

This legislation does just that. Almost 90 years after the removal of the land, as amended, it would return that land to the reservation for the possibility of economic development, sacred and cultural importance to the Tribes. And it just strikes me that it is a very fitting bill. Just 1 week ago after the opening of the National Museum of the American Indian, which honors the indigenous people of this continent, this bill also honors our agreements and commitments to the native peoples of this land.

I wish to thank all my colleagues and the leadership within the Committee on Resources and the staff for making this bill a priority for passage this session.

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

Mr. RADANOVICH. 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 California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2941, 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.

BROWN TREE SNAKE CONTROL AND ERADICATION ACT OF 2004

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3479) to provide for the control and eradication of the brown tree snake on the island of Guam and the prevention of the introduction of the brown tree snake to other areas of the United States, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3479

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 "Brown Tree Snake Control and Eradication Act of 2004".

SEC. 2. DEFINITIONS.

In this Act:

(1) **BROWN TREE SNAKE.**—The term "brown tree snake" means the species of the snake *Boiga irregularis*.

(2) **COMPACT OF FREE ASSOCIATION.**—The term "Compact of Free Association" means the Compacts of Free Association entered into between the United States and the governments of the Federated States of Micronesia and the Republic of the Marshall Islands, as approved by and contained in Public Law 108-188 (117 Stat. 2720; 48 U.S.C. 1921 et seq.), and the Compact of Free Association entered into between the United States and the government of the Republic of Palau, as approved by and contained in Public Law 99-658 (100 Stat. 3673; 48 U.S.C. 1931 et seq.).

(3) **FREELY ASSOCIATED STATES.**—The term "Freely Associated States" means the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

(4) **INTRODUCTION.**—The terms "introduce" and "introduction" refer to the expansion of

the brown tree snake outside of the range where this species is endemic.

(5) **SECRETARY.**—The term "Secretary concerned" means—

(A) the Secretary of the Interior, with respect to matters under the jurisdiction of the Department of the Interior; and

(B) the Secretary of Agriculture, with respect to matters under the jurisdiction of the Department of Agriculture.

(6) **SECRETARIES.**—The term "Secretaries" means both the Secretary of the Interior and the Secretary of Agriculture.

(7) **TECHNICAL WORKING GROUP.**—The term "Technical Working Group" means Brown Tree Snake Technical Working Group established under the authority of section 1209 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4728).

(8) **TERRITORIAL.**—The term "territorial", when used to refer to a government, means the Government of Guam, the Government of American Samoa, and the Government of the Commonwealth of the Northern Mariana Islands, as well as autonomous agencies and instrumentalities of such a government.

(9) **UNITED STATES.**—The term "United States", when used in the geographic sense, means the several States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the United States Virgin Islands, any other possession of the United States, and any waters within the jurisdiction of the United States.

SEC. 3. SENSE OF CONGRESS REGARDING NEED FOR IMPROVED AND BETTER COORDINATED FEDERAL POLICY FOR BROWN TREE SNAKE INTRODUCTION, CONTROL, AND ERADICATION.

It is the sense of Congress that there exists a need for improved and better coordinated control, interdiction, research, and eradication of the brown tree snake on the part of the United States and other interested parties.

SEC. 4. BROWN TREE SNAKE CONTROL, INTERDICTION, RESEARCH AND ERADICATION.

(a) **FUNDING AUTHORITY.**—Subject to the availability of appropriations to carry out this section, the Secretaries shall provide funds to support brown tree snake control, interdiction, research, and eradication efforts carried out by the Department of the Interior and the Department of Agriculture, other Federal agencies, States, territorial governments, local governments, and private sector entities. Funds may be provided through grants, contracts, reimbursable agreements, or other legal mechanisms available to the Secretaries for the transfer of Federal funds.

(b) **AUTHORIZED ACTIVITIES.**—Brown tree snake control, interdiction, research, and eradication efforts authorized by this section shall include at a minimum the following:

(1) Expansion of science-based eradication and control programs in Guam to reduce the undesirable impact of the brown tree snake in Guam and reduce the risk of the introduction or spread of any brown tree snake to areas in the United States and the Freely Associated States in which the brown tree snake is not established.

