

from Texas (Mr. TURNER), the gentleman from California (Mr. GEORGE MILLER), the gentlewoman from North Carolina (Mrs. CLAYTON), and the gentleman from Texas (Mr. STENHOLM).

Also, Mr. Speaker, I want to take this opportunity to thank the staff members who have done a wonderful job of negotiating some very difficult and complex negotiations with the Senate and the administration in the last 10 days. That is Dave Tenny, Brent Gattis, and Quinton Robinson, from the House Committee on Agriculture; Doug Crandall from the House Committee on Resources; Penny Dodge and Amelia Jenkins with the office of the gentleman from Oregon (Mr. DEFAZIO); Trent Ashby with the office of the gentleman from Texas (Mr. TURNER); Tom Pyle with the majority whip's office; and Chris Schloesser from my own staff.

2230

I also want to thank the chairman of the National Forest Counties and Schools Coalition, Mr. Bob Douglas, whose group certainly provided impetus for us to get to this point today. And I also want to thank my own superintendent of schools in Liberty County, Florida, who has been a leader for me in this, Mr. Hal Summers.

Mr. STENHOLM. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, it is an honor to rise in support of this legislation this evening. I join in the remarks of those who preceded me. I thank each Member on the floor who has worked so hard to bring this bill to fruition.

I particularly want to thank the National Forest Counties and Schools Coalition, that coalition of over 1,000 rural education, government, and business leaders, who worked hard to put this legislation together. That coalition included groups like the National Education Association, the U.S. Chamber of Commerce, the American Association of School Administrators, and the National Association of Counties.

Many representatives and community leaders from across the country have come to Washington to work on this bill over the last several months. Two of them are good examples from my district, my own county judge, Chris Vanderhof, and Trinity County Judge Mark Evans, who served on the National Coalition.

This is a good bill. It returns stability to the funds that flow to over 700 counties across this country that have national forest lands within their boundaries. It means a lot to the school districts in those counties. This will return some stability to their flow of funds, and it will provide a good source of funding for education for many rural school children across this country. I urge adoption of this legislation.

Mr. STENHOLM. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I too would like to thank my colleagues for all of their hard work on this piece of legislation. I rise in strong support of H.R. 2389.

The children in my district in Oregon and the children in over 800 counties across the rest of the United States are being shortchanged. People in Oregon and across the United States that live in rural areas with vast amounts of Federal land depend on payments from the Federal Government.

Unfortunately, these payments have decreased in recent years; and, as a consequence, education programs and county services have been subjected to massive budget cuts.

Over the last 10 years, I have seen class sizes grow while teachers, buses, music and art programs and many other services are reduced or eliminated. These cuts need to be restored.

The children in these counties deserve the same quality schools and educational opportunities as the rest of America.

In this election year, we have heard a lot about education and how it is a priority for everybody. Well, this is a chance for people in this House to show their commitment to education by voting yes on H.R. 2389.

I hope they will join me in voting yes on education and voting yes on H.R. 2389.

Mr. STENHOLM. Mr. Speaker, I have no further requests for time and encourage support of H.R. 2389.

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

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

Mr. Speaker, I neglected to mention and thank the gentlewoman from North Carolina (Mrs. CLAYTON) for her contribution. We thank her very much. I, too, urge my colleagues to support this legislation.

Mr. COMBEST. Mr. Speaker, I rise today in support of H.R. 2389, the Secure Rural Schools and Community Self-determination Act of 1999. As I do so, I urge my colleagues to join me as a statement of our united commitment to education and economic stability in rural forest communities all over America.

Our rural forest communities are at a crossroads. Nearly a hundred year ago, the federal government made a commitment to share the revenues derived from federal lands to fund local schools and roads. The purpose of this commitment was to compensate these communities for the loss of local property taxes. Yet, during the last several years, the federal government has unilaterally defaulted on this commitment. The federal timber sale program has collapsed and federal policies now virtually prohibit the use of our national forests to sustain the communities and schools that are located in and around them. As a result rural forest communities and school districts all over America are in tatters—the victims of their own government.

The purpose of H.R. 2389 is to right this wrong. By providing stable and predictable funding for rural education, it will ensure that school children in forest-dependent commu-

nities are no longer punished by the policies of their own government. Passage of this bill will directly benefit 4 million schoolchildren in 700 counties nationwide, thereby opening the same doors of opportunity for them that children in other parts of the country enjoy.

H.R. 2389 also provides a framework for rural forest counties to rebuild their communities and their way of life by giving them a direct stake in the management of our federal forests. By giving local stakeholders both the opportunity and the funding resources to address local forest management issues, local experts can work together on solutions that are not only good for the forest, but also the local economies that sustain them.

