

bill (S. 1967) to make technical corrections to the status of certain land held in trust for the Mississippi Band of Choctaw Indians, to take certain land into trust for that Band, and for other purposes.

The Clerk read as follows:

S. 1967

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

SECTION 1. STATUS OF CERTAIN INDIAN LANDS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) all land taken in trust by the United States for the benefit of the Mississippi Band of Choctaw Indians on or after December 23, 1944, shall be part of the Mississippi Choctaw Indian Reservation;

(2) all land held in fee by the Mississippi Band of Choctaw Indians located within the boundaries of the State of Mississippi, as shown in the report entitled "Report of Fee Lands owned by the Mississippi Band of Choctaw Indians", dated September 28, 1999, on file in the Office of the Superintendent, Choctaw Agency, Bureau of Indian Affairs, Department of the Interior, is hereby declared to be held by the United States in trust for the benefit of the Mississippi Band of Choctaw Indians; and

(3) land made part of the Mississippi Choctaw Indian Reservation after December 23, 1944, shall not be considered to be part of the "initial reservation" of the tribe for the purposes of section 20(b)(1)(B)(ii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(ii)).

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the application or the requirements of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) with respect to any lands held by or for the benefit of the Mississippi Band of Choctaw Indians regardless of when such lands were acquired.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 1967.

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

There was no objection.

Mr. SAXTON. Madam Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Mississippi (Mr. WICKER) for the purposes of controlling the time.

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

There was no objection.

Mr. WICKER. Madam Speaker, I yield myself such time as I may consume, and I thank my friend from New Jersey for allowing me to control the balance of the time.

Madam Speaker, this is a simple bill which was approved in the Senate last

week by unanimous consent. The bill does three things. First, it moves all trust land taken for the benefit of the Mississippi Band of Choctaw Indians since December 23, 1944, and makes it part of the Mississippi Choctaw Indian Reservation.

Second, the bill takes all land owned in fee by the Mississippi Band of Choctaw Indians and incorporates it into trust land. And third, the bill makes these two provisions without affecting the statutes of the Indian Gaming Regulatory Act.

All lands affected by this legislation are owned by the Mississippi Band of Choctaw Indians, with some parcels dating back many decades. During the past 20 years, Madam Speaker, the tribe has attempted time and time again to transfer the land through the regular process established by the United States Department of Interior and the Bureau of Indian Affairs. Unfortunately, the Department has failed to act on these applications in an efficient and prompt manner.

The applications filed by the Mississippi Band of Choctaw Indians are supported by the State of Mississippi and the county and municipal governments in the vicinity of the property.

What is at stake here are critically needed services for the tribe. A new school, housing, and a medical clinic are among the projects which have been delayed because of inaction by the Department of the Interior and the Bureau of Indian Affairs. The existing school has had dozens of safety violations issued by the BIA, and the medical clinic will not pass its next inspection. Just as important, thousands of Mississippi Choctaws are living in unacceptable conditions due to the lack of available housing.

Madam Speaker, the tribe has followed the regular process and lived up to its obligations. But, for whatever reasons, perhaps a lack of resources, the Department of the Interior and the Bureau of Indian Affairs have failed to meet the Government's duty. That is why we need to provide this legislative remedy and allow the tribe to move forward with building a new school, a medical clinic, and housing for its members.

Led by their capable Chief, Phillip Martin, the Mississippi Band of Choctaw Indians is making great strides in education, job creation, and the preservation of their cultural heritage. The Government should not be standing in the way of their continued progress.

Madam Speaker, I urge my colleagues to join me in supporting the bill and sending it on to the President.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend his remarks.)

Mrs. CHRISTENSEN. Madam Speaker, this legislation would bring some

8,700 acres of land into Federal trust status for the Mississippi Band of Choctaw Indians outside of the regulatory framework established for bringing Indian land into trust. It is important for the tribe to have this land put into trust status in order to continue their economic development plans.

