

this bill will have only a minimal impact in this area. I would like to remind my colleagues that: unlike state-sponsored gaming operations, Indian gaming is highly regulated by the Indian Gaming Regulatory Act; before gaming can be conducted, the tribes must reach an agreement with the state in which the gaming would be conducted; under IGRA (the Indian Gaming and Regulatory Act) gaming can only be conducted on land held in trust by the federal government; and any gaming profits can only be used for tribal development, such as water and sewer systems, schools, and housing.

The point I want to make is even if an Indian group wanted to obtain recognition to start a gambling operation, they couldn't do it just for that purpose. Ninety percent of the substance of the current criteria are unchanged in the bill before us today. For a group to obtain federal recognition, it would still have to prove its origins, cultural heritage, existence of governmental structure, and everything else currently required.

Should that burden be overcome, a tribe would need a reservation or land held in trust by the federal government. This bill makes no effort to provide land to any group being recognized.

If the land issue is overcome, under the Indian Gaming Regulatory Act, a tribe cannot conduct gaming operations unless it has an agreement to do so with the state government. A prior Congress put this into the law in an effort to balance the rights of the states to control gambling activity within its borders, and the rights of sovereign tribal nations to conduct activities on their land. The difficulty in obtaining gaming compacts with states made the national news for months last year because of the almost absolute veto power the states have under current law. The U.S. Supreme Court affirmed this reading of the law in *Seminole Tribe of Florida v. Florida*, 517 U.S. 44 (1996).

I want to emphasize this point—this is not a gambling bill, this is a bill to create a fair, objective process by which Indian groups can be evaluated for possible federal recognition.

Mr. Speaker, this bill is not perfect in every form, but it is the result of many hours of consultations. I have sought to work with the tribes and with the Administration to come up with sound, careful changes that recognize the historical struggles the unrecognized tribes have gone through, yet at the same time recognizes the hard work the Bureau of Indian Affairs has done lately in making positive changes through regulations to address these problems. We have reached agreement on almost every major issue, and these changes have been incorporated into this bill.

In conclusion, Mr. Speaker, I hope we can take final action on the issue of Indian recognition before this century ends and start the next century by addressing at least some of the wrongs of the past two centuries.

#### BANNING UNSECURED LOANS IN FEDERAL CAMPAIGNS

**HON. PATSY T. MINK**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mrs. MINK of Hawaii. Mr. Speaker, we must restore accountability to our elections. One

way we can do this is to close a loophole where candidates may obtain unlimited, unsecured loans from banks to finance their campaigns. Banks are able to bankroll their chosen candidates by obtaining a mere signature on a loan form without obtaining security for repayment, as is customary in their normal course of business. In effect, candidates favored by a bank and its officers are given an unfair advantage.

The legislation I have introduced today puts an end to that. Under this legislation, banks will no longer be able to circumvent the current prohibition against making direct contributions to candidates.

Specifically, this legislation: prohibits all federal candidates from receiving an unsecured loan; requires repayment of any existing unsecured loan within 90 days of this bill's enactment; and prohibits candidates who have such unsecured loans from accepting personal funds from a board member or officer of the bank holding the loan.

I urge my colleagues to join me in closing this loophole. Let's not allow banks to bankroll any election. This ability of banks, using depositors' money to advance money to a chosen candidate is wrong and invites corruption. I urge my colleagues to co-sponsor my legislation that outlaws this practice.

#### INTRODUCTION OF LEGISLATION TO AMEND THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to introduce legislation to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). My bill would remove the authority for contracting oversight from the purview of the Environmental Protection Agency and place it solely under the jurisdiction of the Army Corps of Engineers.

Mr. Speaker, this change makes sense given the expertise of each agency. The Army Corps of Engineers is far better suited to handle contracting work and oversight of construction at a Superfund site than the more technical, environmental orientation of the EPA.

The reason why I am introducing this legislation today is in direct response to an incident that happened in my district during an already lengthy and tumultuous cleanup. Hopefully, passage of this legislation will prevent future situations, such as the one I am about to describe, from happening again.

The asbestos dump site in Millington, NJ is comprised of two residential farms and part of the Great Swamp National Wildlife Reserve. It contains large amounts of asbestos that was dumped on the property. On one of these two residential sites, the homeowners (a family of five), were involved in a lengthy clean-up with the EPA and had been relocated several times, for months at a time. The EPA had contracted out for the construction of the design. The EPA's contractor then hired a subcontractor, with a less than perfect track history, to complete construction of the design.

The EPA subcontractors, instead of bringing in clean fill to top the asbestos on the family's property, brought in contaminated soil from another site. This horrendous mistake has added additional years to the cleanup.