(2) Expansion of interagency and intergovernmental rapid response teams in Guam, the Commonwealth of the Northern Mariana Islands, Hawaii, and the Freely Associated States to assist the governments of such areas with detecting the brown tree snake and incipient brown tree snake populations.

(3) Expansion of efforts to protect and restore native wildlife in Guam or elsewhere in the United States damaged by the brown tree snake.

(4) Establishment and sustained funding for an Animal Plant and Health Inspection

Service, Wildlife Services, Operations Program State Office located in Hawaii dedicated to vertebrate pest management in Hawaii and United States Pacific territories and possessions. Concurrently, the Animal Plant and Health Inspection Service, Wildlife Services Operations Program shall establish and sustain funding for a District Office in Guam dedicated to brown tree snake control and managed by the Hawaii State Office.

(5) Continuation, expansion, and provision of sustained research funding related to the brown tree snake, including research conducted at institutions located in areas affected by the brown tree snake.

(6) Continuation, expansion, and provision of sustained research funding for the Animal Plant and Health Inspection Service, Wildlife Services, National Wildlife Research Center of the Department of Agriculture related to the brown tree snake, including the establishment of a field station in Guam related to the control and eradication of the brown tree snake.

(7) Continuation, expansion, and provision of sustained research funding for the Fort Collins Science Center of the United States Geological Survey related to the brown tree snake, including the establishment of a field station in Guam related to the control and eradication of the brown tree snake.

(8) Expansion of long-term research into chemical, biological, and other control techniques that could lead to large-scale reduction of brown tree snake populations in Guam or other areas where the brown tree snake might become established.

(9) Expansion of short, medium, and long-term research, funded by all Federal agencies interested in or affected by the brown tree snake, into interdiction, detection, and early control of the brown tree snake.

(10) Provision of planning assistance for the construction or renovation of centralized multi-agency facilities in Guam to support Federal, State, and territorial brown tree snake control, interdiction, research and eradication efforts, including office space, laboratory space, animal holding facilities, and snake detector dog kennels.

(11) Provision of technical assistance to the Freely Associated States on matters related to the brown tree snake through the mechanisms contained within a Compact of Free Association dealing with environmental, quarantine, economic, and human health issues.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretaries to carry out this section (other than subsection (b)(10)) the following amounts:

(1) For activities conducted through the Animal and Plant Health Inspection Service, Wildlife Services, Operations, not more than \$2,600,000 for each of the fiscal years 2006 through 2010.

(2) For activities conducted through the Animal and Plant Health Inspection Service, Wildlife Services, National Wildlife Research Center, Methods Development, not more than \$1,500,000 for each of the fiscal years 2006 through 2010.

(3) For activities conducted through the Office of Insular Affairs, not more than \$3,000,000 for each of the fiscal years 2006 through 2010.

(4) For activities conducted through the Fish and Wildlife Service, not more than \$2,000,000 for each of the fiscal years 2006 through 2010.

(5) For activities conducted through the United States Geological Survey, Biological Resources, not more than \$1,500,000 for each of the fiscal years 2006 through 2010.

(d) **PLANNING ASSISTANCE.**—There is authorized to be appropriated to the Secretary

of Agriculture and the Secretary of the Interior such amounts as may be required to carry out subsection (b)(10).

SEC. 5. ESTABLISHMENT OF QUARANTINE PROTOCOLS TO CONTROL THE INTRODUCTION AND SPREAD OF THE BROWN TREE SNAKE.

(a) **ESTABLISHMENT OF QUARANTINE PROTOCOLS.**—Not later than two years after the date of the enactment of this Act, but subject to the memorandum of agreement required by subsection (b) with respect to Guam, the Secretaries shall establish and cause to be operated at Federal expense a system of pre-departure quarantine protocols for cargo and other items being shipped from Guam and any other United States location where the brown tree snake may become established to prevent the introduction or spread of the brown tree snake. The Secretaries shall establish the quarantine protocols system by regulation. Under the quarantine protocols system, Federal quarantine, natural resource, conservation, and law enforcement officers and inspectors may enforce State and territorial laws regarding the illegal transportation, possession, or introduction of any brown tree snake.