H.R. 2389 is supported by a broad range of interests from all over the country. The bill has earned the endorsement of the National Association of Counties, the National Education Association, the U.S. Chamber of Commerce, the American Federation of State, County and Municipal Employees, and a grass roots coalition of over 1,000 local education, business and government organizations in 36 states.

I urge my colleagues to take a stand in support of our rural school children and the forest communities in which they live. Join me in voting aye on H.R. 2389.

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2389.

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

A motion to reconsider was laid on the table.

#### ALASKA NATIVE CLAIMS SETTLEMENT ACT TECHNICAL AMENDMENTS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4345) to amend the Alaska Native Claims Settlement Act to clarify the process of allotments to Alaskan Natives who are veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4345

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

#### TITLE I—TECHNICAL AMENDMENTS TO ALASKA NATIVE CLAIMS SETTLEMENT ACT

##### SEC. 101. ALASKA NATIVE VETERANS.

Section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g) is amended as follows:

(1) Subsection (a)(3)(I)(4) is amended by striking “and Reindeer” and inserting “or”.

(2) Subsection (a)(4)(B) is amended by striking “; and” and inserting “; or”.

(3) Subsection (b)(1)(B)(i) is amended by striking “June 2, 1971” and inserting “December 31, 1971”.

(4) Subsection (b)(2) is amended by striking the matter preceding subparagraph (A) and inserting the following:

“(2) The personal representative or special administrator, appointed in an Alaska State

court proceeding of the estate of a decedent who was eligible under subsection (b)(1)(A) may, for the benefit of the heirs, select an allotment if the decedent was a veteran who served in South East Asia at any time during the period beginning August 5, 1964, and ending December 31, 1971, and during that period the decedent—".

#### SEC. 102. LEVIES ON SETTLEMENT TRUST INTERESTS.

Section 39(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1629e(c)) is amended by adding at the end the following new paragraph:

"(8) A beneficiary's interest in a settlement trust and the distributions thereon shall be subject to creditor action (including without limitation, levy attachment, pledge, lien, judgment execution, assignment, and the insolvency and bankruptcy laws) only to the extent that Settlement Common Stock and the distributions thereon are subject to such creditor action under section 7(h) of this Act."

#### TITLE II—NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH

##### SEC. 201. ADMINISTRATION OF NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Education for the Washington Workshops Foundation \$2,200,000 for administration of a national leadership symposium for American Indian, Alaskan Native, and Native Hawaiian youth on the traditions and values of American democracy.

(b) CONTENT OF SYMPOSIUM.—The symposium administered under subsection (a) shall—

(1) be comprised of youth seminar programs which study the workings and practices of American national government in Washington, DC, to be held in conjunction with the opening of the Smithsonian National Museum of the American Indian; and

(2) envision the participation and enhancement of American Indian, Alaskan Native, and Native Hawaiian youth in the American political process by interfacing in the first-hand operations of the United States Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 4345 amends the Alaska Native Claims Settlement Act to clarify the process of allotments to Alaskan Natives who are veterans and makes a number of technical changes to the Alaskan Native Claims Settlement Act.

Title I of the bill outlines the qualifying dates and requirements of the Alaskan Native Vietnam veterans and their executors to apply for their native allotments under the Native Allotment Act.

Title II of the bill would allow American Indian or Alaska Native and Native Hawaii students to participate in a week-long national symposium on American democracy when the Smithsonian National Museum of the American Indians opens in 2002.

I urge an aye vote on this important bill for Alaska.

Mr. HANSEN. Mr. Speaker, I submit the following letter for the RECORD:

U. S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, DC, October 10, 2000.

Re: H.R. 4345 and amendments to P.L. 105-276.

Hon. DON YOUNG,  
Chairman, Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On June 14, I testified before your Committee concerning H.R. 4345, the Alaska Native Claims Technical Amendments Act of 2000. During the hearing, I promised to work with Alaska Native groups in an effort to address their concerns raised at the hearing, particularly over section 3 of the bill regarding Alaska Native veteran allotments.

As you know, the Department reviewed H.R. 4345 as introduced and expressed its strong disagreement with most of that bill. We indicated in our official statement submitted to you at the hearing that if Sections 2, 3, 4, and 5 of that bill were passed, we would recommend a veto to the President. Section 6 was not unacceptable to us. As we discussed at the hearing, and in the spirit of cooperation with your Committee, I asked Marilyn Heiman, Special Assistant to the Secretary for Alaska, to take the lead in meeting with Alaska Native interests and discussing their concerns. Those meetings have taken place. Following those meetings, and further contact among the Committee, the Native groups, and the Department, the Committee has proposed to us informally for review a revised version of H.R. 4345. The provisions to which we objected have been removed and a set of technical changes to P.L. 105-276 have been added, including one change which directly reflects Native interest in expanding eligibility for allotment applications for heirs of deceased veterans.

