

law, the report of a rule entitled "Goats Imported From Mexico for Immediate Slaughter," received on July 15, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3429. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California," received on July 15, 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3430. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the notice of a Presidential Determination relative to the assistance for Bosnia and Herzegovina; to the Committee on Appropriations.

EC-3431. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the notice of the intention to obligate funds in fiscal year 1996; to the Committee on Appropriations.

EC-3432. A communication from the Acting Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report on changes and progress in the operations involving regulatory resources for the Office; to the Committee on Banking, Housing, and Urban Affairs.

EC-3433. A communication from the Assistant Chief Counsel of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the rule entitled "Review of OTS Decisions," received on July 15, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-3434. A communication from the Chairman of the Federal Financial Institutions Examination Council, transmitting, pursuant to law, the report on the use of consistent financial terminology; to the Committee on Banking, Housing, and Urban Affairs.

EC-3435. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, a rule concerning the uniform broker-dealer registration form; to the Committee on Banking, Housing, and Urban Affairs.

EC-3436. A communication from the Chief Counsel of the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, a rule concerning the Iraqi Sanctions Regulations, received on July 11, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-3437. A communication from the Chief Counsel of the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, a rule concerning the Cuban Assets Control Regulations, received on July 15, 1996; to the Committee on Banking, Housing, and Urban Affairs.

EC-3438. A communication from the Acting Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report on enforcement actions and initiatives; to the Committee on Banking, Housing, and Urban Affairs.

EC-3439. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to importing noncomplying motor vehicles; to the Committee on Commerce, Science, and Transportation.

EC-3440. A communication from the Managing Director, Federal Communications Commission, transmitting, pursuant to law, a report relative to the release procedures for 1-800 telephone numbers; to the Committee on Commerce, Science, and Transportation.

EC-3441. A communication from the Acting Director of the Office of Fisheries Conserva-

tion and Management, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries," received on July 15, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3442. A communication from the Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards, Truck-Camper Loading," (RIN2127-AF81) received on July 15, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3443. A communication from the Acting Director of the Office of Fisheries Conservation and Management, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Swordfish Fishery," received on July 15, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3444. A communication from the Managing Director, Federal Communications Commission, transmitting, pursuant to law, a report relative to the Final Regulatory Flexibility Analysis; to the Committee on Commerce, Science, and Transportation.

EC-3445. A communication from the Managing Director, Federal Communications Commission, transmitting, pursuant to law, a report relative to the Hearing Aid Compatibility Act of 1988; to the Committee on Commerce, Science, and Transportation.

EC-3446. A communication from the Assistant Secretary for Fish and Wildlife Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Scope and Applicability of Regulations," (RIN1024-AC21) received on July 16, 1996; to the Committee on Energy and Natural Resources.

EC-3447. A communication from the Director, Office of Surface and Mining, Department of Interior, transmitting, pursuant to law, the report of two rules entitled "Alabama Regulatory Program," received on July 15, 1996; to the Committee on Energy and Natural Resources.

EC-3448. A communication from the Chair of the Federal Subsistence Board, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D-1996-1997 Subsistence Taking of Fish and Wildlife Regulations," (RIN1018-AD42) received on July 15, 1996; to the Committee on Energy and Natural Resources.

EC-3449. A communication from the Director of the Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the rule concerning criteria and procedures for determining the adequacy of available spent fuel storage capacity; to the Committee on Environment and Public Works.

EC-3450. A communication from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a regulatory guide relative to the safety systems of nuclear power plants; to the Committee on Environment and Public Works.

EC-3451. A communication from the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans," received on July 16, 1996; to the Committee on Environment and Public Works.

EC-3452. A communication from the Office of Regulatory Management and Information, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of five rules entitled "Approval and Promulgation of Implementation Plans," (FRL5464-6, 5532-3, 5514-4, 5533-5, 5531-4) received on July 15, 1996; to the Committee on Environment and Public Works.

EC-3453. A communication from the General Counsel, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "National Environmental Policy Act Implementing Procedures," (RIN1901-AA67) received on July 17, 1996; to the Committee on Environment and Public Works.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS ON JULY 18, 1996

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself, Mr. INOUE, Mr. THOMAS, and Mr. CAMPBELL):

S. 1970. A bill to amend the National Museum of the American Indian Act to make improvements in the Act, and for other purposes; to the Committee on Indian Affairs.

By Mr. MACK (for himself, Mr. DEWINE, Mr. NICKLES, Mr. THURMOND, Mr. GRAHAM, Mr. INHOFE, Mr. COATS, Mr. FAIRCLOTH, and Mr. ABRAHAM):

S. 1971. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mr. INOUE, and Mr. STEVENS):

S. 1972. A bill to amend the Older Americans Act of 1965 to improve the provisions relating to Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. MCCAIN:

S. 1973. A bill to provide for the settlement of the Navajo-Hopi land dispute, and for other purposes; to the Committee on Indian Affairs.

By Mr. DEWINE:

S. 1974. A bill to amend the Social Security Act to clarify that the reasonable efforts requirement includes consideration of the health and safety of the child; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON JULY 17, 1996

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS:

S. Res. 279. A resolution to commend Dr. LeRoy T. Walker for his service as President of the U.S. Olympic Committee and his lifelong dedication to the improvement of amateur athletic opportunities in the United States; considered and agreed to.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON JULY 18, 1996

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. D'AMATO, Mr. MOYNIHAN, and Mr. LAUTENBERG):

S. Res. 280. A resolution expressing the sense of the Senate regarding the tragic

crash of TWA Flight 800; considered and agreed to.