(b) **COOPERATION AND CONSULTATION.**—The activities of the Secretaries under subsection (a) shall be carried out in cooperation with other Federal agencies and the appropriate State and territorial quarantine, natural resource, conservation, and law enforcement officers. In the case of Guam, as a precondition on the establishment of the system of pre-departure quarantine protocols under such subsection, the Secretaries shall enter into a memorandum of agreement with the Government of Guam to obtain the assistance and cooperation of the Government of Guam in establishing the system of pre-departure quarantine protocols.

(c) **IMPLEMENTATION.**—The system of pre-departure quarantine protocols to be established under subsection (a) shall not be implemented until funds are specifically appropriated for that purpose.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section the following amounts:

(1) To the Secretary of Agriculture, not more than \$3,000,000 for each of the fiscal years 2006 through 2010.

(2) To the Secretary of the Interior, not more than \$1,000,000 for each of the fiscal years 2006 through 2010.

SEC. 6. TREATMENT OF BROWN TREE SNAKES AS NONMAILABLE MATTER.

A brown tree snake constitutes non-mailable matter under section 3015 of title 39, United States Code.

SEC. 7. ROLE OF BROWN TREE SNAKE TECHNICAL WORKING GROUP.

(a) **PURPOSE.**—The Technical Working Group shall ensure that Federal, State, territorial, and local agency efforts concerning the brown tree snake are coordinated, effective, complementary, and cost-effective.

(b) **SPECIFIC DUTIES AND ACTIVITIES.**—The Technical Working Group shall be responsible for the following:

(1) The evaluation of Federal, State, and territorial activities, programs and policies that are likely to cause or promote the introduction or spread of the brown tree snake in the United States or the Freely Associated States and the preparation of recommendations for governmental actions to minimize the risk of introduction or further spread of the brown tree snake.

(2) The preparation of recommendations for activities, programs, and policies to reduce and eventually eradicate the brown tree snake in Guam or other areas within the United States where the snake may be established and the monitoring of the implemen-

tation of those activities, programs, and policies.

(3) Any revision of the Brown Tree Snake Control Plan, originally published in June 1996, which was prepared to coordinate Federal, State, territorial, and local government efforts to control, interdict, eradicate or conduct research on the brown tree snake.

(c) **REPORTING REQUIREMENT.**—

(1) **REPORT.**—Subject to the availability of appropriations for this purpose, the Technical Working Group shall prepare a report describing—

(A) the progress made toward a large-scale population reduction or eradication of the brown tree snake in Guam or other sites that are infested by the brown tree snake;

(B) the interdiction and other activities required to reduce the risk of introduction of the brown tree snake or other nonindigenous snake species in Guam, the Commonwealth of the Northern Mariana Islands, Hawaii, American Samoa, and the Freely Associated States;

(C) the applied and basic research activities that will lead to improved brown tree snake control, interdiction and eradication efforts conducted by Federal, State, territorial, and local governments; and

(D) the programs and activities for brown tree snake control, interdiction, research and eradication that have been funded, implemented, and planned by Federal, State, territorial, and local governments.

(2) **PRIORITIES.**—The Technical Working Group shall include in the report a list of priorities, ranked in high, medium, and low categories, of Federal, State, territorial, and local efforts and programs in the following areas:

(A) Control.

(B) Interdiction.

(C) Research.

(D) Eradication.

(3) **ASSESSMENTS.**—Technical Working Group shall include in the report the following assessments:

(A) An assessment of current funding shortfalls and future funding needs to support Federal, State, territorial, and local government efforts to control, interdict, eradicate, or conduct research on the brown tree snake.

(B) An assessment of regulatory limitations that hinder Federal, State, territorial, and local government efforts to control, interdict, eradicate or conduct research on the brown tree snake.

(4) **SUBMISSION.**—Subject to the availability of appropriations for this purpose, the Technical Working Group shall submit the report to Congress not later than one year after the date of the enactment of this Act.

