

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of the proposed Tribal Justice Technical and Legal Assistance Act of 1999.

This bill authorizes the Attorney General to award grants to tribal justice systems to provide training and technical assistance for the development, enrichment, and enhancement of tribal justice systems.

This legislation also authorizes the Attorney General to award grants to provide technical assistance to Indian tribes to enable them to carry out programs to support their tribal justice systems.

Let me point out that all grants provided for in this legislation will be subject to the availability of appropriations.

S. 1508 was passed by the other body on November 19, 1999. Very frankly, Mr. Speaker, this is an important bill to many tribes, and I urge my colleagues to support its passage today.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

In essence, Mr. Speaker, this legislation would provide training technical assistance for the development, enrichment, and enhancement of tribal justice systems. We support the legislation, and I urge my colleagues to support it.

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

Mr. YOUNG of Alaska. 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 Alaska (Mr. YOUNG) that the House suspend the rules and pass the Senate bill, S. 1508, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

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#### INDIAN TRIBAL REGULATORY REFORM AND BUSINESS DEVELOPMENT ACT OF 1999

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 614) to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands.

The Clerk read as follows:

S. 614

*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 "Indian Tribal Regulatory Reform and Business Development Act of 1999".

#### SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) despite the availability of abundant natural resources on Indian lands and a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer rates of unemployment, poverty, poor health, substandard housing, and associated social ills which are greater than the rates for any other group in the United States;

(2) the capacity of Indian tribes to build strong Indian tribal governments and vigorous economies is hindered by the inability of Indian tribes to engage communities that surround Indian lands and outside investors in economic activities conducted on Indian lands;

(3) beginning in 1970, with the issuance by the Nixon Administration of a special message to Congress on Indian Affairs, each President has reaffirmed the special government-to-government relationship between Indian tribes and the United States; and

(4) the United States has an obligation to assist Indian tribes with the creation of appropriate economic and political conditions with respect to Indian lands to—

(A) encourage investment from outside sources that do not originate with the Indian tribes; and

(B) facilitate economic development on Indian lands.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To provide for a comprehensive review of the laws (including regulations) that affect investment and business decisions concerning activities conducted on Indian lands.

(2) To determine the extent to which those laws unnecessarily or inappropriately impair—

(A) investment and business development on Indian lands; or

(B) the financial stability and management efficiency of Indian tribal governments.

(3) To establish an authority to conduct the review under paragraph (1) and report findings and recommendations that result from the review to Congress and the President.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) AUTHORITY.—The term "Authority" means the Regulatory Reform and Business Development on Indian Lands Authority.

(2) FEDERAL AGENCY.—The term "Federal agency" means an agency, as that term is defined in section 551(l) of title 5, United States Code.

(3) INDIAN.—The term "Indian" has the meaning given that term in section 4(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(d)).

(4) INDIAN LANDS.—

(A) IN GENERAL.—The term "Indian lands" includes lands under the definition of—

(i) the term "Indian country" under section 1151 of title 18, United States Code; or

(ii) the term "reservation" under—

(I) section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d)); or

(II) section 4(10) of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903(10)).

(B) FORMER INDIAN RESERVATIONS IN OKLAHOMA.—For purposes of applying section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d)) under subparagraph (A)(ii), the term "former Indian reservations in Oklahoma" shall be construed to include lands that are—

(i) within the jurisdictional areas of an Oklahoma Indian tribe (as determined by the Secretary of the Interior); and

(ii) recognized by the Secretary of the Interior as eligible for trust land status under part 151 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) INDIAN TRIBE.—The term "Indian tribe" has the meaning given that term in section

4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(6) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(7) TRIBAL ORGANIZATION.—The term "tribal organization" has the meaning given that term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)).

#### SEC. 4. ESTABLISHMENT OF AUTHORITY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Interior and other officials whom the Secretary determines to be appropriate, shall establish an authority to be known as the Regulatory Reform and Business Development on Indian Lands Authority.

(2) PURPOSE.—The Secretary shall establish the Authority under this subsection in order to facilitate the identification and subsequent removal of obstacles to investment, business development, and the creation of wealth with respect to the economies of Native American communities.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Authority established under this section shall be composed of 21 members.

(2) REPRESENTATIVES OF INDIAN TRIBES.—12 members of the Authority shall be representatives of the Indian tribes from the areas of the Bureau of Indian Affairs. Each such area shall be represented by such a representative.

(3) REPRESENTATIVES OF THE PRIVATE SECTOR.—No fewer than 4 members of the Authority shall be representatives of non-governmental economic activities carried out by private enterprises in the private sector.

(c) INITIAL MEETING.—Not later than 90 days after the date of enactment of this Act, the Authority shall hold its initial meeting.

(d) REVIEW.—Beginning on the date of the initial meeting under subsection (c), the Authority shall conduct a review of laws (including regulations) relating to investment, business, and economic development that affect investment and business decisions concerning activities conducted on Indian lands.

(e) MEETINGS.—The Authority shall meet at the call of the chairperson.

(f) QUORUM.—A majority of the members of the Authority shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON.—The Authority shall select a chairperson from among its members.

#### SEC. 5. REPORT.

Not later than 1 year after the date of enactment of this Act, the Authority shall prepare and submit to the Committee on Indian Affairs of the Senate, the Committee on Resources of the House of Representatives, and to the governing body of each Indian tribe a report that includes—

(1) the findings of the Authority concerning the review conducted under section 4(d); and

(2) such recommendations concerning the proposed revisions to the laws that were subject to review as the Authority determines to be appropriate.

