

POTASH ROYALTY REDUCTION
ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 485) to provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent, and for other purposes, as amended.

The Clerk read as follows:

H.R. 485

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—POTASH ROYALTY REDUCTION

SEC. 101. SHORT TITLE.

This title may be cited as the “Potash Royalty Reduction Act of 2005”.

SEC. 102. POTASSIUM AND POTASSIUM COMPOUNDS FROM SYLVITE.

(a) **ROYALTY RATE.**—Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 2 of the Act of February 7, 1927 (30 U.S.C. 282) and the term of any lease issued under such section 2, the royalty rate on the quantity or gross value of the output from Federal lands of potassium and potassium compounds from the mineral sylvite at the point of shipment to market in the 5-year period beginning on the date of the enactment of this Act shall be 1.0 percent.

(b) **RECLAMATION FUND.**—Fifty percentum of any royalties paid pursuant to this title during the 5-year period referred to in subsection (a), together with any interest earned from the date of payment, shall be paid by the Secretary of the Treasury to the payor of the royalties to be used solely for land reclamation purposes in accordance with a schedule to implement a reclamation plan for the lands for which the royalties are paid. No payment shall be made by the Secretary of the Treasury pursuant to this subsection until the Secretary of the Interior receives from the payor of the royalties, and approves, the reclamation plan and schedule, and submits the approved schedule to the Secretary of the Treasury. The share of royalties held by the Secretary of the Treasury pursuant to this subsection, and interest earned thereon, shall be available until paid pursuant to this subsection, without further appropriation; shall not be considered as money received under section 35 of the Mineral Leasing Act (30 U.S.C. 191) for the purpose of revenue allocation; and shall not be reduced by any administrative or other costs incurred by the United States.

(c) **STUDY AND REPORT.**—After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this title, including a recommendation on whether the reduced royalty rate for potassium from sylvite should apply after the end of the 5-year period.

TITLE II—SODA ASH ROYALTY REDUCTION

SEC. 201. SHORT TITLE.

This title may be cited as the “Soda Ash Royalty Reduction Act of 2005”.

SEC. 202. FINDINGS.

The Congress finds the following:

(1) The combination of global competitive pressures, flat domestic demand, and spiraling costs of production threaten the future of the United States soda ash industry.

(2) Despite booming world demand, growth in United States exports of soda ash since 1997 has been flat, with most of the world's largest markets for such growth, including Brazil, the People's Republic of China, India, the countries of eastern Europe, and the Republic of South Africa, have been closed by protectionist policies.

(3) The People's Republic of China is the prime competitor of the United States in soda ash production, and recently supplanted the United States as the largest producer of soda ash in the world.

(4) Over 700 jobs have been lost in the United States soda ash industry since the Department of the Interior increased the royalty rate on soda ash produced on Federal land, in 1996.

(5) Reduction of the royalty rate on soda ash produced on Federal land will provide needed relief to the United States soda ash industry and allow it to increase export growth and competitiveness in emerging world markets, and create new jobs in the United States.

SEC. 203. REDUCTION IN ROYALTY RATE ON SODA ASH.

Notwithstanding section 102(a)(9) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 5-year period beginning on the date of the enactment of this Act shall be 2 percent.

SEC. 204. STUDY.

After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this title, including—

(1) the amount of sodium compounds and related products at the point of shipment to market from Federal land during that 4-year period;

(2) the number of jobs that have been created or maintained during the royalty reduction period;

(3) the total amount of royalty paid to the United States on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market produced during that 4-year period, and the portion of such royalty paid to States; and

(4) a recommendation of whether the reduced royalty rate should apply after the end of the 5-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 485.

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

There was no objection.

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

Mr. Speaker, H.R. 485 is a bill that actually contains the language from

bills introduced by two of my colleagues from the western United States.

Title I of this bill contains language by my friend, the gentleman from New Mexico (Mr. PEARCE). This language provides for a 5-year period the royalty rate on potash produced from Federal lands shall be 1 percent.

Potash is used primarily as an agriculture fertilizer because it is a source of soluble potassium, one of the three primary plant nutrients; the others are fixed nitrogen and soluble phosphorus. The 5-year reduction in royalty rates provides the industry the ability to employ new and more efficient production methods in potash mining, sustain and create new jobs, extend the life of existing deposits and make technological advances that will expand the availability of the Nation's potash resources.

Title II of this bill contains language introduced by my colleague, the gentlewoman from Wyoming (Mrs. CUBIN), which will reduce for 5 years the royalties paid on trona to help balance the unfair playing field in the world market that U.S. trona producers face from countries like China.

The U.S. soda ash industry, which until recently was the largest in the world, has operations in Wyoming, Colorado, and California, with the bulk of total production through four plants in the State of Wyoming. The total estimated value of the industry is around \$800 million.

The current Federal royalty on soda ash produced in the United States ranges from 4 percent to 6 percent. Mines in the Rocky Mountain region, Colorado and Wyoming, pay 6 percent. Mines in California pay only 4 percent.

Until 2003, the United States was the world's largest exporter of soda ash. In 2003, China passed the United States as the world's number one exporter.

Producers in China manufacture a synthetic product while the United States exports natural soda ash. This bill will reduce the Federal royalty to the statutory minimum of 2 percent for a period of 5 years. This will make the U.S. soda ash more attractive to foreign purchases and provide a window of opportunity to tackle the global barriers that limit market access for U.S. soda ash.

