

S. 3461

At the request of Mr. BROWN of Ohio, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3461, a bill to amend title IV of the Public Health Service Act to provide for a National Pediatric Research Network, including with respect to pediatric rare diseases or conditions.

S. 3633

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3633, a bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City.

S. 3678

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 3678, a bill to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes.

S. RES. 439

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 439, a resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the "adult entertainment" section of the classified advertising website Backpage.com.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself and Mr. BARRASSO):

S. 3685. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Indian Affairs.

Mr. AKAKA. Mr. President, today I rise to introduce S. 3685, The Department of the Interior Tribal Self-Governance Act of 2012. I am proud to introduce this bill and I am thankful for the cosponsorship of my friend and colleague, the Vice Chairman of the Indian Affairs Committee, Senator BARRASSO. The Department of the Interior Tribal Self-Governance Act of 2012 is an important next step in our Federal policy of recognizing and supporting tribal self-governance.

Our country's Native peoples have always had the right to govern themselves. When the earliest explorers arrived in the New World, they recognized the sovereignty of the Native peoples they met. Soon after, European colonial nations began entering into treaties with Indian tribes as they expanded into the American continent. It is clear, from the terms of the Constitution, our Founding Fathers understood the sovereign authority of tribes, and their capacity to be self-governing. From our earliest days as a Nation, we

entered into treaties with the Indian tribes, just as we did with a diversity of foreign nations, governing issues such as trade, peace, and other relations.

With our westward expansion, and as public sentiment and Federal policy objectives turned to Manifest Destiny during the 19th century, Federal policies toward our Country's first peoples changed, and the movement to remove and assimilate the Native peoples began. The United States, recognizing the sovereignty of tribes, again relied on treaties to facilitate the acquisition of native lands, and promised in exchange to provide for Indian health, education, welfare, and housing.

This change in Federal policy devastated Native peoples. It turned out that the Federal Government was not a very effective administrator of programs aimed at fulfilling our country's trust responsibility to its native peoples.

By the late 1960's and early 1970's Federal Indian policy shifted again to one that began to reaffirm the inherent right of Native peoples to govern themselves and fully support them in doing so. This policy became formalized by the enactment of the Indian Self-Determination and Education Assistance Act in 1975, which enabled tribes to contract with certain Federal agencies to provide federal programs to their tribal members and communities.

Subsequent legislation allowed tribes greater flexibility in designing and operating Indian 410 programs for tribes who have a demonstrated capacity. Currently, about 60 percent of tribes carry out self-governance compacts with either the Department of the Interior or the Indian Health Service, or both.

Federal reaffirmation and support of tribal sovereignty through self-governance programs has enabled tribes to generate revenues through their own business enterprises, establish their own courts and law enforcement systems, and remake school curricula to better meet the needs of Native students. Importantly, tribes have done this without forced assimilation to mainstream American traditions and norms. This Federal focus on self-determination and self-governance has proven to be the only Federal policy that has worked for Native communities. Studies show that self-determination policies have enabled Indian tribes to build strong economies, reverse decades of language loss, and tailor programs and services to better meet the needs of their people.

It is our responsibility to ensure that our policy of self-governance advances to meet the needs of native peoples. As Chairman of the Indian Affairs Committee, it has come to my attention that several relatively minor technical changes are needed to the underlying law to ensure the goals of our federal policy are realized. For instance, I understand that the administration of programs under both the Department

of the Interior and the Indian Health Service can be unnecessarily cumbersome for tribes due to different requirements for each. At the Committee's hearing on the topic of Self-Determination and Self-Governance held in September, witnesses from the Administration and Native governments alike lauded the positive effects Self-Determination Era policies are having on Native communities and stressed the importance of amending the Indian Self-Determination and Education Assistance Act to ensure tribes can manage these programs efficiently. S. 3685 will streamline processes and make it simpler for tribes to manage programs to benefit their members. It has been developed after months of tribal consultation and has been a bi-partisan effort. In crafting this bill, we have been careful to ensure that none of its provisions will affect current law relating to contracting or compacting of non-BIA programs under the Indian Self-Determination and Education Assistance Act, or congressionally approved water settlements.

I encourage all of my colleagues to stand with me in support of this important legislative initiative.

Mr. BARRASSO. Mr. President, I rise to join my good friend, Senator AKAKA, in sponsoring the Department of the Interior Tribal Self-Governance Act of 2012.

Congress passed the Indian Self-Determination and Education Assistance Act in 1975 to set forth a new dynamic in the Federal-tribal relationship. Since then, we have seen many benefits for Indian communities as a result of the Federal Indian policy of self-determination in general and the Indian Self-Determination and Education Assistance Act in particular. Indian self-determination is one of the most successful, if not the most successful, Federal Indian policies in the history of our country's relations with Indian Country.

The Indian Self-Determination and Education Assistance Act was amended over 20 years ago to include the Self-Governance program. Self-Governance became a permanent program in the Department of the Interior in 1994, and it has been a resounding success. Now, as of 2012, hundreds of Indian tribes are participating in the Self-Governance program in one way or another.