The Bureau of Indian affairs has indicated that it will take at least a year for them to process the land in accordance with the land-into-trust regulations. As we hear from numerous tribes, this would have a detrimental effect on the tribe's current and future economic development and expansion.

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The administration supports this legislation. I urge my colleagues to support it as well.

Mrs. CHRISTENSEN. Madam Speaker, I yield back the balance of my time.

Mr. WICKER. Madam Speaker, I appreciate the gentlewoman's kind remarks in support of this legislation.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the Senate bill, S. 1967.

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.

□

GRATON RANCHERIA RESTORATION ACT

Mr. SAXTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 946) to restore Federal recognition to the Indians of the Graton Rancheria of California.

The Clerk read as follows:

H.R. 946

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 "Graton Rancheria Restoration Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In their 1997 Report to Congress, the Advisory Council on California Indian Policy specifically recommended the immediate legislative restoration of the Graton Rancheria.

(2) The Federated Indians of Graton Rancheria Tribal Council has made the express decision to restrict gaming consistent with the provisions of this Act.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) The term "Tribe" means the Indians of the Graton Rancheria of California.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Interim Tribal Council" means the governing body of the Tribe specified in section 7.

(4) The term "member" means an individual who meets the membership criteria under section 6(b).

(5) The term "State" means the State of California.

(6) The term "reservation" means those lands acquired and held in trust by the Secretary for the benefit of the Tribe.

(7) The term "service area" means the counties of Marin and Sonoma, in the State of California.

SEC. 4. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND PRIVILEGES.

(a) **FEDERAL RECOGNITION.**—Federal recognition is hereby restored to the Tribe. Except as otherwise provided in this Act, all laws and regulations of general application to Indians and nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this Act shall be applicable to the Tribe and its members.

(b) **RESTORATION OF RIGHTS AND PRIVILEGES.**—Except as provided in subsection (d), all rights and privileges of the Tribe and its members under any Federal treaty, Executive order, agreement, or statute, or under any other authority which were diminished or lost under the Act of August 18, 1958 (Public Law 85-671; 72 Stat. 619), are hereby restored, and the provisions of such Act shall be inapplicable to the Tribe and its members after the date of the enactment of this Act.

(c) **FEDERAL SERVICES AND BENEFITS.**—

(1) **IN GENERAL.**—Without regard to the existence of a reservation, the Tribe and its members shall be eligible, on and after the date of enactment of this Act for all Federal services and benefits furnished to federally recognized Indian tribes or their members. For the purposes of Federal services and benefits available to members of federally recognized Indian tribes residing on a reservation, members of the Tribe residing in the Tribe's service area shall be deemed to be residing on a reservation.

(2) **RELATION TO OTHER LAWS.**—The eligibility for or receipt of services and benefits under paragraph (1) by a tribe or individual shall not be considered as income, resources, or otherwise when determining the eligibility for or computation of any payment or other benefit to such tribe, individual, or household under—

(A) any financial aid program of the United States, including grants and contracts subject to the Indian Self-Determination Act; or

(B) any other benefit to which such tribe, household, or individual would otherwise be entitled under any Federal or federally assisted program.

(d) **HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.**—Nothing in this Act shall expand, reduce, or affect in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and its members.

(e) **CERTAIN RIGHTS NOT ALTERED.**—Except as specifically provided in this Act, nothing in this Act shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes levied.

SEC. 5. TRANSFER OF LAND TO BE HELD IN TRUST.

(a) **LANDS TO BE TAKEN IN TRUST.**—Upon application by the Tribe, the Secretary shall accept into trust for the benefit of the Tribe any real property located in Marin or Sonoma County, California, for the benefit of the Tribe after the property is conveyed or otherwise transferred to the Secretary and if, at the time of such conveyance or transfer, there are no adverse legal claims to such property, including outstanding liens, mortgages, or taxes.