#### SEC. 6. POWERS OF THE AUTHORITY.

(a) HEARINGS.—The Authority may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Authority considers advisable to carry out the duties of the Authority.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Authority may secure directly from any Federal department or agency such information as the Authority considers necessary to carry out the duties of the Authority.

(c) **POSTAL SERVICES.**—The Authority may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) **GIFTS.**—The Authority may accept, use, and dispose of gifts or donations of services or property.

**SEC. 7. AUTHORITY PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—

(1) **NON-FEDERAL MEMBERS.**—Members of the Authority who are not officers or employees of the Federal Government shall serve without compensation, except for travel expenses as provided under subsection (b).

(2) **OFFICERS AND EMPLOYEES OF THE FEDERAL GOVERNMENT.**—Members of the Authority who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) **TRAVEL EXPENSES.**—The members of the Authority shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Authority.

(c) **STAFF.**—

(1) **IN GENERAL.**—The chairperson of the Authority may, without regard to the civil service laws, appoint and terminate such personnel as may be necessary to enable the Authority to perform its duties.

(2) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The chairperson of the Authority may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed under GS-13 of the General Schedule established under section 5332 of title 5, United States Code.

**SEC. 8. TERMINATION OF THE AUTHORITY.**

The Authority shall terminate 90 days after the date on which the Authority has submitted a copy of the report prepared under section 5 to the committees of Congress specified in section 5 and to the governing body of each Indian tribe.

**SEC. 9. EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.**

The activities of the Authority conducted under this title shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act, to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of S. 614, the Indian Tribal Regulatory Reform and Business Development Act. This important bill would establish a 21-member authority within the Federal Government to facilitate the removal of obstacles to business development with respect to the economies of Native American communities.

Mr. Speaker, this legislation is long overdue. We have many, many times

where individual Indian tribes try to improve their lot only to find the process for developing an economic base is slowed down by the very government that they are under trust to. So I urge the passage of this legislation.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Alaska (Mr. YOUNG) has quite accurately explained the legislation. We are in support of it.

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 Alaska (Mr. YOUNG) that the House suspend the rules and pass the Senate bill, S. 614.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

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**NATIVE AMERICAN BUSINESS DEVELOPMENT, TRADE PROMOTION, AND TOURISM ACT OF 2000**

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2719) to provide for business development and trade promotion for Native Americans, and for other purposes.

The Clerk read as follows:

S. 2719

*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 "Native American Business Development, Trade Promotion, and Tourism Act of 2000".

**SEC. 2. FINDINGS; PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) clause 3 of section 8 of article I of the United States Constitution recognizes the special relationship between the United States and Indian tribes;

(2) beginning in 1970, with the inauguration by the Nixon Administration of the Indian self-determination era, each President has reaffirmed the special government-to-government relationship between Indian tribes and the United States;

(3) in 1994, President Clinton issued an Executive memorandum to the heads of departments and agencies that obligated all Federal departments and agencies, particularly those that have an impact on economic development, to evaluate the potential impacts of their actions on Indian tribes;

(4) consistent with the principles of inherent tribal sovereignty and the special relationship between Indian tribes and the United States, Indian tribes retain the right to enter into contracts and agreements to trade freely, and seek enforcement of treaty and trade rights;

(5) Congress has carried out the responsibility of the United States for the protection and preservation of Indian tribes and the resources of Indian tribes through the endorsement of treaties, and the enactment of other

laws, including laws that provide for the exercise of administrative authorities;

(6) the United States has an obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency among Indian tribes;

(7) the capacity of Indian tribes to build strong tribal governments and vigorous economies is hindered by the inability of Indian tribes to engage communities that surround Indian lands and outside investors in economic activities on Indian lands;

(8) despite the availability of abundant natural resources on Indian lands and a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer higher rates of unemployment, poverty, poor health, substandard housing, and associated social ills than those of any other group in the United States;

(9) the United States has an obligation to assist Indian tribes with the creation of appropriate economic and political conditions with respect to Indian lands to—

(A) encourage investment from outside sources that do not originate with the tribes; and

(B) facilitate economic ventures with outside entities that are not tribal entities;

(10) the economic success and material well-being of Native American communities depends on the combined efforts of the Federal Government, tribal governments, the private sector, and individuals;

(11) the lack of employment and entrepreneurial opportunities in the communities referred to in paragraph (7) has resulted in a multigenerational dependence on Federal assistance that is—

(A) insufficient to address the magnitude of needs; and

(B) unreliable in availability; and

(12) the twin goals of economic self-sufficiency and political self-determination for Native Americans can best be served by making available to address the challenges faced by those groups—

(A) the resources of the private market;

(B) adequate capital; and

(C) technical expertise.

(b) **PURPOSES.**—The purposes of this Act are as follows:

(1) To revitalize economically and physically distressed Native American economies by—

(A) encouraging the formation of new businesses by eligible entities, and the expansion of existing businesses; and

(B) facilitating the movement of goods to and from Indian lands and the provision of services by Indians.

(2) To promote private investment in the economies of Indian tribes and to encourage the sustainable development of resources of Indian tribes and Indian-owned businesses.

(3) To promote the long-range sustained growth of the economies of Indian tribes.

(4) To raise incomes of Indians in order to reduce the number of Indians at poverty levels and provide the means for achieving a higher standard of living on Indian reservations.

(5) To encourage intertribal, regional, and international trade and business development in order to assist in increasing productivity and the standard of living of members of Indian tribes and improving the economic self-sufficiency of the governing bodies of Indian tribes.

(6) To promote economic self-sufficiency and political self-determination for Indian tribes and members of Indian tribes.

**SEC. 3. DEFINITIONS.**

In this Act: