

next year to issue these standards could have the unintended effect of delaying a recommendation on whether or not to go forward with Yucca Mountain. The process for further review of the EPA standards laid out in the bill passed by the Congress would simply create duplicative and unnecessary layers of bureaucracy by requiring additional review by the Nuclear Regulatory Commission and the National Academy of Sciences, even though both have already provided detailed comments to the EPA. This burdensome process would add time, but would do nothing to advance the state of scientific knowledge about the Yucca Mountain site.

Finally, the bill passed by the Congress does little to minimize the potential for continued claims against the Federal Government for damages as a result of the delay in accepting spent fuel from utilities. In particular, the bill does not include authority to take title to spent fuel at reactor sites, which my Administration believes would have offered a practical near-term solution to address the contractual obligation to utilities and minimize the potential for lengthy and costly proceedings against the Federal Government. Instead, the bill would impose substantial new requirements on the Department of Energy without establishing sufficient funding mechanisms to meet those obligations. In effect, these requirements would create new unfunded liabilities for the Department.

My Administration remains committed to resolving the complex and important issue of nuclear waste disposal in a timely and sensible manner consistent with sound science and protection of public health, safety, and the environment. We have made considerable progress in the scientific evaluation of the Yucca Mountain site and the Department of Energy is close to completing the work needed for a decision. It is critical that we develop the capability to permanently dispose of spent nuclear fuel and high-level radioactive waste, and I believe we are on a path to do that. Unfortunately, the bill passed by the Congress does not advance these basic goals.

WILLIAM J. CLINTON,  
THE WHITE HOUSE, April 25, 2000.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-8649. A communication from the Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenpropathrin, Pesticide Tolerance" (FRL # 6554-4), received April 18, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8650. A communication from the Office of Regulatory Management and Information,

Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiabendazole; Extension of Tolerance for Emergency Exemptions" (FRL # 6554-6), received April 18, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8651. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Japan Because of Rinderpest and Foot-and-Mouth Disease" (Docket # 00-031-1), received April 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8652. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Republic of Korea Because of Rinderpest and Foot-and-Mouth Disease" (Docket # 00-033-1), received April 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8653. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pseudorabies in Swine; Payment of Indemnity" (Docket # 98-123-6), received April 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8654. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Fruit Fly Regulations; Removal of Regulated Area" (Docket # 99-075-3), received April 13, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8655. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Wood Chips from Chile" (Docket # 96-031-2), received April 24, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8656. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Republic of South Africa Because of Rinderpest and Foot-and-Mouth Disease" (Docket # 98-029-2), received April 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8657. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Republic of Korea Because of Rinderpest and Foot-and-Mouth Disease" (Docket # 00-033-1), received April 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8658. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled

"Pseudorabies in Swine; Payment of Indemnity" (Docket # 98-123-6), received April 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8659. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Fruit Fly Regulations; Removal of Regulated Area" (Docket # 99-075-3), received April 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8660. A communication from the Office of Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Japan Because of Rinderpest and Foot-and-Mouth Disease" (Docket # 00-031-1), received April 19, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8661. A communication from the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Market Segment Specialization Program Audit Techniques Guide—Child Care Providers", received April 19, 2000; to the Committee on Finance.

EC-8662. A communication from the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Market Segment Specialization Program Audit Techniques Guide—Garden Supplies", received April 19, 2000; to the Committee on Finance.

EC-8663. A communication from the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Market Segment Specialization Program Audit Techniques Guide—Alternative Minimum Tax for Individuals", received April 19, 2000; to the Committee on Finance.

EC-8664. A communication from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting a report relative to the 2000 annual report of the Board; to the Committee on Finance.

EC-8665. A communication from the Commissioner of Social Security, transmitting, pursuant to law, a report relative to disregards under the Old Age and Survivors Disability Insurance and Supplemental Security Income programs; to the Committee on Finance.