(b) **FORMER TRUST LANDS OF THE GRATON RANCHERIA.**—Subject to the conditions specified in this section, real property eligible for trust status under this section shall include Indian owned fee land held by persons listed as distributees or dependent members in the

distribution plan approved by the Secretary on September 17, 1959, or such distributees' or dependent members' Indian heirs or successors in interest.

(c) **LANDS TO BE PART OF RESERVATION.**—Any real property taken into trust for the benefit of the Tribe pursuant to this Act shall be part of the Tribe's reservation.

(d) **GAMING RESTRICTED.**—Notwithstanding subsection (c), real property taken into trust for the benefit of the Tribe pursuant to this Act shall not be exempt under section 20(b) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)).

(e) **LANDS TO BE NONTAXABLE.**—Any real property taken into trust for the benefit of the Tribe pursuant to this section shall be exempt from all local, State, and Federal taxation as of the date that such land is transferred to the Secretary.

SEC. 6. MEMBERSHIP ROLLS.

(a) **COMPILATION OF TRIBAL MEMBERSHIP ROLL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall, after consultation with the Tribe, compile a membership roll of the Tribe.

(b) **CRITERIA FOR MEMBERSHIP.**—

(1) Until a tribal constitution is adopted under section 8, an individual shall be placed on the Graton membership roll if such individual is living, is not an enrolled member of another federally recognized Indian tribe, and if—

(A) such individual's name was listed on the Graton Indian Rancheria distribution list compiled by the Bureau of Indian Affairs and approved by the Secretary of the Interior on September 17, 1959, under Public Law 85-671;

(B) such individual was not listed on the Graton Indian Rancheria distribution list, but met the requirements that had to be met to be listed on the Graton Indian Rancheria distribution list;

(C) such individual is identified as an Indian from the Graton, Marshall, Bodega, Tomales, or Sebastopol, California, vicinities, in documents prepared by or at the direction of the Bureau of Indian Affairs, or in any other public or California mission records; or

(D) such individual is a lineal descendant of an individual, living or dead, identified in subparagraph (A), (B), or (C).

(2) After adoption of a tribal constitution under section 8, such tribal constitution shall govern membership in the Tribe.

(c) **CONCLUSIVE PROOF OF GRATON INDIAN ANCESTRY.**—For the purpose of subsection (b), the Secretary shall accept any available evidence establishing Graton Indian ancestry. The Secretary shall accept as conclusive evidence of Graton Indian ancestry information contained in the census of the Indians from the Graton, Marshall, Bodega, Tomales, or Sebastopol, California, vicinities, prepared by or at the direction of Special Indian Agent John J. Terrell in any other roll or census of Graton Indians prepared by or at the direction of the Bureau of Indian Affairs and in the Graton Indian Rancheria distribution list compiled by the Bureau of Indian Affairs and approved by the Secretary on September 17, 1959.

SEC. 7. INTERIM GOVERNMENT.

Until the Tribe ratifies a final constitution consistent with section 8, the Tribe's governing body shall be an Interim Tribal Council. The initial membership of the Interim Tribal Council shall consist of the members serving on the date of enactment of this Act, who have been elected under the tribal constitution adopted May 3, 1997. The Interim Tribal Council shall continue to operate in the manner prescribed under such tribal constitution. Any vacancy on the Interim Tribal Council shall be filled by individuals who

meet the membership criteria set forth in section 6(b) and who are elected in the same manner as are Tribal Council members under the tribal constitution adopted May 3, 1997.

SEC. 8. TRIBAL CONSTITUTION.

(a) **ELECTION; TIME; PROCEDURE.**—After the compilation of the tribal membership roll under section 6(a), upon the written request of the Interim Council, the Secretary shall conduct, by secret ballot, an election for the purpose of ratifying a final constitution for the Tribe. The election shall be held consistent with sections 16(c)(1) and 16(c)(2)(A) of the Act of June 18, 1934 (commonly known as the Indian Reorganization Act; 25 U.S.C. 476(c)(1) and 476(c)(2)(A), respectively). Absentee voting shall be permitted regardless of voter residence.

