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HISTORY, JURISDICTION, AND SUMMARY
OF LEGISLATIVE ACTIVITIES

OF THE

UNITED STATES SENATE
COMMITTEE ON INDIAN AFFAIRS

DURING THE

ONE HUNDRED SEVENTH CONGRESS

2001-2002



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I. HISTORY AND JURISDICTION

A. *Summary.* In 1977, the Senate re-established the Committee on Indian Affairs, making it a temporary Select Committee [February 4, 1977, S. Res. 4, § 105, 95th Congress., 1st Sess. (1977), as amended]. The select committee was to disband at the close of the 95th Congress, but following several term extensions, the Senate voted to make the committee permanent on June 6, 1984. The committee has jurisdiction to study the unique problems of American Indian, Native Hawaiian, and Alaska Native peoples and to propose legislation to alleviate these difficulties. These issues include, but are not limited to, Indian education, economic development, land management, trust responsibilities, health care, and claims against the United States. Additionally, all legislation proposed by Members of the Senate that specifically pertains to American Indians, Native Hawaiians, or Alaska Natives is under the jurisdiction of the committee.

B. *History.* Until 1946, when a legislative reorganization act abolished both the House and Senate Committees on Indian Affairs, the Senate Committee on Indian Affairs had been in existence since the early 19th century. After 1946, Indian affairs legislative and oversight jurisdiction was vested in subcommittees of the Interior and Insular Affairs Committees of the House of Representatives and the Senate. While this subcommittee arrangement may not have specifically reflected a diminishment of the consideration given Indian affairs by the Congress, the revised arrangement historically coincided with a 20-year hiatus in Indian affairs known as the "Termination Era"—a period in which the prevailing policy of the United States was to terminate the Federal relationship with Indian tribes or transfer jurisdiction over tribal lands to the States.

By the mid-1960's, this Termination philosophy was in decline as a failed policy and the Congress began to include Indian tribes in legislation designed to rebuild the social infrastructure of the Nation and provide economic opportunities for economically-depressed areas. In the early 1970's the Termination era was decisively ended with the enactment of the Menominee Restoration Act of 1973. Although a number of important legislative initiatives affecting Indians were enacted in the early 1970's, it became clear that the existing subcommittee structure was not providing an adequate forum for legislating appropriate solutions to problems confronting Indian country. Legislative jurisdiction over Indian affairs was fragmented among a number of committees. Overall, more than 10 committees in the Congress were responsible for Indian affairs, a situation which resulted in a sometimes disjointed treatment of Indian affairs and in an often haphazard development of Federal Indian policy.

C. *Re-establishment of committee.* In 1973, Senator James Abourezk introduced S.J. Res. 133 to establish a Federal commis-

sion to review all aspects of policy, law, and administration relating to affairs of the United States with American Indian tribes and people. The Senate and the House of Representatives both adopted S.J. Res. 133 and on January 2, 1975, the Resolution was signed into law by the President, thus establishing the American Indian Policy Review Commission [Public Law 93-580]. As the work of this Commission progressed, it became readily apparent that a full Senate committee with full legislative and oversight authority was needed to receive the report of the American Indian Policy Review Commission and to act upon its recommendations. Indeed, one of the final recommendations of the Commission was that a full-fledged Committee on Indian Affairs be established in the Senate.

At the same time the Commission was formulating its recommendation for the establishment of an Committee on Indian Affairs, the Senate was developing a far-reaching proposal for reorganization of the entire Senate committee system. Under this proposal, the Subcommittee on Indian Affairs under the Committee on Interior and Insular Affairs was to be abolished with its natural resource functions to be distributed among other newly formed Senate committees and its human resources functions to be transferred to the Senate Committee on Labor and Human Resources.

In view of the pending report of the American Indian Policy Review Commission and its anticipated recommendations, however, the Senate revamped its committee reorganization proposal to include the establishment of a temporary select committee to receive the Commission's report and to act on its recommendations. Thus, there was included within S. Res. 4 of February 4, 1977, the Committee System Reorganization Amendments of 1977, a provision to establish a Select Committee on Indian Affairs with full jurisdiction over all proposed legislation and other matters relating to Indian affairs. With the commencement of the 96th Congress, the Select Committee on Indian Affairs was to expire and jurisdiction over Indian matters was to be transferred to the Senate Committee on Labor and Human Resources.