EC-8666. A communication from the Executive Office for Immigration Review, Department of Justice transmitting, pursuant to law, the report of a rule entitled "Executive Office for Immigration Review; Board of Immigration Appeals, 21 Board Members" (RIN 1125-AA28), received April 25, 2000; to the Committee on the Judiciary.

EC-8667. A communication from the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clinical Chemistry Devices; Classification of the Biotinidase Test System" (Docket No. 00P-0931), received April 20, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-8668. A communication from the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Reclassification and Codification of the Nonabsorbable Expanded Polytetrafluoroethylene Surgical Suture" (Docket No. 94P-0347), received April 25, 2000;

to the Committee on Health, Education, Labor, and Pensions.

EC-8669. A communication from the Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Block Grant Programs", received April 19, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-8670. A communication from the Pension and Welfare Benefits Administration, Department of Labor transmitting, pursuant to law, the report of a rule entitled "Revisions to Certain Regulations Regarding Annual Reporting and Disclosure Requirements" (RIN1210-AA52), received April 25, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC-8671. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the report of the list of General Accounting Office reports for March 2000; to the Committee on Governmental Affairs.

EC-8672. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received April 25, 2000; to the Committee on Governmental Affairs.

EC-8673. A communication from the Division of Financial Practices, Federal Trade Commission transmitting, pursuant to law, the report of a rule entitled "Advisory Opinion Regarding the Fair Debt Collection Practices Act", received April 21, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8674. A communication from the General Counsel, Department of Commerce, transmitting a draft of proposed legislation entitled "Technology Administration Authorization Act of 2000"; to the Committee on Commerce, Science, and Transportation.

EC-8675. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Antidrug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities; Technical Amendment Correcting FAA Office Addresses; Docket Nos. 27065, 25148, and 26620 (4/10-4/13)" (RIN2120-ZZ25), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8676. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Grand Island, NE; Confirmation of Effective Date of Final Rule; Docket No. 99-ACE-56 (4-11/4-17)" (RIN2120-AA66) (2000-0085), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8677. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Monticello, IA; Docket No. 00-ACE-5 (4-11/4-17)" (RIN2120-AA66) (2000-0085), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8678. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747-200B, -300, -400, -400D, and -400F Series Airplanes; Request for Comments; Docket No. 2000-NM-87 (4-10/4-13)" (RIN2120-AA64) (2000-0199), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8679. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives: Boeing Model 727 Series Airplanes; Docket No. 99-NM-53 (4-11/4-13)" (RIN2120-AA64) (2000-0202), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8680. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, -700, and -800 Series Airplanes; Request for Comments; Docket No. 2000-NM-84 (4-10/4-13)" (RIN2120-AA64) (2000-0200), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8681. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 777 Series Airplanes; Request for Comments; Docket No. 99-NM-232 (4-11/4-13)" (RIN2120-AA64) (2000-0204), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8682. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 757-200, and -200PF Series Airplanes; Docket No. 99-NM-57 (4-11/4-13)" (RIN2120-AA64) (2000-0205), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8683. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 Series Airplanes; Docket No. 99-NM-205 (4-11/4-13)" (RIN2120-AA64) (2000-0203), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8684. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Turbomeca 1A Series Airplanes; Docket No. 99-NE-42 (4-11/4-17)" (RIN2120-AA64) (2000-0207), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8685. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Fokker Model F27 Mark 050 Series Airplanes; Docket No. 99-NM-315 (12-13/4-13)" (RIN2120-AA64) (2000-0198), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8686. A communication from the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Dornier Model 328-100 Series Airplanes; Docket No. 99-NM-40 (4-11/4-13)" (RIN2120-AA64) (2000-0201), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8687. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Mississippi River, Iowa and Illinois (CGD08-99-071)" (RIN2115-AE47) (2000-0020), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8688. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; West Bay, MA (CGD01-00-018)" (RIN2115-AE47) (2000-0019), received

