of the United States in and to the following parcels of National Forest System land (including improvements thereon) located in the State of Texas:

(1) Davy Crockett National Forest, Trinity Ranger Quarters #066310 (Tract K-2D), located at State Highway 94, Groveton, Texas, consisting of approximately 3.0 acres, as depicted on the map entitled "Trinity Ranger Quarters, Tract K-2D", dated September 1, 1999.

(2) Davy Crockett National Forest quarters #066380 (Tract K-604), located at 514 Devine Street, Groveton, Texas, consisting of approximately 0.5 acre, as depicted on the map entitled "Davy Crockett National Forest Quarters, Tract K-604", dated September 1, 1999.

(3) Sabine National Forest quarters #055250 (Tract S-1391), located at 706 Cartwright Drive, San Augustine, Texas, consisting of approximately 0.5 acre, as depicted on the map entitled "Sabine National Forest Quarters, Tract S-1391", dated September 1, 1999.

(4) Sabine National Forest quarters #055400 (Tract S-1389), located at 507 Planter Drive, San Augustine, Texas, consisting of approximately 1.5 acres, as depicted on the map entitled "Sabine National Forest Quarters, Tract S-1389", dated September 1, 1999.

(5) Sabine National Forest quarters #077070 (Tract S-1388), located at State Highway 87,

Hemphill, Texas, consisting of approximately 1.0 acre, as depicted on the map entitled "Sabine National Forest Quarters, Tract S-1388", dated September 1, 1999.

(6) Sabine National Forest quarters #077430 (Tract S-1390), located at FM Road 944, Hemphill, Texas, consisting of approximately 2.0 acres, as depicted on the map entitled "Sabine National Forest Quarters, Tract S-1390", dated September 1, 1999.

(7) Old Yellowpine Work Center site, within the Sabine National Forest, consisting of approximately 1.0 acre, as depicted on the map entitled "Old Yellowpine Work Center", dated September 1, 1999.

(8) Yellowpine Work Center site, within the Sabine National Forest, consisting of approximately 9.0 acres, as depicted on the map entitled "Yellowpine Work Center", dated September 1, 1999.

(9) Zavalla Work Center site, within the Angelina National Forest, consisting of approximately 19.0 acres, as depicted on the map entitled "Zavalla Work Center", dated September 1, 1999.

(b) AUTHORIZED CONSIDERATION.—As consideration for a conveyance of land under subsection (a), the recipient of the land, with the consent of the Secretary, may convey to the Secretary other land, existing improvements, or improvements constructed to specifications of the Secretary.

(c) APPLICABLE LAW.—Except as otherwise provided in this section, any conveyance of land under subsection (a) shall be subject to the laws and regulations applicable to the conveyance and acquisition of land for the National Forest System.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of any parcel of land exchanged under subsection (a).

(e) SOLICITATION OF OFFERS.—The Secretary may solicit offers for the conveyance of land under this section on such terms and conditions as the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

SEC. 3. CONVEYANCE OF TEXAS NATIONAL FOREST SYSTEM LAND TO NEW WAVERLY GULF COAST TRADES CENTER.

(a) CONVEYANCE AUTHORITY.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may convey to the New Waverly Gulf Coast Trades Center (referred to in this section as the "Center"), all right, title, and interest of the United States in and to a parcel of real property (including improvements thereon) consisting of approximately 57 acres of land located within the Sam Houston National Forest, Walker County, Texas, as depicted on the map entitled "New Waverly Gulf Coast Trades Center", dated September 15, 1999. A complete legal description of the property to be conveyed shall be available for public inspection at an appropriate office of the Sam Houston National Forest and in the Office of the Chief of the Forest Service.

(b) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for the conveyance authorized by this section, the Center shall pay to the Secretary an amount equal to the fair market value of the property, as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition published by the Department of Justice.

(2) APPRAISAL COST.—The Center shall pay the cost of the appraisal of the property.

(3) TIME FOR PAYMENT.—The consideration determined under paragraph (1) shall be paid, at the option of the Center—

(A) in full not later than 180 days after the date of conveyance of the property; or

(B) in 7 equal annual installments commencing on January 1 of the first year beginning after the conveyance and annually thereafter until the total amount has been paid.

(4) INTEREST.—Any payment due for the conveyance of property under this section shall accrue interest, beginning on the date of the conveyance, at an annual rate of 3 percent on the unpaid balance.

(c) RELEASE.—Subject to compliance with all Federal environmental laws prior to conveyance, the Center, upon acquisition of the property under this section, shall agree in writing to hold the United States harmless from any and all claims to the property, including all claims resulting from hazardous materials conveyed on the lands.

(d) RIGHT OF REENTRY.—At any time before full payment is made for the conveyance of the property under this section, the conveyance shall be subject to a right of reentry in the United States if the Secretary determines that—

(1) the Center has not complied with the requirements of this section or the conditions prescribed by the Secretary in the deed of conveyance; or

(2) the conveyed land is converted to a non-educational or for profit use.

(e) ALTERNATIVE PROPERTY DISPOSAL AUTHORITY.—In the event that the Center does not contract with the Secretary to acquire the property described in this section within 18 months of the date of the enactment of this Act, the Secretary may dispose of the property in the manner provided in section 2. SEC. 4. DISPOSITION OF FUNDS.

(a) DEPOSIT IN SISK ACT FUND.—The Secretary shall deposit the proceeds of a sale or exchange under this Act in the fund established under Public Law 90-171 (16 U.S.C. 484a; commonly known as the Sisk Act).

(b) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further appropriation, for—

(1) the acquisition, construction, or improvement of administrative facilities for units of the National Forest System in the State of Texas; or

(2) the acquisition of lands or interests in lands in the State of Texas.

Mr. STENHOLM. Mr. Speaker, I rise in support of H.R. 4285, "Texas National Forest Improvement Act of 1999."

Mr. Speaker, this legislation gives the Secretary of Agriculture the authority to sell or exchange nine parcels of land located in the state of Texas.

The parcels listed in this legislation cost the National Forest Service thousands of dollars to maintain and would be better utilized if transferred to private ownership.

More specifically Mr. Speaker, this bill gives the Secretary of Agriculture the authority to convey 57 acres of land located within the Sam Houston National Forest to the New Waverly Gulf Coast Trades Center.

The trade center is doing a great job of training at-risk youth in various construction related occupations. The trade center is using the existing forest service work site as a job-training center, which provides these youth an opportunity to gain a useful skill.

Mr. Speaker, this transfer is supported by the USDA and would comply with all environmental regulations as required by law. In addition, this transfer will be transacted at fair market value.

I want to commend my colleague, Mr. TURNER, for his work on this legislation. And I ask all of my colleagues to support passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF HONORABLE CONSTANCE A. MORELLA OR HONORABLE WAYNE T. GILCHREST TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH SEPTEMBER 6, 2000

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

WASHINGTON, DC,

July 27, 2000.

I hereby appoint the Honorable CONSTANCE A. MORELLA or, if not available to perform this duty, the Honorable WAYNE T. GILCHREST to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 6, 2000.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

SIX MONTH REPORT ON NATIONAL EMERGENCY WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 12543 of January 7, 1986.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 27, 2000.

AUTHORIZING THE SPEAKER, THE MAJORITY LEADER, AND THE MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. GOSS. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until Wednesday, September 6, 2000, the Speaker, majority leader, and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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