It comes as no surprise to me, that the Indian tribes can administer these programs on behalf of their own people far better than the Federal government could ever hope to administer them.

Nevertheless, after some 18 years, the time has come for the self-governance program to be reviewed and improved. This bill is intended to provide "key improvements to the way self-governance works in the Department of the Interior, improvements that have been studied, evaluated, discussed, and negotiated by the tribes and by the Department of the Interior.

During the course of this Congress, some issues did arise relating to the

self-governance program in Interior agencies other than the Bureau of Indian Affairs, in particular the Bureau of Reclamation. Indian tribal leaders and Senate staff have worked for many months to resolve those issues, and their efforts in that regard are incorporated into this bill. I believe the bill goes a long way in dealing with those issues, and the program will be better off as a result of these efforts.

I want to thank Senator AKAKA, the Chairman of the Indian Affairs Committee and with whom I have worked this past Congress as Vice Chairman, for his leadership on this bill which I support and on advancing initiatives that will improve the lives of Indian people.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 619—TO ELECT PATRICK J. LEAHY, A SENATOR FROM THE STATE OF VERMONT, TO BE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 619

Resolved, That Patrick J. Leahy, a Senator from the State of Vermont, be, and he is hereby, elected President of the Senate pro tempore.

##### SENATE RESOLUTION 620—TO AUTHORIZE HARRY REID, A SENATOR FROM THE STATE OF NEVADA, TO ADMINISTER THE OATH OF OFFICE OF PRESIDENT OF THE SENATE PRO TEMPORE TO PATRICK J. LEAHY, A SENATOR FROM THE STATE OF VERMONT

Mr. MCCONNELL (for himself and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 620

Resolved, That Harry Reid, a Senator from the State of Nevada, is hereby authorized to administer the oath of office of President of the Senate Pro Tempore to Patrick J. Leahy, a Senator from the State of Vermont.

##### SENATE RESOLUTION 621—CONDEMNING THE HORRIFIC ATTACKS IN NEWTOWN, CONNECTICUT, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL THOSE IMPACTED BY THAT TRAGEDY

Mr. LIEBERMAN (for himself, Mr. BLUMENTHAL, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER,

Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 621

Whereas, on December 14, 2012, a mass shooting took place at Sandy Hook Elementary School in Newtown, Connecticut;

Whereas the people of the United States mourn the 26 innocent lives, including those of 20 children, that have been lost at Sandy Hook Elementary School in this unimaginable tragedy;

Whereas the people of the United States will always remember the victims of the previous mass shootings that have occurred in the United States and stand in solidarity with the survivors; and

Whereas the quick action of law enforcement officials and other first responders prevented additional losses of life: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the senseless attack at Sandy Hook Elementary School in Newtown, Connecticut, on Friday, December 14, 2012;

(2) offers condolences to all of the students, teachers, administrators, and faculty of Sandy Hook Elementary School, as well as their families, and recognizes that the healing process will be long and difficult for the entire Newtown community;

(3) honors the selfless, dedicated service of—

(A) the teachers, school administrators, school support staff, medical professionals, and others in the greater Newtown community;

(B) the emergency response teams and law enforcement officials who responded to the attack; and

(C) the law enforcement officials who continue to investigate the attack; and

(4) remains committed to working together to help prevent tragedies like this from ever happening again.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3338. Mr. LEAHY (for Mr. INOUE (for himself and Mr. LAUTENBERG)) proposed an amendment to the bill H.R. 1, making appropriations for the Department of Defense and

the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

SA 3339. Mr. LEAHY (for Mr. INOUE) proposed an amendment to amendment SA 3338 proposed by Mr. LEAHY (for Mr. INOUE (for himself and Mr. LAUTENBERG)) to the bill H.R. 1, supra.

SA 3340. Mr. CARDIN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 1, supra; which was ordered to lie on the table.

SA 3341. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the bill S. 1793, to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

SA 3342. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the bill H.R. 2076, to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes.

SA 3343. Ms. KLOBUCHAR (for herself and Mr. SESSIONS) submitted an amendment intended to be proposed by her to the bill H.R. 4362, to provide effective criminal prosecutions for certain identity thefts, and for other purposes; which was referred to the Committee on the Judiciary.

SA 3344. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

SA 3345. Mrs. HAGAN (for Ms. LANDRIEU) proposed an amendment to the bill S. 3472, to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

#### TEXT OF AMENDMENTS

SA 3338. Mr. LEAHY (for Mr. INOUE (for himself and Mr. LAUTENBERG)) proposed an amendment to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; as follows:

Strike all after the enacting clause, and insert in lieu thereof:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2013, and for other purposes, namely:

#### SUPPLEMENTAL APPROPRIATIONS FOR DISASTER ASSISTANCE

##### TITLE I

##### DEPARTMENT OF AGRICULTURE

##### AGRICULTURAL PROGRAMS

##### FARM SERVICE AGENCY

##### EMERGENCY CONSERVATION PROGRAM

For necessary expenses for the "Emergency Conservation Program", \$25,090,000, to remain available until expended, of which \$15,000,000 is for expenses resulting from a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i)