April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8689. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Harlem River, Newtown Creek, NY (CGD01-00-121)" (RIN2115-AE47) (2000-0022), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8690. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Mississippi River, Iowa and Illinois (CGD08-99-069)" (RIN2115-AE47) (2000-0021), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8691. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Ortega River, Jacksonville, FL (CGD08-00-023)" (RIN2115-AE47) (2000-0018), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8692. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Anchorage Areas/Anchorage Grounds Regulations; San Francisco Bay, CA (CGD11-99-009)" (RIN2115-AA98) (2000-0004), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8693. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regatta Regulations; Annual Suncoast Kilo Run, Sarasota Bay, FL (CGD08-00-029)" (RIN2115-AE46) (2000-0002), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8694. A communication from the Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Anchorage Ground; Safety Zone; Speed Limit; Tongass Narrows and Ketchikan, AK (CGD17-99-002)" (RIN2115-AF81) (2000-0001), received April 17, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8695. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Retention Limit Adjustment" (I.D. 033100D), received April 20, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8696. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska: Rock Sole by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands", received April 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8697. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries off West Coast States and in the Western Pacific: Pacific Coast Groundfish Fishery; Trip Limit Adjustments", received April 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8698. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Apportionment of the Initial Reserve of Pacific Cod in the Gulf of Alaska", received April 25, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8699. A communication from the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Catch Reporting; Determination of State Jurisdiction" (RIN0648-AN56) (I.D. 012800H), received April 20, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8700. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lancaster, Groveton and Milan, NH" (MM Docket No. 99-9; RM-9434, 9597), received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8701. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Princeville, Kapaa and Kalaeo, HI" (MM Docket No. 99-139; RM-9402, 9412), received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8702. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Spencer and Webster, MA" (MM Docket No. 00-8, received April 14, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8703. A communication from the Mass Media Bureau, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; Lampasas and Leander, TX" (MM Docket No. 99-344), received April 24, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8704. A communication from the Wireless Telecommunications Bureau, Commercial Wireless Division, Policy and Rules Branch, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "Part 90—Private Land Mobile Services; Section 90.425 Station Identification; Section 90.647 Station Identification" (GN Docket No. 93-252, PR Dockets 93-144 and 89-553, FCC 00-106), received April 19, 2000; to the Committee on Commerce, Science, and Transportation.

EC-8705. A communication from the Common Carrier Bureau, Network Services Division, Federal Communications Commission transmitting, pursuant to law, the report of a rule entitled "In the Matter of Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking (rel. Mar. 31, 2000)" (FCC 00-104, CC Doc. 99-200), received April 24, 2000; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-462. A resolution adopted by the Legislature of Guam relative to commuting a jail sentence and returning Federal lands to the original landowners; to the Committee on Energy and Natural Resources.

#### RESOLUTION NO. 270

Whereas, a Dededo lot approximately 29,000 square meters in size, owned by Angel Leon Guerrero Santos' grandfather Angel Borja Santos, was condemned by appointed Governor Carlton Skinner in 1950; and

Whereas, the above mentioned lot was used as part of the United States military training and exercise grounds decades ago, but has since been declared excess federal land by the United States Department of Defense for decades, and is not within the boundaries of any active federal facility or reservation, nor is it fenced or otherwise routinely patrolled; and

Whereas, Angel L.G. Santos began living and farming on the Dededo lot in 1992, citing the fact that the government had not used the land in many year; and

Whereas, the U.S. military and then the Federal Government issued notice to Angel L.G. Santos to vacate the lot, and in 1993 the federal government sought and was granted federal court injunction to keep him from the lot; and

Whereas, a concrete house built by Angel L.G. Santos on the lot was destroyed by the Federal Government after the Federal Court injunction was granted in 1993, but in 1999 Angel L.G. Santos gave notice to the U.S. military that he would again live on the lot as an act of civil disobedience protesting the resistance of the Federal Government to allow excess land to be returned to the original owners and their heirs; and

Whereas, the U.S. District Court of Guam sentenced Angel L.G. Santos to federal prison for violating its injunction against entering and using the Dededo lot and for violating its order to appear in court on October 8, 1999; and