(d) **MEETINGS.**—The Technical Working Group shall meet at least annually.

(e) **INCLUSION OF GUAM.**—The Secretaries shall ensure that adequate representation is afforded to the government of Guam in the Technical Working Group.

(f) **SUPPORT.**—To the maximum extent practicable, the Secretaries shall make adequate resources available to the Technical Working Group to ensure its efficient and effective operation. The Secretaries may provide staff to assist the Technical Working Group in carrying out its duties and functions.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to each of the Secretaries not more than \$450,000 for each of the fiscal years 2006 through 2010 to carry out this section.

SEC. 8. MISCELLANEOUS MATTERS.

(a) **AVAILABILITY OF APPROPRIATED FUNDS.**—Amounts appropriated under this Act shall remain available until expended.

(b) **ADMINISTRATIVE EXPENSES.**—Of the amounts appropriated to carry out this Act for a fiscal year, the Secretaries may expend not more than five percent to cover the administrative expenses necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST), chairman of the Fisheries Conservation, Wildlife and Oceans Subcommittee of the Committee on Resources, to explain this legislation.

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

Madam Speaker, H.R. 3479, the Brown Tree Snake Control and Eradication Act of 2004, introduced by the distinguished gentlewoman from Guam (Ms. BORDALLO), has wide support.

This particular species, the brown tree snake, has been an awful nemesis on Guam for 50 years. It has virtually eradicated all of the local bird population that nests on the ground. It has been a problem for many decades, and the gentlewoman from Guam (Ms. BORDALLO) has been relentless to bring that to our attention to do something about it.

This particular bill offers a number of approaches and solutions. It broadens the level of Federal involvement and research in the brown tree snake programs in Guam. It requires the establishment of predeparture quarantine protocols so the brown tree snake does not go anywhere else in the South Pacific. It declares that the brown tree snake is nonmaleable, thank goodness for that; clarifies the role of the brown tree snake technical working group, and authorized an enhanced level of Federal financial assistance. So basically the gentlewoman from Guam (Ms. BORDALLO) has created a structure upon which it is possible, and many people thought it was impossible up to this point, to actually eradicate the brown tree snake.

In my district in Maryland we have had a problem with an invasive species called the nutria, a rat that weighs about 30 pounds, from South America. It has been a significant problem for about the same period of time, but because of a similar proposal structure, Federal involvement, State involvement, and so on, we have neared the time where we are eradicating that particular species.

So I want to compliment the gentlewoman from Guam. We will work with her until the day that there are no brown tree snakes in Guam at all.

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

I would like to commend the gentlewoman from Guam (Ms. BORDALLO),

the sponsor of this bill, for bringing forth this very important legislation.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Guam (Ms. BORDALLO).

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

Ms. BORDALLO. Madam Speaker, first I would like to thank the gentleman from Maryland (Chairman GILCHREST) for his very kind words in support of this measure.

As this is the last in a number of the Committee on Resources' bills to come to the floor today, I want to also take the opportunity to thank the gentleman from California (Chairman POMBO) and the gentleman from West Virginia (Mr. RAHALL), ranking member, for the largely bipartisan and cooperative nature by which they conduct the committee's business. Such has been my experience as a freshman, and I am very proud to serve on the committee with them.

I want to especially thank them and their staff for their assistance with this bill. The Brown Tree Snake Control and Eradication Act of 2004 will bring more Federal attention and cooperative support for dealing with the critical ecological threat in the Pacific region, the brown tree snake, a harmful invasive species. The cooperation directed in this legislation will actually save the Federal Government money by coordinating Federal activities more efficiently and focusing on the goal of eradication.

H.R. 3479 has been a joint and collaborative effort between myself and the gentleman from Hawaii (Mr. CASE) and the gentleman from Hawaii (Mr. ABERCROMBIE). Together we have worked successfully with stakeholders in our district to produce a good bill.

Again, I want to thank the gentleman from Maryland (Chairman GILCHREST) for his support and the gentleman from New Jersey (Mr. PALLONE), ranking member, and their staff, for their support and due diligence in this process.