Mr. Speaker, H.R. 485 is supported by the majority and minority of the committee. I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, the House passed similar royalty relief legislation in the 108th Congress. The bill before us contains provisions sponsored by the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Wyoming (Mrs. CUBIN).

We have no objection to this legislation.

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

Mr. RENZI. Mr. Speaker, I want to thank the gentleman from New Mexico (Mr. UDALL), who is the champion of American potash and the sodium industry here in America and I appreciate his advocacy.

Mr. 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 Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 485, 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.

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL MAINTENANCE FUND ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2107) to amend Public Law 104-329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and for other purposes.

The Clerk read as follows:

H.R. 2107

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 "National Law Enforcement Officers Memorial Maintenance Fund Act of 2005".

SEC. 2. COOPERATIVE AGREEMENT WITH RESPECT TO NATIONAL LAW ENFORCEMENT MEMORIAL MAINTENANCE FUND.

(a) IN GENERAL.—Section 201 of Public Law 104-329 is amended by adding at the end the following new subsection:

“(d) COOPERATIVE AGREEMENT.—

“(1) IN GENERAL.—Effective on and after the date of the enactment of the National Law Enforcement Memorial Maintenance Fund Act of 2005, the following applies, notwithstanding other provisions of this Act:

“(A) The Secretary of the Interior, acting through the National Park Service, shall enter into a cooperative agreement with the National Law Enforcement Officers Memorial Fund, Inc., a nonprofit corporation incorporated under the laws of the District of Columbia, to carry out the purposes of the Fund as described in subsection (b).

“(B) In accordance with the terms of such agreement, the Secretary shall transfer all amounts in the Fund to the Corporation.

“(2) DEFINITIONS.—For purposes of this subsection—

“(A) the term ‘Corporation’ means the National Law Enforcement Officers Memorial Fund, Inc; and

“(B) the term ‘Secretary’ means the Secretary of the Interior.”

(b) PURPOSES OF FUND.—Section 201(b) of Public Law 104-329 is amended—

(1) in paragraph (3), by inserting “and” after the semicolon;

(2) by striking paragraphs (4), (6), and (7), and redesignating paragraph (5) as paragraph (4); and

(3) in paragraph (4) (as so redesignated), by striking the semicolon and inserting a period.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2107.

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

There was no objection.

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

Mr. Speaker, H.R. 2107, introduced by my colleague on the Committee on Resources, the gentleman from New Jersey (Mr. SAXTON), would transfer funds of the 1996 sale of a commemorative coin from the National Park Service to the Law Enforcement Officers Memorial Fund for the purpose of maintaining the National Law Enforcement Officers Memorial. The Memorial Fund, a non-profit organization incorporated in Washington, DC, that raised the original \$12 million to build the Memorial, wishes to have access to the \$1.4 million raised from the coin sales to maintain the memorial in an effective and timely manner.

Today, more than 16,500 fallen law enforcement officers' names are inscribed on the Memorial, dating back to the first recorded police fatality in 1792.

Mr. Speaker, H.R. 2107 is supported by the majority and minority of the committee and the administration.

Mr. Speaker, I urge adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, we support passage of this measure.

Yesterday, May 15, was National Peace Officers Memorial Day and the first day of National Police Week, which are both intended to commemorate the service and sacrifice of those who keep our communities safe. While this legislation is technical in nature, it is an important way in which Members can show their respect for those honored by this memorial and for those who continue to serve as peace officers.

Mr. Speaker, there are today more than 17,000 names listed on the memorial here in our Nation's capital. Sadly, another 153 names will be added to the

list for 2004, brave men and women who died in the line of duty protecting and serving others.

We all had a personal reminder last week of what that selfless service really means when many Capitol Police officers remained behind on the Capitol grounds to evacuate Members, staff, and visitors. Thankfully, that episode proved to be a nonthreatening incident; however, it clearly highlighted the potential dangers the women and men of the Capitol Police are trained and willing to confront.

We would encourage everyone to visit the National Law Enforcement Officers Memorial and to let law enforcement officers know just how much we appreciate their service as they go about their duties this week.

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

Mr. RENZI. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SAXTON), the author of this bill.

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

Mr. SAXTON. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, this bill will transfer control of the National Law Enforcement Officers Memorial Fund from the National Park Service to the nonprofit National Law Enforcement Officers Memorial Fund to ensure the much needed maintenance and repairs to the memorial are made in an effective and timely manner.

In 1996, the United States Commemorative Coin Act of 1996 was signed into law. This law mandated the minting and sale of several commemorative coins, including the National Law Enforcement Officers Memorial Silver Dollar. Surcharges from the coin sale were to be placed in a special interest-bearing account established by the U.S. Treasury and to be maintained by the National Park Service. The revenues generated were then to be used to maintain the memorial and interest accrued was to be used towards establishing a scholarship fund for the children of officers who were killed in the line of duty.

Unfortunately, due to a series of unintentional oversights, the nearly \$1.4 million generated from the sale of the coin was misplaced and until recently was never invested by the U.S. Treasury in an interest-bearing account, as required by law.

For the past 6 years, the Memorial Fund has tried, unsuccessfully, to gain access to the maintenance fund to make needed repairs to the memorial. During this time, the Memorial Fund has spent more than \$250,000 of its own funds, despite the existence of the \$1.4 million.

Therefore, to ensure the money of the maintenance fund is spent in accordance with the original intent of the law, I have worked with the National Park Service and the National