(b) **ELECTION OF TRIBAL OFFICIALS; PROCEDURES.**—Not later than 120 days after the Tribe ratifies a final constitution under subsection (a), the Secretary shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in such tribal constitution. Such election shall be conducted consistent with the procedures specified in subsection (a) except to the extent that such procedures conflict with the tribal constitution.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

GENERAL LEAVE

Mr. SAXTON. Madam 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. 946.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

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

Madam Speaker, H.R. 946 would restore Federal recognition to the Indians of the Graton Rancheria of California. The Graton Rancheria is one of over 40 Indian tribes which were terminated in 1958 by Public Law 85-671. Today there are approximately 355 members of the Federated Indians of Graton Rancheria living in the general vicinity of Santa Rosa, California.

H.R. 946 provides that the service area for the tribe shall be Marin and Sonoma Counties, that nothing in the legislation shall expand, reduce or affect any hunting, fishing, trapping, gathering or water rights of the tribe, that real property eligible for trust status shall include certain Indian-owned land, and that the Secretary of the Interior shall compile a membership roll of the tribe. This bill also provides for an interim tribal council, the election of tribal officials, and the ratification of a constitution for the tribe.

Section 5(d) of H.R. 946 provides that real property taken into trust for the benefit of the tribe pursuant to the bill shall not have been taken into trust for gaming purposes pursuant to section 20(b) of the Indian Gaming Regulatory Act.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY), the sponsor of H.R. 946.

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Madam Speaker, I am pleased to rise in support of my bill, H.R. 946, the Graton Rancheria Restoration Act. I would like to thank the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. GEORGE MILLER), and their staffs for the work that they have put into bringing this bill to the floor today. I appreciate that the full Committee on Resources unanimously voted this bill out of committee on May 16, and I thank them all for the earlier hearing where the Bureau of Indian Affairs testified in support of the bill. Today I am appreciative that H.R. 946 is on this floor.

The bill before us today seeks to correct a decades-old wrong by restoring Federal recognition for the Federated Indians of Graton Rancheria. This rancheria is composed primarily of the California Coast Miwok and Southern Pomo Indian tribes in my congressional district. My district is located north of San Francisco across the Golden Gate Bridge, and it consists of Marin and Sonoma Counties.

Joe Saulque, who chaired the advisory council on California Indians in the 1980s, stated that luck often determined whether a tribe got recognized. I am glad that today the House is taking luck out of the equation and voting on restoring the tribe's status, because it is the right thing to do.

The tribes of the Graton Rancheria are a rich part of the San Francisco Bay area's cultural heritage. The earliest historical account of the Coast Miwok peoples, whose traditional homelands include the California communities of Bodega, Tomales, Marshall, and Sebastopol, located along the west coast of my district, dates back to 1579. Today, there are almost 400 members of the Federated Indians of Graton Rancheria.

In 1966, the United States Government terminated the tribe's status along with numerous other tribes. This was under the California Rancheria Act of 1958. Almost 2 decades later, the advisory council on California Indian policy was established to study the report and to come up with special circumstances facing California tribes whose status had been terminated. The council's final report, which was submitted to Congress in September 1997, specifically recommended the immediate restoration of the Federated Indians of Graton Rancheria.

Following the report's recommendation, the tribes promptly decided on a course of action for their restoration. Since then, I have been working with them on the bill that is before us

today. This consensus bill restores Federal rights and privileges to the tribes and its members and makes them eligible for benefits, such as Native American health, education, and housing services that are available to federally recognized tribes.

Madam Speaker, it has been a long journey for the Federated Indians of Graton Rancheria. On behalf of their hard work and the support they have received from the local community, I ask that the House restore the recognition they deserve.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, first I would like to thank the gentleman from Alaska (Mr. YOUNG) for his efforts in support of this bill and just to say briefly that it is important that we move swiftly to restore the rights wrongfully taken from the Federated Indians of Graton Rancheria in 1958. I urge my colleagues to vote aye on this bill.