Whereas, the Federal Government controls approximately one-third of Guam's land, with 44,000 acres in its inventory of which 12,000 acres is surrounded by a military fence and only 6,000 acres of that is actively being used by the military; and

Whereas, the Federal Government has declared 10,000 acres of land it claims in Guam as excess land and has expressed its intent to return the excess land to the Government of Guam, but resists the Government of Guam's expressed intent in local law to return the excess Federal land to the original landowners and their heirs; and

Whereas, the Federal Government's holding of 44,000 acres of Guam land, more than 30,000 acres of which have never been developed, serves to stifle the Island's economy by not allowing private land owners to develop, farm, or profit from the land, by not allowing the local government to tax the land, and by making land more scarce and more expensive, and thereby driving up the cost of other goods and services on the Island; and

Whereas, the unused federal land was condemned by a government not elected by the people of Guam and is withheld by a Federal Government not elected by the people of Guam; and

Whereas, Guam has been colonized and administered for hundreds of years by the Spanish, the United States of America, and Japan, and while the people of Guam are as patriotic as any other Americans, they seek democratic self-determination that has been endorsed by President William Clinton in his visit to Guam in 1998; now therefore, be it

*Resolved*, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that clemency be granted for Angel L.G. Santos by President William Clinton, that

his sentence be commuted, and that he be released and returned to Guam; and be it further

*Resolved*, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that President William Clinton return all excess federal lands to the Government of Guam as expeditiously as possible; and be it further

*Resolved*, That *I Mina'Bente Singko Na Liheslaturan Guahan* respectfully requests that the United States Congress allow all excess federal lands returned to the Government of Guam to be disposed of as the local government determines, including but not limited to the return of the land to original landowners and their heirs when possible; and be it further

*Resolved*, That the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to the Secretary General of the United Nations; to the National Organization for the Advancement of Chamour People; to amnesty International; to Attorney Antonio Cortez; to Rosaline Roberto Salas; to the Guam Congressional Delegate; and to the Honorable Carl T.C. Gutierrez, *I Maga'lahaen Guahan*.

POM-463. A resolution adopted by the Legislature of Guam relative to a "Critical Habitat" Designation on Guam; to the Committee on Energy and Natural Resources.

#### RESOLUTION NO. 268

*(Be it Resolved by I Liheslaturan Guahan:*

Whereas, thousands of acres of land on Guam are designated as "wildlife refuge" by the Department of the Interior, preventing the rightful and long overdue return of that land to original landowners and restricting the growth of Guam's economy, in the name of protecting an extremely small number of birds; and

Whereas, attorneys for the Center for Biological Diversity and the Marianas Audubon Society sent a February 3, 2000 letter addressed to Secretary of the Interior, the Honorable Bruce Babbitt, threatening litigation and seeking to designate twenty-four thousand five hundred sixty-two (24,562) acres of land on Guam as "Critical Habitat"; and

Whereas, the designation of the land as "Critical Habitat" would significantly restrict the Island's tourism industry, placing significant restrictions on inbound and outbound commercial airline flights on Guam by forcing the Federal Aviation Administration to ensure that any of its actions, even those taking place outside of the "Critical Habitat," will *not* affect the habitat in any way; and

Whereas, a "Critical Habitat" environmental designation is significantly more restrictive on uses of real property than a wildlife refuge and could be applied to privately owned real property and real property owned by the government of Guam, severely limiting the possible economic uses for local land already in short supply; and

Whereas, a "Critical Habitat" designation on privately owned real property would devalue that real property, causing an adverse impact to local lending institutions and developers that use the value of real property for collateral in their financial arrangements; and

Whereas, a "Critical Habitat" designation on real property owned by the government of Guam would make it virtually impossible to finance projects through the bond market, and therefore would limit the development of infrastructure by the Guam Power Authority, the Guam International Airport Authority, the Department of Education, the