The revised draft of H.R. 4345 contains two titles: Title I pertains to Alaska Native Veteran allotments, as well as levies on settlement trust interests (formerly section 6 of the original bill), and Title II contains wholly new provisions authorizing \$2,200,000 to the Washington Workshops Foundation for administration of a national leadership symposium for Native American and Eskimo youth.

The Department does not object to the revised bill.

#### TITLE I

We had mentioned earlier in testimony that there are technical corrections which should be made to the language of the Vietnam Veteran Allotment legislation passed in 1998 in section 432 of P.L. 105-276, in order to correct three technical gaps and problems with that section. The new bill makes those corrections in section 101.

1. It amends Section 41(a)(3)(1)(4) concerning lands selected or claimed and unavailable for conveyance, to delete the words "and Reindeer" and insert the word "or". This language clarifies the intent of the provision to make unavailable for selection headquarters sites for various activities including reindeer herding. There are a number of different activities that can support a headquarters site unrelated to reindeer herding which would be unavailable for conveyance. The original wording was in error and could result in a taking which must be avoided.

2. It amends section 41(a)(4)(B), concerning categories of land available for selection, to delete after the semicolon the word "and" and insert the word "or". The current wording will cause difficulty in implementation.

Three categories of land are listed, but the use of the word "and" requires that an individual apply for land that meets the criteria of all three categories. That is impossible because land cannot be simultaneously reserved and unreserved.

3. It amends section 41(b)(1)(B)(i), pertaining to "Eligible Person," to change the date "June 2, 1971" to "December 31, 1971." The current wording causes veterans who began their service after December 3, 1970 and before June 2, 1971 to be ineligible, even though they may have served more than six months between 1969 and 1971.

4. Section 101 of the bill also amends section 41(b)(2), concerning eligible heirs of decedents, with two changes to obtain greater facility in administration and to broaden the eligibility of veterans' heirs who would benefit.

First, the bill contains critical language to make clear that the personal representative of an estate will be appointed by a judge of probates in a State Court of Alaska. The State Court judges advise us that they can perform this function quickly and at relatively low cost. This Department does not have the personnel or the procedures to resolve problems amongst heirs concerning who will be the personal representative and which tracts of land will be chosen for the allotment application. By letting the State probate courts resolve the choice of personal representative, a task which is performed every day, we can expedite the processing of the allotment application by heirs without BLM being flooded with separate applications by each heir claiming a different location.

Second, for the group of veterans who died as a direct result of the war, (killed in action, wounded in action and subsequently died as a result of those wounds, or died while a prisoner of war) the bill broadens the time for eligibility of heirs of such deceased veterans to include those who died from August 5, 1964 to December 31, 1971. All of these veterans could be considered to have missed their opportunity to file an allotment application by virtue of their military service. We believe it is important to keep eligibility limited to deaths caused by war, because otherwise there is no basis for distinction between Native veterans who lost their opportunity due to service and other Natives who served or who are not veterans.

The Department can accept these changes. However, this is the full extent of changes to P.L. 105-276 that we can accept. We are opposed to further changes or expansion of the law, which we believe fully and fairly addresses the problem of lost opportunity due to military service for Alaska Native veterans of the Vietnam war to apply for allotments. We have just issued regulations to implement the original law. Unfair, unacceptable restrictions regulations are not the same as original Native allottees of Native applicants to 1971. Need hearing on their unfair regulations for Vietnam Veterans. The above changes can be reasonably accommodated, and the program should now move forward unimpeded by further revisions to the program and the regulations.

The former section 6 of the bill becomes section 102. This section, unrelated to the other provisions of the bill, amends section 39(c) of ANCSA (43 U.S.C. 1629e(c)) to add a new paragraph on Levies on Settlement Trust Interests, placing limits on such actions against interests of shareholders. While we do not object to this section, we raised with the proponents of the section a clerical error in its original draft and the need for a further expansion of the language for protected interests in settlement trusts. The new paragraph corrects the erroneous cross

reference contained in the current language of the section and adds the words "levy, attachment," to make clearer the types of creditor actions being limited.

## TITLE II

Title II provides for a National Leadership Symposium for American Indian, Alaska Native, and Native Hawaiian youth to be comprised of youth seminar programs which study the workings and practice of American national government in Washington, D.C. We encourage the development of such a program. However, the bill as written is not clear as to the source of funds, the Federal agency designated to receive the funds, the basis for the amount for the project or the choice of organizations to lead it. Nor is it clear who, if anyone, on behalf of the Federal government would provide any financial oversight or program guidance for the program. We recommend that these issues be clarified.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN BERRY,  
Assistant Secretary.

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

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

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 4345, this proposed piece of legislation sponsored by the gentleman from Alaska (Mr. YOUNG), my good friend and the chairman of the House Committee on Resources.