By Mr. DASCHLE:

S. Res. 281. A resolution to authorize representation by Senate Legal Counsel; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself, Mr. INOUE, Mr. THOMAS, and Mr. CAMPBELL):

S. 1970. A bill to amend the National Museum of the American Indian Act to make improvements in the Act, and for other purposes; to the Committee on Indian Affairs.

##### THE NATIONAL MUSEUM OF THE AMERICAN INDIAN ACT AMENDMENTS OF 1996

• Mr. MCCAIN. Mr. President, I introduce legislation to amend the National Museum of the American Indian Act of 1989. I am very pleased to be joined by Senators INOUE, THOMAS and CAMPBELL as original cosponsors of this legislation. I am particularly pleased to be joined by my good friend from Hawaii, Senator INOUE, the Vice-Chairman of the Committee on Indian Affairs, who, with his tireless dedication, has championed this particular issue for many years. This legislation is intended to amend the National Museum of the American Indian Act to ensure that the requirements for the inventory, identification and repatriation of Native American human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony in the possession of the Smithsonian Institution are being carried out in a manner consistent with the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), so that these culturally important items can be returned to their rightful keepers and protectors, the Indian tribes.

The possession of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony by various Federal agencies, museums, and private collectors has been a very contentious issue for Indian tribes, tribal organizations, and Native Hawaiian Organizations for many years. Native Americans, not unlike other Americans, feel that the bones of their ancestors and the objects buried with them are sacred and rightfully belong under the protection and control of their descendants. Similarly, Native Americans feel strongly that sacred objects and objects of cultural patrimony, which have been wrongfully acquired, should be returned to the appropriate Indian tribe or Native Hawaiian organization. On the other side of the debate are archeologists, anthropologists, and others from the scientific community who feel that there is an overriding principle of scientific inquiry to unearth and study the remains of the Indians of the past in order to understand past cultures and their histories. Over the years, this debate has ranged from scholarly discussion to impassioned arguments and fi-

nally to emotional demands by Indian people for understanding and respect for their right to have these culturally and spiritually important items to be properly returned.

It is important to note that the Smithsonian Institution was the first museum to take the lead in establishing a process for the repatriation of Native American human remains and funerary objects. Under the National Museum of the American Indian Act (20 U.S.C. 80q, et seq.), Congress established a process for the inventory, identification, and repatriation of Native American human remains and associated funerary objects. This groundbreaking legislation was a critical first step in facilitating thoughtful dialogue between Indian tribes and museums regarding the proper treatment of Native American human remains, funerary objects, sacred objects and objects of cultural patrimony. These discussions resulted in the passage of the Native American Graves Protection and Repatriation Act. Since the passage of the Act, the Smithsonian Institution has continued to work diligently to fulfill the mandates of the National Museum of the American Indian Act regarding the repatriation of Native American human remains and funerary objects. In fact, in certain areas the administrative policies of the National Museum of the American Indian and the National Museum of Natural History exceed the requirements of the National Museum of the American Indian. Since 1991 the Museum of Natural History has adopted the categories and repatriation provisions described in Native American Graves Protection and Repatriation Act as museum policy. Under that policy, the museum has inventoried a substantial part of its collection of Native American human remains and returned hundreds of human remains to Native American communities. The National Museum of the American Indian has developed a substantive repatriation policy that goes well beyond the requirements of the Native American Graves Protection and Repatriation Act in order to facilitate the identification and repatriation of any Native American human remains and objects in its collections. Under its 1991 repatriation policy, the National Museum of the American Indian has prepared and distributed both the summary of ethnographic materials and the inventory of human remains and funerary objects within its entire collection to all of the 557 federally recognized Indian tribes. The Museum's summary goes beyond the requirements of Native American Graves Protection and Repatriation Act by not only including sacred objects and objects of cultural patrimony but also includes religious and ceremonial objects, and objects that are owned in common.

Under the repatriation provisions of the National Museum of the American Indian Act, the Smithsonian Institution is required only to inventory and

repatriate Native American human remains and associated funerary objects. Although the Native American Graves Protection and Repatriation Act does not cover the Smithsonian Institution, the Smithsonian has endeavored to meet or exceed each of the requirements of the Act. Despite the absence of a statutory obligation to identify and repatriate Native American unassociated funerary objects, sacred objects, and objects of cultural patrimony, the Smithsonian Institution has committed to complete its identification and summary of Native American unassociated funerary objects, sacred objects, and objects of cultural patrimony by December 31, 1996. Similarly, the Smithsonian has committed to completing its inventory of Native American human remains and associated funerary objects before June 1, 1998.

Mr. President, the bill I am introducing today would provide the statutory authority to the Smithsonian Institution to complete its inventory, identification, and repatriation process for the respectful return of the tribal ancestors and items of cultural importance to Native Americans. This legislation is consistent with the administrative policies of the Smithsonian as it relates to repatriation and it is consistent with the requirements of the Native American Graves Protection and Repatriation Act. I would like to commend the tremendous progress made by the Smithsonian Institution in implementing a policy that respects Indian tribes and their deeply-held beliefs by providing for the return of the remains of their ancestors and relatives and the culturally significant objects in its possession. I would like to add that representatives of the Smithsonian have worked closely with the Committee in the preparation of this legislation and have continued to demonstrate their serious commitment to returning these sacred remains and objects to their rightful owners, the Indian tribes.

Mr. President, I ask unanimous consent that the full text of the bill and the accompanying section by section analysis appear in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1970

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

#### SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "National Museum of the American Indian Act Amendments of 1996".

(b) REFERENCES.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the National Museum of the American Indian Act (20 U.S.C. 80q et seq.).

#### SEC. 2. BOARD OF TRUSTEES.

Section 5(f)(1)(B) (20 U.S.C. 80q-3(f)(1)(B)) is amended by striking "an Assistant Secretary" and inserting "a senior official".