Madam Speaker, I yield back the balance of my time.

Mr. SAXTON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 946.

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

A motion to reconsider was laid on the table.

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SENSE OF THE HOUSE REGARDING RESPONSIBLE FATHERHOOD

Mr. SOUDER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 522) expressing the sense of the House of Representatives regarding the importance of responsible fatherhood.

The Clerk read as follows:

H. RES. 522

Whereas studies reveal that even in high-crime, inner-city neighborhoods, well over 90 percent of children from safe, stable, two-parent homes do not become delinquents;

Whereas in 1998, 1.2 million babies, or 33 percent of all newborns, were born out of wedlock;

Whereas children with fathers at home tend to do better in school, are less prone to depression, and have more successful relationships;

Whereas premature infants whose fathers spend ample time playing with them have better cognitive outcomes and children who have higher-than-average self-esteem and lower-than-average depression report having a close relationship with their father;

Whereas both boys and girls demonstrate a greater ability to take initiative and evidence self-control when they are reared with fathers who are actively involved in their upbringing;

Whereas although mothers often work tremendously hard to rear their children in a

nurturing environment, a mother can benefit from the positive support of a father for her children;

Whereas it is recognized that to promote responsible fatherhood is in no way meant to denigrate the standing or parenting of single mothers, but rather to increase the chances that children will have two caring parents to help them grow up healthy and secure;

Whereas a broad array of America's leading family and child development experts agree that it is in the best interests of children and the nation as a whole to encourage more two-parent, father involved families;

Whereas, according to a 1996 Gallup Poll, 79.1 percent of Americans believe the most significant family or social problem facing America is the physical absence of the father from the home and the resulting lack of involvement of fathers in the rearing and development of their children;

Whereas, according to the Bureau of the Census, in 1996, 16,993,000 children in the United States (one-fourth of all children in the United States) lived in families in which a father was absent;

Whereas, according to a 1996 Gallup Poll, 90.9 percent of Americans believe "it is important for children to live in a home with both their mother and their father";

Whereas it is estimated that half of all United States children born today will spend at least half their childhood in a family in which a father figure is absent;

Whereas the United States is now the world's leader in fatherless families, according to the United States Bureau of the Census;

Whereas estimates of the likelihood that marriages will end in divorce range from 40 percent to 50 percent, and approximately 3 out of every 5 divorcing couples have at least one child;

Whereas almost half of all 11- through 16-year-old children who live in mother-headed homes have not seen their father in the last 12 months;

Whereas the likelihood that a young male will engage in criminal activity doubles if he is reared without a father and triples if he lives in a neighborhood with a high concentration of single-parent families;

Whereas a study of juveniles in state reform institutions found that 70 percent grew up in single or no parent situations;

Whereas children of single-parents are less likely to complete high school and more likely to have low earnings and low employment stability as adults than children reared in two-parent families;

Whereas a 1990 Los Angeles Times poll found that 57 percent of all fathers and 55 percent of all mothers feel guilty about not spending enough time with their children;

Whereas almost 20 percent of 6th through 12th graders report that they have not had a good conversation lasting for at least 10 minutes with at least one of their parents in more than a month;

Whereas, according to a Gallup poll, over 50 percent of all adults agreed that fathers today spend less time with their children than their fathers spent with them;

Whereas President Clinton has stated that "the single biggest social problem in our society may be the growing absence of fathers from their children's homes because it contributes to so many other social problems" and that "the real source of the [welfare] problem is the inordinate number of out of wedlock births in this country";

Whereas the Congressional Task Force on Fatherhood Promotion and the Senate Task Force on Fatherhood Promotion were both formed in 1997, and the Governors Fatherhood Task Force was formed in February 1998, and the Mayors Task Force was formed in June 1999;