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I also want to extend my appreciation to the gentleman from Virginia (Chairman GOODLATTE); the ranking member, the gentleman from Texas (Mr. STENHOLM); and their staff for working with us on the provisions under the Committee on Agriculture's jurisdiction.

H.R. 3479 recognizes that a coordinated effort on the part of the public and private sectors with requisite accountability is essential to the successful prevention, control, and management of the brown tree snake. With the support of the House today, we can get the direction and resources needed to step up the level of protection for the ecological and economic interests of Guam, the Northern Marianas Islands, Hawaii, and the mainland of the United States.

Mr. CASE. Madam Speaker, I urge my colleagues to support House passage of H.R.

3479, the Brown Tree Snake Control and Eradication Act of 2004.

Last November I was pleased to join with my colleagues from Guam, Congresswoman MADELINE Z. BORDALLO, and Congressman NEIL ABERCROMBIE from Hawaii, in introducing this important legislation.

This bill proposes a long-overdue comprehensive approach, through the Departments of Interior and Agriculture, to eradicate the brown tree snake in Guam and to prevent its introduction to jurisdictions in the Pacific, including my home state of Hawaii. There are other Federal agencies, particularly the Departments of Defense and Homeland Security, that are crucial to our efforts, and I am fully supportive of resources and funding expended by or given to these agencies in combating the brown tree snake.

I greatly appreciate the assistance of my colleagues on the House Resources and Agriculture Committees for their hard work on bringing this bill to the floor: House Resources Committee Chairman RICHARD POMBO and Ranking Member NICK RAHALL; House Resources Subcommittee on Fisheries Conservation, Wildlife and Oceans Chairman WAYNE GILCHREST and Ranking Member FRANK PALLONE; House Agriculture Committee Chairman BOB GOODLATTE and Ranking Member CHARLES STENHOLM; and House Agriculture Subcommittee on Livestock and Horticulture Chairman ROBIN HAYES and Ranking Member MIKE ROSS.

The devastating ecological, economic, and human health impacts of the brown tree snake have been long known among the affected jurisdictions in the Pacific and the federal, state, and territorial agencies charged with implementing brown tree snake preventative control and eradication programs.

However, it is clear that unless we address this challenge with a long-term, coordinated, and comprehensive approach, Guam will continue to struggle with the adverse impacts of the brown tree snake, and we in Hawaii will increasingly risk the introduction of the snake into our fragile environment. A total of eight brown tree snakes have been found live or dead in Hawaii since the mid-1980s. All have been associated with the movement of civilian and military vehicles or cargo from Guam.

Most recently, I joined my colleagues from the Hawaii Congressional delegation in expressing our concerns to and seeking funding assistance from Secretary of Defense Donald Rumsfeld in response to the proposed reduction in inspection and trapping services at and around Guam military and civilian ports by up to 50 percent this November. These operations, which are run by APHIS Wildlife Services, annually interdict 6,000–7,000 snakes. Since the DOD benefits significantly from such operations, and is expected to increase its own presence in activities and movements to and from Guam as much as three times in the next five years, it is imperative that all military operational expansion and construction planning on Guam should include brown tree snake control and interdiction design measures and protocols. DOD should consider such funding as part of its base operational and readiness plans.

As background, the brown tree snake was accidentally introduced into Guam in the late 1940s and 1950s, likely via U.S. military cargo, from an area in the Pacific where the snakes are native. Unfortunately, because

Guam had no natural predator but abundant prey, the brown tree snake population spread throughout the island.

Because the brown tree snake's preferred prey is birds, it is directly responsible for the extinction of 9 of 134 native forest birds and 3 of 12 native lizards on Guam. Economically, the snakes have caused more than 1,600 power outages over a 20-year period in Guam, costing the island \$4.5 million per year without considering their impact on transformers, and damages inside electrical substations. The disruptions affect all aspects of everyday life in homes and work, as well as for the government and the business community.

In Hawaii, the brown tree snake represents one of the greatest terrestrial ecological threats due to its potential impact on our endangered bird species, which are found nowhere else on earth. As a result of Hawaii's geographical isolation and lush environment, there were more than 140 endemic bird species in the islands prior to human contact. Today, among the remaining 71 endemic forms, 30 are federally listed as endangered, and 15 of these are on the brink of extinction. Any negative impact on our native bird species in Hawaii will inevitably impact our native flora as well. Hawaii has the highest known number of endemic terrestrial plants of any major island group.

Economically, a University of Hawaii study estimates that the introduction of the brown tree snakes to Hawaii will cause between \$28 million and \$450 million annually in electrical power outages. This does not include the potential devastation to our agriculture industry. In Guam, the brown tree snake has contributed to the decline in production of the island's agriculture industry, particularly the commercial poultry industry, because the snakes eat eggs and chicks. The snake has also impacted the growing of fruits and vegetables because insects that are no longer naturally controlled by birds and lizards inflict increased damage on crops.

To address the brown tree snake problem, a Brown Tree Snake Control Committee was established subsequent to provisions in the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. A multi-agency Memorandum of Agreement on Brown Tree Snake Control was also signed in 1992 and renewed in 1999. However, it expired in March of this year.

The Brown Tree Snake Control and Eradication Act will statutorily authorize a process to ensure the ongoing activities of federal agencies, enhance their effectiveness, provide the necessary resources from agencies actually conducting the work, and strengthen the coordination between federal and regional stakeholder in Hawaii and the Pacific in a more systemic fashion.

Among the authorized activities is the expansion of science-based eradication and control programs in Guam; the expansion of inter-agency and intergovernmental rapid response teams in Guam, the Commonwealth of the Northern Mariana Islands, and Hawaii; the expansion of efforts to protect and restore native wildlife in Guam or elsewhere damaged by the brown tree snake; continuation and expansion of sustained research funding from the Animal Plant and Health Inspection Service (APHIS), Wildlife Services, and National Wildlife Research Center, including the establishment of

an APHIS, Wildlife Services, Operations Program State Office located in Hawaii; and the expansion of long-term research into chemical and biological control techniques that could lead to large-scale reduction of brown tree snake populations in Guam.

H.R. 3497 is a product of collaboration between my office, the offices of Congresswoman BORDALLO and Congressman ABERCROMBIE, and the key Federal, State, and territorial stakeholders in the region. While the brown tree snake is just one of the more serious of many invasive species threats to Hawaii, the mechanisms strengthened and established under H.R. 3479 can serve as an exemplary model for addressing other invasive species issues, not just in Hawaii, but in our whole country.

The bill is supported by the Hawaii Department of Agriculture, the Hawaii Department of Land and Natural Resources, the Hawaii Invasive Species Council, the Nature Conservancy of Hawaii, the Coordinating Group on Alien Species, and others. Such coordinated support in Hawaii is illustrative of the seriousness that we take this issue and the assistance the federal government can anticipate receiving after enactment of this bill. Hawaii's stakeholders will not be silent and passive partners in this effort.

I am specially proud about the establishment of the Hawaii Invasive Species Council, which includes key State, county and Federal head officials in Hawaii, by legislation approved by the 2003 Hawaii State Legislature and Hawaii Governor Linda Lingle.

I understand that Hawaii is now only one of seven states in the country to establish such a council in addressing invasive species prevention and response measures at the State level.

Again, I urge my colleagues to support this important legislation.

Mr. ABERCROMBIE. Madam Speaker, I rise today in support of H.R. 3479, the Brown Tree Snake Control and Eradication Act of 2004. This measure will not only ensure continued security for Hawaii and Guam, but the entire Pacific region.

The Hawai'i Biological Survey has documented that an average of 177 alien species arrive in the State of Hawai'i each year. Out of all the possible alien plants and animals that could make their way to the Hawaiian Islands, one of the most feared is the brown tree snake.