Mr. Speaker, again, I believe that the Army Corps is far better equipped to handle the details of the physical cleanup and to oversee the contracting work of these Superfund sites. This mistake in Millington added not only time and money, but additional grief for a family who wanted nothing less than to raise their children in the home of their dreams. I believe that my bill would prevent more situations like this and improve the efficiency of site cleanups.

MILOSEVIC DEFIES INTERNATIONAL  
NATIONAL COMMUNITY ON  
KOSOVO

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. GILMAN. Mr. Speaker, this past weekend we once again heard of despicable, unspeakable crimes committed by Serbian police against unarmed men, women, and children. More than 40 ethnic Albanians were murdered in cold blood in the village of Racak in southern Kosovo. Now, in further defiance, Milosevic has ordered Ambassador William Walker, the American diplomat who heads the OSCE's Kosovo Verification Mission (KVM) to leave Serbia.

Milosevic's actions represent a complete rupture of the agreement he reached with Ambassador Richard Holbrooke, an agreement that led to the withdrawal of a NATO threat to bomb Serbia. Unless the international community responds to these acts, our word and our credibility will be deemed to be utterly worthless, and Milosevic will believe he can commit further atrocities with impunity.

I returned yesterday with a senior Congressional delegation that I led to meet with our friends and allies in Europe. We were briefed by General Wes Clark, the Supreme Allied Commander for Europe, who told us that Milosevic will never respond to anything other than the credible threat of force. General Clark is at present in Belgrade awaiting a meeting to deliver a strong message to Milosevic.

If Milosevic does not immediately fully comply with the agreement he made with Ambassador Holbrooke, the international community must respond swiftly and forcefully. We must not allow the situation in Kosovo to continue to deteriorate, nor allow the humanitarian situation there to return to the point of disaster that we experienced last summer.

#### INDIA REPUBLIC DAY

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. PALLONE. Mr. Speaker, I rise today to pay tribute to one of the most important dates on the calendar for the people of India, as well as for the people of Indian descent who have

settled in the U.S. and around the world. January 26 is Republic Day, an occasion that inspires pride and patriotism for the people of India.

On January 26, 1950, India became a republic devoted to the principles of democracy and secularism. At that time, Dr. Rajendra Prasad was elected as the nation's first president. Since then, despite the challenges of sustaining economic development while reconciling her many ethnic, religious and linguistic communities, India has stuck to the path of free and fair elections, a multi-party political system and the orderly transfer of power from one government to its successor.

Mr. Speaker, India's population of nearly a billion people represents approximately one-sixth of the human race. The people of India have lived under a democratic form of government for more than half a century. In 1997, worldwide attention was focused on India as she celebrated the 50th anniversary of her independence. But, many Americans remain largely unfamiliar with the anniversary that Indians celebrate today. Yet, Mr. Speaker, it should be noted that there is a rich tradition of shared values between the United States and India. India derived key aspects of her Constitution, particularly its statement of Fundamental Rights, from our own Bill of Rights. India and the United States both proclaimed their independence from British colonial rule. The Indian independence movement under the leadership of Mahatma Gandhi had strong moral support from American intellectuals, political leaders and journalists. Just yesterday, we paid tribute to one of our greatest American leaders, Martin Luther King, Jr. Dr. King derived many of his ideas of non-violent resistance to injustice from the teachings and the actions of Mahatma Gandhi. Last year, Mr. Speaker, I am proud that legislation was approved by Congress and signed by the President authorizing the Government of India to establish a memorial to honor Mahatma Gandhi here in Washington, D.C., near the Indian Embassy on Embassy Row. The proposed statue will no doubt be a most fitting addition to the landscape of our nation's capital.

Mr. Speaker, there is a growing need for India and the United States, the two largest democracies of the world, to come closer and work together on a wide variety of initiatives. India and the U.S. do not always agree on every issue, as we saw in 1998. But I regret that the scant coverage that India receives in our media, and even from our top policy makers, tends to focus only on the disagreements. In fact, our national interests coincide on many of the most important concerns, such as fighting the scourge of international terrorism and controlling the transfer of nuclear and other weapons technology to unstable regimes. Given India's size and long-term record of democratic stability, I believe that India should be made a permanent member of the United Nations Security Council—a goal that I hope the United States will come to support. India's vast middle class represents a significant and growing market for U.S. trade, while the country's infrastructure needs represent a tremendous opportunity for many American firms, large, small and mid-size. U.S. sanctions imposed on India last year have subsequently been relaxed, and I believe we should continue to work to preserve or re-start economic relations that have developed during this decade of major change, while creating a positive

atmosphere for new economic relations. At the same time, I hope that we can continue to build upon educational, cultural and other people to people ties that have developed between our two countries. I look forward to seeing the Indian-American community, more than one million strong, continue to serve as a human "bridge" between our two countries.