As introduced, H.R. 4345 contains a number of controversial provisions which were objectionable to the administration originally. However, I am pleased to say that the bill before us now has been significantly amended and is no longer opposed by the Department of the Interior.

Mr. Speaker, the most notable provision of this bill concerns the Native Alaskan veterans who served in the Vietnam conflict. This legislation is intended to benefit the families of Native Alaskans who served in Southeast Asia between 1964 and 1971 and who died as a direct result of their military service.

Under this bill, the descendants of these Native Alaskan veterans would be allowed a new opportunity to file under the Allotment Act of 1906 for up to 160 acres of parcels of land which the family traditionally used and occupied.

The Allotment Act of 1906 was repealed by the Alaska Native Claims Act in 1971, which was intended to resolve the Native land claims against the United States. That historic act conveyed over 40 million acres of land and approximately \$1 billion dollars in compensation to be managed by over 200 Native Alaskan corporations, representing the villages and regions of the State of Alaska.

It is fair to say, Mr. Speaker, that the minority on the Committee on Resources on this side has not always

shared the enthusiasm of our chairman for reopening the land claims and making significant amendments to the 1971 Alaska Native Claims Settlement Act. We tend to give greater emphasis to the word "settlement" in that act.

However, Mr. Speaker, in this instance, the allotment act language reflects a compromise struck after negotiations between the Department of the Interior and the Alaskan Federation of Natives.

A rider on the fiscal year 1999 VA-HUD appropriations bill reopened applications for Native veterans who served in the 3-year period prior to the repeal of the allotment act in 1971. Since the Department of the Interior has already opened that door, extending the same opportunity to the families of Native veterans who were killed in action is a matter of understandable equity. It is troublesome, however, that the Department cannot tell us how many new applications would be generated by this bill, nor can they give us any clear notion of the potential impacts on public land in Alaska.

However, by allowing this bill to proceed, it is our intent that this action is final and that there will be no further extensions of land claims under an act that was passed by Congress at the turn of the century and repealed 3 decades ago. It is my understanding that the Department of the Interior shares this view as well.

In summary, Mr. Speaker, let me take what may be one of our last opportunities in this Congress to give credit to the gentleman from Alaska (Mr. YOUNG), the chairman of our House Committee on Resources, who has served as chairman of the committee for the past 6 years. The chairman is a forceful advocate for his Alaska Native constituents, and it is due to his commitment that this bill is before us today.

Mr. Speaker, I want to commend the gentleman from Alaska, chairman of the committee, for his leadership and also his willingness to assist with issues affecting our insular areas. And above all, Mr. Speaker, this Member appreciates very much the genuine friendship of the gentleman from Alaska (Chairman YOUNG) with those of us who represent the territories.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4345, as amended.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

LAKE TAHOE BASIN LAND  
CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

The Clerk read as follows:

H.R. 4656

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

SECTION 1. CONVEYANCE OF CERTAIN FOREST  
SERVICE LAND IN THE LAKE TAHOE  
BASIN.

(a) CONVEYANCE.—Upon application, the Secretary of Agriculture, acting through the Chief of the Forest Service, may convey to the Washoe County School District all right, title, and interest of the United States in the property described as a portion of the Northwest quarter of Section 15, Township 16 North, Range 18 East, M.D.B. & M., more particularly described as Parcel 1 of Parcel Map No. 426 for Boise Cascade, filed in the office of the Washoe County Recorder, State of Nevada, on May 19, 1977, as file No. 465601, Official Records.

(b) REVIEW OF APPLICATION.—When the Secretary receives an application to convey the property under subsection (a), the Secretary shall make a final determination whether or not to convey such property before the end of the 180-day period beginning on the date of the receipt of the application.

(c) USE; REVERSION.—The conveyance of the property under subsection (a) shall be for the sole purpose of the construction of an elementary school on the property. The property conveyed shall revert to the United States if the property is used for a purpose other than as an elementary school site.

(d) CONSIDERATION BASED ON REQUIREMENT TO USE FOR LIMITED PUBLIC PURPOSES.—The Secretary shall determine the amount of any consideration required for the conveyance of property under this section based on the fair market value of the property when it is subject to the restriction on use under subsection (c).

(e) PROCEEDS.—The proceeds from the conveyance of the property under subsection (a) shall be available to the Secretary without further appropriation and shall remain available until expended for the purpose of acquiring environmentally sensitive land in the Lake Tahoe Basin pursuant to section 3 of the Act entitled "An Act to provide for the orderly disposal of certain Federal lands in Nevada and for the acquisition of certain other lands in the Lake Tahoe Basin, and for other purposes", approved December 23, 1980 (94 Stat. 3381; commonly known as the "Santini-Burton Act").

(f) APPLICABLE LAW.—Except as otherwise provided in this section, any sale of National Forest System land under this section shall be subject to the laws (including regulations) applicable to the conveyance of National Forest System lands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.