

Thune	Visclosky	Weller
Thurman	Vitter	Wexler
Tiahrt	Walden	Weygand
Toomey	Walsh	Whitfield
Towns	Wamp	Wicker
Traficant	Watt (NC)	Wilson
Turner	Watts (OK)	Wolf
Udall (CO)	Waxman	Woolsey
Udall (NM)	Weiner	Wu
Upton	Weldon (FL)	Wynn
Velazquez	Weldon (PA)	Young (AK)

NAYS—1

Chenoweth-Hage

NOT VOTING—57

Armey	Hillery	Porter
Baca	Jenkins	Rahall
Barton	Kennedy	Rogan
Bateman	Lampson	Salmon
Burton	Lazio	Sessions
Clay	Maloney (NY)	Slaughter
Coburn	McCollum	Smith (TX)
Cook	McIntosh	Smith (WA)
Cramer	Meeks (NY)	Spence
Danner	Menendez	Stark
Doolittle	Miller, Gary	Stearns
Engel	Mollohan	Sweeney
Ewing	Morella	Taylor (NC)
Fattah	Murtha	Tierney
Fowler	Norwood	Vento
Franks (NJ)	Ose	Waters
Gilman	Owens	Watkins
Granger	Payne	Wise
Hefley	Pombo	Young (FL)

□ 1828

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PORTER. Mr. Speaker, due to a public forum in my district today, I was absent for the vote on H.R. 4700, legislation to grant consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact. Had I been present, I would have voted in the affirmative for H.R. 4700.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1167. An act to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes.

MAKING IN ORDER ON JULY 25, 2000, OR ANY DAY THEREAFTER, CONSIDERATION OF H.J. RES. 99, DISAPPROVING EXTENSION OF MOST FAVORED NATION TRADING STATUS TO VIETNAM

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time on July 25, 2000, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 99) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974, with respect to Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint res-

olution and against its consideration be waived; that the joint resolution be debatable for one hour, equally divided and controlled by the chairman of the Committee on Ways and Means in opposition to the joint resolution and a Member in support of the joint resolution; that pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of sections 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam for the remainder of the second session of the One Hundred Sixth Congress.

□ 1830

Mr. Speaker, let me say it is the intention of this unanimous consent request that the 1 hour of debate be yielded fairly between Members of the majority and minority parties on both sides of this issue.

The SPEAKER pro tempore (Mr. KUYKENDALL). Is there any objection to the request of the gentleman from California?

There was no objection.

TRIBAL SELF-GOVERNANCE AMENDMENTS OF 2000

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 562) providing for the concurrence by the House, with amendments, in the Senate amendment to H.R. 1167.

The Clerk read as follows:

H. RES. 562

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill (H.R. 1167) to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes, and the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendments:

(1) Page 14, line 12, strike "(or of such other agency)".

(2) Page 15, line 1, insert "so" after "functions".

(3) Page 19, line 4, insert "other provisions of law," after "section 106".

(4) Page 20, line 6, strike "305" and insert "505".

(5) Page 31, line 23, strike "may" and insert "is authorized to".

(6) Page 39, strike lines 7 through 14, and insert the following:

"(g) WAGES.—All laborers and mechanics employed by contractors and subcontractors (excluding tribes and tribal organizations) in the construction, alteration, or repair, including painting or decorating of a building or other facilities in connection with construction projects funded by the United States under this Act shall be paid wages at not less than those prevailing wages on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act of March 3, 1931 (46 Stat. 1494). With respect to construc-

tion alteration, or repair work to which the Act of March 3, 1931, is applicable under this section, the Secretary of Labor shall have the authority and functions set forth in the Reorganization Plan numbered 14, of 1950, and section 2 of the Act of June 13, 1934 (48 Stat. 948).

(7) Page 39, strike line 24 and all that follows through page 40, line 6, and insert the following:

"Regarding construction programs or projects, the Secretary and Indian tribes may negotiate for the inclusion of specific provisions of the Office of Federal Procurement and Policy Act (41 U.S.C. 401 et seq.) and Federal acquisition regulations in any funding agreement entered into under this part. Absent a negotiated agreement, such provisions and regulatory requirements shall not apply.

(8) Page 41, line 1, insert a comma after "Executive orders".

(9) Page 49, strike lines 4 through 10.

(10) Page 56, beginning on line 21, strike "for fiscal years 2000 and 2001".

(11) Page 60, line 6, strike "(a) IN GENERAL.—".

(12) Page 60, strike lines 9 and 10.

(13) Page 60, strike line 16 and all that follows through page 65, line 16.

(14) Page 65, line 17, strike "SEC. 13." and insert "SEC. 12.".

(15) Page 66, after line 7, insert the following:

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided, the provisions of this Act shall take effect on the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. 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 materials, on H. Res. 562.

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

There was no objection.

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

Mr. Speaker, I rise today in support of this legislation that we have been working on for 4 years. H.R. 1167, the proposed Tribal Self-Governance Amendments of 2000, creates a new title in the 1975 Indian Self-Determination Act, a statute which allows Indian tribes to contract for or take over the administration and operation of certain Federal programs which provide services to Indian tribes.

Subsequent amendments created title III in the 1975 act to provide for a self-governance demonstration project within the Indian Health Service which allows for large scale tribal self-governance compliance and funding agreements on a demonstration basis.

H.R. 1167 makes this demonstration contracting program permanent for certain programs contracted within the IHS if this legislation is enacted into law.

Indian and Alaskan native tribes will be able to contract for the operation,

control and redesign of various IHS activities on a permanent basis. In short, what was a demonstration project would become a permanent IHS self-governance program. Tribes which have already contracted for IHS services under existing law will continue under the provisions of their contracts while an additional 50 new tribes would be selected each year to enter into contracts.