In closing, Mr. Speaker, let me again congratulate the people of India on the occasion of Republic Day. I hope that 1999 will witness a U.S.-India relationship that lives up to the great potential offered by our shared commitment to democracy.

#### MOVE RADIOACTIVE WASTES FROM COLORADO RIVER

#### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. GEORGE MILLER of California. Mr. Speaker, ten and a half million tons of toxic wastes generated by the now-defunct Atlas Mine are stored in a tailings pond located immediately adjacent to the Colorado River near Moab, Utah. These tailings are radioactive and contain high concentrations of ammonia, arsenic, lead, vanadium, selenium, mercury, molybdenum, nickel, and other toxic metals left by the leaching process used to separate uranium from ore.

The tailings pond, built in the 1950's, is not lined, and as a result, these radioactive and toxic wastes are seeping down through the aquifer into the Colorado River. Water from the Colorado River makes up a significant part of the drinking water supply for Los Angeles, San Diego, Las Vegas, Phoenix and Tucson, and is used additionally to irrigate hundreds of thousands of acres of agricultural lands. Moreover, the tailings pond, which has been designated as critical habitat for four endangered species, is situated between Canyonlands and Arches National Parks.

Leaving a huge, leaking tailings pile adjacent to the Colorado River does not make sense. In the event of flood, the Colorado River could easily be contaminated. Lacking regulatory and financial alternatives, the Nuclear Regulatory Commission (NRC) is ready to approve the Atlas Corporation's inadequate plan to reclaim the site by simply placing a dirt cap over the top of the pile rather than by requiring removal to a safer location. This plan will not stop contamination of the Colorado River, which is expected to continue for hundreds of years.

Moving the tailings will remove the source of the contamination. By placing the tailings in a more modern and technologically safe situation, the threats from earthquakes, high water, flooding will be eliminated. In every similar case under the jurisdiction of the Department of Energy, uranium tailings have been moved away from riverbeds to lined and protected areas. Sadly, the NRC has seems determined to perpetuate rather than resolve this dangerous situation in the case of the Atlas site.

The National Park Service, the Environmental Protection Agency, the Fish and Wildlife Service, and many state and local government agencies have all expressed concerns about the quality of scientific data and information upon which NRC decisions have been based.

Today, Reps. FILNER, PELOSI, GUTIERREZ, and I am introducing legislation to require the Department of Energy to move the tailings to a safe location. Once this has been accomplished, the Attorney General would be charged with ascertaining the extent of the Atlas Corporation liability, and its parent companies, to secure reimbursement as appropriate.

A WORD OF PRAISE AND THANKS  
TO CAROLE KING, DAVID BALL,  
AND MARY CHAPIN CARPENTER

#### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Mr. MURTHA. Mr. Speaker, during Christmas week I went with Senator Daniel K. Inouye and Secretary of Defense Bill Cohen to the Middle East to congratulate our troops on the great work they've done in the region and to let them know America was remembering their efforts during the Holidays when so many had to be away from their families.

We found wonderful morale among the troops and a strong commitment to continuing to meet U.S. goals in the region.

I also want to praise three entertainers who gave up part of their Holidays to join us. As we visited in Saudi Arabia and Kuwait, and abroad the USS Enterprise, the troops were entertained by Mary Chapin Carpenter, Carole King, and David Ball. The troops thoroughly enjoyed meeting the entertainers and listening to their music. Several soldiers commented on how much the show brightened their holidays noting it was the highlight of the last 4½ months.

These three patriotic Americans gave up part of their Christmas Week to deliver a message of support and concern to our troops. They clearly showed their support for our Nation, our troops, and our spirit of uniting as Americans.

We left on a Sunday, returned on Christmas Eve, and were greeted by an ice storm that made travel difficult. Carole King traveled from Washington back to Idaho by air, then drove three hours to her home; David Ball missed his flight home, drove to Baltimore, and finally got to Nashville the next morning; Mary Chapin Carpenter lives in the Washington area, but it's the second straight Christmas she's visited troops, last year in Italy, Macedonia, and Bosnia.

It's a pleasure for me to recognize the commitment and caring of these three fine Americans, and to restate the thanks of our troops and our Nation for their patriotism.

#### TRIBUTE TO KRISTINA KIEHL

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 19, 1999*

Ms. NORTON. Mr. Speaker, I rise today to join many Americans across the country who would want to honor Kristina Kiehl, a founder and co-chair of Voters for Choice. Later this week, we will celebrate the 26th anniversary of the historic Supreme Court decision, *Roe v.*