As the Select Committee on Indian Affairs grappled with the report of the American Indian Policy Review Commission and the many other Indian issues that were presented to it during the 95th Congress, it became increasingly evident that if the Congress was to continue to meet its constitutional, legal, and historical responsibilities in the area of Indian affairs, an ongoing legislative committee with adequate expertise and resources should be re-established in the Senate.

S. Res. 405, to make the Select Committee on Indian Affairs a permanent committee of the Senate, was introduced by Senator Abourezk on February 22, 1978. The measure was amended by the Rules Committee to extend the life of the committee for 2 years until January 2, 1981, and was agreed to by the Senate on October 14, 1978. In the 96th Congress, Senator John Melcher, who was at the time chairman of the Select Committee on Indian Affairs, introduced S. Res. 448 to make it a permanent committee. The resolution had 28 cosponsors, and was reported by the Rules Committee with an amendment to extend the select committee to January 2, 1984, and to expand the membership to seven members commencing

ing in the 97th Congress. S. Res. 448 was adopted by the Senate on December 11, 1980.

D. *Permanent committee.* On April 28, 1983, Senator Mark Andrews, chairman of the Select Committee on Indian Affairs in the 98th Congress, introduced S. Res. 127 to make the committee a permanent committee. This resolution had 28 cosponsors. On November 1, 1983, the Committee on Rules and Administration voted unanimously to report the resolution without amendment, and the resolution was so reported on November 2, 1983 [S. Rept. 98-294].

On November 18, the last day of the first session of the 98th Congress, the Senate agreed to an extension of the select committee to July 1, 1984, in order to allow time for later debate. By the time the resolution was brought to the floor for consideration there were 60 cosponsors. On June 4, 1984, the Select Committee on Indian Affairs was made a permanent committee of the Senate [S. Res. 127, 98th Congress, 2d sess.]. In 1993, the Select Committee on Indian Affairs was re-designated as the Committee on Indian Affairs [§ 25, S. Res. 71, 103d Cong., 1st sess.].

E. *Committee membership.* The number of members serving on the committee has expanded since its formation in 1977. At the time the committee was formed in the 95th Congress, there were five members. The membership remained at five in the 96th Congress, but grew to seven in the 97th Congress and the 98th Congress. The membership increased to nine in the 99th Congress, and by the 101st Congress, the committee membership grew to 10. In the 102d Congress the membership of the committee expanded to 16 members. A further increase occurred in the beginning of the 103d Congress when the membership was expanded to 18.

In the 104th Congress, the Senate named 17 of its members to serve on the committee, and elected Senator John McCain as chairman and Senator Daniel K. Inouye as vice chairman. In the 106th Congress and the 107th Congress, the committee membership totaled 15. In May 2001 Senator Jim Jeffords left the Republican party to become an Independent. At that time Senator Campbell relinquished the chairmanship of the committee and Senator Inouye became chairman, presiding over the 15-member committee.

II. JURISDICTION AND RULES OF THE COMMITTEE ON INDIAN AFFAIRS

A. EXCERPTS FROM SENATE RESOLUTION 4. THE COMMITTEE SYSTEM REORGANIZATION AMENDMENTS OF 1977 WERE AMENDED AND REVISED TO REFLECT MEMBERSHIP AND DESIGNATIONS APPLICABLE TO THE 107TH CONGRESS.

COMMITTEE ON INDIAN AFFAIRS, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to Indian affairs:

Sec. 105(a)(1) There is established a Committee on Indian Affairs [hereafter in this section referred to as the "committee"] which shall consist of 17 members, 9 to be appointed by the President of the Senate, upon the recommendation of the majority leader, from among members of the majority party and 7 to be appointed by the President of the Senate, upon recommendation of the minority leader, from among the members of the minority party. The committee shall select a chairman from among its members.

(2) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking testimony. The committee shall adopt rules of procedure not inconsistent with this section and the rules of the Senate governing standing committees of the Senate.

(3) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee.

(4) For purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the committee shall not be taken into account.