H.R. 1167 also allows for a feasibility study regarding the execution of tribal self-governance compacts and funding agreements of Indian-related programs outside the IHS but within the Department of Health and Human Services on a demonstration project basis.

H.R. 1167 is an important piece of legislation which is a result of extensive negotiations between the Committee on Resources, the Committee on Indian Affairs in the other body, the Indian Health Service, the Department of Justice, the Department of Labor, and a special task force representing the many Indian tribes around the Nation.

After negotiations and some minor changes, we have all reached agreement. It is my understanding that H. Res. 562, as it is now being considered by us today, incorporates H.R. 1167 as it has been agreed to by everybody working on the bill, including administrative officials and tribal representatives.

I support this legislation as we have amended it and urge my colleagues to pass it today and send it back to the other body so that the other body will again have the opportunity to pass it in its final form and send it to the President.

Mr. Speaker, I submit the following exchange of letters for inclusion in the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, June 5, 2000.

Hon. TOM BLILEY
Chairman, Committee on Commerce, Washington, DC.

DEAR MR. CHAIRMAN: On November 17, 1999, the House of Representatives passed H.R. 1167, a bill to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes. This noncontroversial bill had been referred solely to the Committee on Resources. On April 4, 2000, the Senate amended the bill and returned it to the House. Section 12 of the Senate amendments establishes the office of the Assistant Secretary for Indian Health in the Department of Health and Human Services. I believe this provision affects the jurisdiction of the Committee on Commerce, as demonstrated by the referral of H.R. 403, which accomplishes the same end, to the Committee on Resources and additionally to the Committee on Commerce.

I propose to concur in the Senate amendments to H.R. 1167 with an amendment which would strip out Section 12. I ask your cooperation in allowing this to occur when we return after the Memorial Day district work period. My understanding is that the Senate would then take up the amended version of H.R. 1167 and send it to the President for signature.

Of course, by allowing this to occur, the Committee on Commerce does not waive its

jurisdiction over Section 12 or any other similar matter. If the Senate insists on its amendments and requests a conference, I would support the Committee on Commerce's request to be named to the conference. Finally, this action should not be seen as precedent for any other Senate amendments to Committee on Resources bills which affect the Committee on Commerce's jurisdiction. I would be pleased to place this letter and your response in the CONGRESSIONAL RECORD during consideration of the bill on the Floor to document this agreement.

I appreciate your cooperation in moving this bill, which is very important to the Native American community.

Sincerely,

DON YOUNG,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, June 6, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources, Washington, DC.

DEAR DON: Thank you for your recent letter regarding H.R. 1167, a bill to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes. As you know, Rule X of the Rules of the House of Representatives grants the Committee on Commerce jurisdiction over public health and quarantine. Accordingly, you are correct in your conclusion that section 12 of H.R. 1167, as amended by the Senate, falls within the jurisdiction of the Committee on Commerce.

Because of the importance of this legislation and your commitment to strike those matters within the jurisdiction of the Committee on Commerce when the bill comes to the floor, I will not exercise the Committee's right to a sequential referral. I appreciate your acknowledgment that by agreeing to waive its consideration of the bill, the Committee on Commerce does not waive its prerogatives with respect to this legislation or similar legislation, including authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. Thank you for your commitment to support any request by the Commerce Committee for conferees on H.R. 1167 or similar legislation.

I request that you include this letter and your response as part of the RECORD during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM BLILEY,
Chairman.

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.

Mr. Speaker, this is the third time this important piece to the ongoing struggle for Indian tribes to provide governmental services to their membership has been before us. This bill provides a process through which tribes shall step into the shoes of the Federal Government and administer programs to their members previously run by the Indian Health Service.

Similar legislation passed the House in the 105th Congress and again just last November when we passed H.R. 1167. The bill has passed the Senate,

and today we are here to agree to changes we have worked out with the Senate. This is one of, if not the most, important pieces of legislation this Congress will pass affecting American Indian tribes as it reaffirms our commitment to tribal self-governance.

The nature of self-governance is rooted in the inherent sovereignty of American Indian and Alaska Native tribes. From the founding of this Nation, Indian tribes and Alaska Native villages have been recognized as distinct, independent, political communities exercising powers of self-government, not by virtue of any delegation of powers from the Federal Government but rather by virtue of their innate sovereignty. The tribes' sovereignty predates the founding of the United States and its Constitution and forms the backdrop against which the United States has continually entered into a relationship with Indian tribes and Native villages.

We did not make any changes to the bill as it passed the Senate. We decided to delete a section of the bill relating to the application of the FLRA, which is further addressed in the more appropriate setting. Language included in the bill permits tribes to receive waivers from certain regulations to help tribes administer certain programs. We are all agreed, however, that this language does not alter the obligation of the Indian tribes to comply fully with the laws enacted by Congress.

I want to thank the gentleman from Alaska (Mr. YOUNG) and all the members of the committee and all of the Indian tribes who worked so hard on this legislation, the Indian Health Service, and our friends in the other body who labored long and hard to get us where we are today, and I urge my colleagues to support this bill.

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

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

Mr. Speaker, I want to thank my colleague and friend, the gentleman from California (Mr. GEORGE MILLER), for his leadership and support on this very important piece of legislation.

Mr. GIBBONS. Mr. Speaker, we have no further speakers at this 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 Nevada (Mr. GIBBONS) that the House suspend the rules and agree to the resolution, H. Res. 562.

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

A motion to reconsider was laid on the table.

WEKIVA WILD AND SCENIC RIVER ACT OF 2000

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2773, as amended.