The brown tree snake arrived in Guam on military materiel transport from the Solomon Islands after World War II. Because Guam has no natural predator for the brown tree snake, the snakes have been able to flourish and have been recorded as high as 10,000 snakes per acre. The brown tree snake is blamed for the extinction of 9 out of 11 bird species native to Guam. These snakes also cause frequent and costly power outages and are known to bite humans. Like Guam, Hawaii has no native snakes and no natural predators for snakes. Only one pregnant brown tree snake needs to reach Hawaii in order for the State to experience the same catastrophic consequences as Guam.

Wildlife Services under the Animal and Plant Health Inspection Service in the Department of Agriculture provides brown tree snake control on Guam by inspecting outgoing military and civilian cargo and providing trapping services at Guam's ports. These services interdict

6,000 to 7,000 snakes annually and have proved to be very successful in keeping the brown tree snake out of Hawaii.

For the past 10 years, the funding for these services has remained fixed. The program was able to make up for inflation and increasing costs by stopgap measures that have enabled them to continue services. However, this is no longer possible. Unforeseen vehicle repair or replacement costs, critical travel associated with program delivery, required training for staff, increased costs of operations and growing containment responsibilities are forcing significant reductions in operations. Compounding the problem, Wildlife Services has been informed by Anderson Air Force Base that it will have to begin to pay for in-kind services that have been provided to the program at no cost since 1994. To compensate for this additional unanticipated financial burden, further reductions in staffing are anticipated in early fiscal year 2005.

H.R. 3479 would begin to resolve these problems by recognizing the seriousness of the threat posed by the brown tree snake. This legislation authorizes the Departments of Agriculture and Interior to fund brown tree snake interdiction and control efforts and provide grants for these efforts. Just as important, this measure would support research efforts to control and eventually eradicate this harmful species from Guam. Current funding does not allow for in depth research that could lead to less labor intensive solutions than the current bait and trap method. This legislation also requires the establishment of pre-departure quarantine protocols for persons and cargo traveling from Guam. This will ensure that this species is not able to spread to other Pacific destinations.

Madam Speaker, this legislation is being considered at a crucial point in time. I urge my colleagues to support this bill and thank Chairman POMBO and Ranking Member RAHALL for their continued efforts to address the problems of the distant Pacific. I would also like to thank Congresswoman BORDALLO and her staff. Without the effort of all of these parties, this legislation would not be before the House today.

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

Mr. RADANOVICH. 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 California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 3479, 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.

APPOINTMENT OF CONFEREES ON H.R. 4200, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Mr. SAXTON. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military con-

struction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, 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. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. PELOSI

Ms. PELOSI. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. Pelosi moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4200 be instructed to agree to the provisions contained in title XXXIV of the Senate amendment (relating to the enhancement of local law enforcement and the prohibition of hate crimes).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Ms. PELOSI) and the gentleman from Florida (Mr. FEENEY) each will control 30 minutes.

The Chair recognizes the gentleman from California (Ms. PELOSI).

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

Madam Speaker, I rise today to offer a motion to instruct conferees to the defense authorization bill to agree to the hate crimes prevention provisions contained in the Senate bill.

I thank the gentleman from Missouri (Mr. SKELTON), our ranking member on the Committee on Armed Services, for his commitment to including hate crimes prevention provisions in this bill.

Before I speak to the motion, I want to speak to the excellent credentials of the gentleman from Missouri (Mr. SKELTON). Every man and woman in uniform in our country, whether regular service or Reserves or National Guard, owes a deep debt of gratitude, as does our entire country, for his commitment to the national security of our country and to his commitment for the well-being of our troops in the United States and certainly in harm's way.

I have seen firsthand the respect that they have for him, both at Whiteman Air Force Base in Missouri, in his own district, and in Iraq and Afghanistan, where we have seen them in the theater of war. I say to the gentleman from Missouri (Mr. SKELTON), thank you for your magnificent leadership and service to our country.

Madam Speaker, hate crimes have no place in America. I think we can all agree to that. All Americans have a right to feel safe in their communities. Yet FBI statistics continue to demonstrate a high level of hate crimes in our country. Federal hate crimes prevention legislation is the right thing to do, and it is long overdue.

Some opponents argue that there is no need for Federal hate crimes prevention legislation because assault and