(b)(1) All proposed legislation, messages, petitions, memorials, and other matters relating to Indian affairs shall be referred to the committee.

(2) It shall be the duty of the committee to conduct a study of any and all matters pertaining to problems and opportunities of Indians, including but not limited to, Indian land management and trust responsibilities, Indian education, health, special services, and loan programs, and Indian claims against the United States.

(3) The committee shall from time to time report to the Senate, by bill or otherwise within its jurisdiction.

(c)(1) For the purposes of this resolution, the committee is authorized, in its discretion, (A) to make investigations

into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the services of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the committee or any member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the committee may be issued over the signature of the chairman, or any member of the committee designated by the chairman, and may be served by any person designated by the chairman or any member signing the subpoena.

B. RULES OF THE COMMITTEE ON INDIAN AFFAIRS

Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedures of the committee and to publish those rules in the Congressional Record not later than March 1 of the first year of each Congress. On February 28, 2001, the Committee on Indian Affairs held a business meeting during which the members of the committee unanimously adopted rules to govern the procedures of the committee. The rules as adopted follow.

COMMITTEE RULES

Rule 1. The Standing Rules of the Senate, S. Res. 4, and the provisions of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, to the extent the provisions of such act are applicable to the Committee on Indian Affairs and supplemented by these rules, are adopted as the rules of the committee.

MEETINGS OF THE COMMITTEE

Rule 2. The committee shall meet on the first Tuesday of each month while the Congress is in session for the purpose of conducting business, unless for the convenience of the members, the chairman shall set some other day for a meeting. Additional meetings may be called by the chairman as he may deem necessary.

OPEN HEARINGS AND MEETINGS

Rule 3. Hearings and business meetings of the committee shall be open to the public except when the chairman by a majority vote orders a closed hearing or meeting.

HEARING PROCEDURE

Rule 4(a). Public notice shall be given of the date, place and subject matter of any hearing to be held by the committee at least one week in advance of such hearing unless the chairman of the committee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the Committee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

(b). Each witness who is to appear before the committee shall file with the committee, at least 72 hours in advance of the hearing, an original and 75 printed copies of his or her written testimony. In addition, each witness shall provide an electronic copy of the testimony on a computer disk formatted and suitable for use by the committee.

(c). Each member shall be limited to 5 minutes in questioning of any witness until such times as all members who so desire have had an opportunity to question the witness unless the committee shall decide otherwise.

(d). the chairman and vice chairman or the ranking majority and minority members present at the hearing may each appoint one committee staff member to question each witness. Such staff member may question the witness only after all members present have completed their questioning of the witness or at such time as the chairman and vice chairman or the ranking majority and minority members present may agree.

BUSINESS MEETING AGENDA

Rule 5(a). A legislative measure or subject shall be included in the agenda of the next following business meeting of the committee if a written request by a member for such inclusion has been filed with the chairman of the committee at least 1 week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the chairman of the committee to include legislative measures or subject on the committee agenda in the absence of such request.

(b). Notice of, and the agenda for, any business meeting of the committee shall be provided to each member and made available to the public at least 2 days prior to such meeting, and no new items may be added after the agenda is published except by the approval of a majority of the members of the committee. The clerk shall promptly notify absent members of any action taken by the committee on matters not included in the published agenda.

QUORUM

Rule 6(a). Except as provided in subsections (b) and (c), 8 members shall constitute a quorum for the conduct of business of the committee. Consistent with Senate rules, a quorum is presumed to be present unless the absence of a quorum is noted by a member.

(b). A measure may be ordered reported from the committee unless an objection is made by a member, in which case a recorded vote of the members shall be required.

(c). One member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure before the committee.

VOTING

Rule 7(a). A recorded vote of the members shall be taken upon the request of any member.

(b). Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8. Witnesses in committee hearings may be required to give testimony under oath whenever the chairman or vice chairman of the committee deems it to be necessary. At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any member, any other witness, shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. All such statements shall be made public by the committee unless the committee, in executive session, determines that special circumstances require a full or partial exception to this rule. Members of the committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the committee in the manner required in the case of Presidential nominees.

CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the committee or any report of the proceedings of a closed committee hearing or business meeting shall be made public in whole or in part by way of summary, unless authorized by a majority of the members of the committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the committee which is open to the public may be covered in whole or in part by television, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision,

and hearing of members and staff on the dais or with the orderly process of the meeting or hearing.

AMENDING THE RULES

Rule 12. These rules may be amended only by a vote of a majority of all the members of the committee in a business meeting of the committee; Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the committee agenda for such meeting at least 7 days in advance of such meeting.

III. SUMMARY OF COMMITTEE ACTIVITIES FOR THE 107th CONGRESS

A. *Overview.* In the 107th Congress, a total of 52 bills and 3 resolutions were referred to the Committee on Indian Affairs for consideration. The committee reported to the Senate for action a total of 22 bills and 2 resolutions; 4 of the bills reported by the committee became public law. The committee also reported the nomination of 3 Presidential appointees who were subsequently confirmed by the Senate.

The committee held 55 hearings, 21 of which were oversight hearings with some involving multiple bills or issues. Several of the meetings were field hearings taking the committee to locations throughout the Indian country.

While the bills and resolutions considered by and acted upon by the committee covered a variety of issues, the foregoing statistics do not adequately reflect much of the committee's major activities during the 107th Congress. A number of bills that were considered by the committee were incorporated into multi-title legislation and enacted into law as part of other broader legislation, and action on a number of bills referred to the committee was made unnecessary by other action on similar companion legislation.

Similarly, the committee was substantially involved in efforts to develop proposals that were under consideration or incorporated within omnibus legislation over which other committees of the Senate had jurisdiction. For example, the committee considered measures aimed at improving education for Native youth; legislation to assist in tribes in developing their energy resources; a bill to improve small business development on reservation lands; initiatives to improve the telecommunications infrastructure in Indian country; and others.

The committee also was actively involved through hearings, interactions with other committees, and floor consideration, in the budget resolutions and appropriations measures affecting Federal Indian programs during both the first and second sessions of the 107th Congress. Legislative proposals to amend or reform principles of Federal Indian law included, the management of Indian tribal trust fund accounts, Native American housing, Indian land consolidation and probate reform, small business and economic development, tribal land and water rights settlements, and proposals to reform the process for Federal recognition of Indian tribes within the Department of the Interior.

B. *Legislation reported and enacted into law.* A number of the bills over which the committee exercised its jurisdiction were reported by the committee and signed into law by the President. These include bills to improve education for Indians, Native Hawaiians, and Alaskan Natives [S. 211, Public Law 107-110]; a bill to re-authorize the Native American Housing Assistance and Self-De-

termination Act of 1996 [S. 1210, S. Rept. 107-246, Public Law 107-292]; a bill to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian Loan Guaranty and Insurance program [S. 2017, S. Rept. 107-249, Public Law 107-331]; and a bill to Encourage the Negotiated Settlement of Tribal Claims [S. 1857, Public Law 107-153].

C. Legislation reported by the committee. A number of the bills over which the committee has jurisdiction were reported by the committee but were not enacted into law. These measures include: A bill to amend the Native Hawaiian Health Care Improvement Act [S. 87, S. Rept. 107-56]; A bill to amend the Native American Languages Act to provide for the support of Native American Language survival Schools [S. 91]; a bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments [S. 210, S. Rept. 107-250]; a bill to elevate the position of director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, [S. 214]; A bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to the community, business, and economic development of Native American communities [S. 343, S. Rept. 324]; a bill to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands [S. 434]; a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity [S. 746]; a bill to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K [S. 958, S. Rept. 107-297]; A bill to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772-72, 773-71, and 775-71 9S. 1308, S. Rept. 107-252]; a bill to amend the Indian Land Consolidation Act to provide for probate reform with respect to trust or restricted lands [S. 1340]; a bill to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers [S. 1344, S. Rept. 107-248]; a bill to establish the Tuf Shur Bien Preservation Trust Area within the Cibola National Forest in the State of New Mexico to resolve a land claim involving the Sandia Mountain Wilderness [S. 2018, S. Rept. 107-321]; a bill to re-authorize and improve programs relating to Native Americans [S. 2711, S. Rept. 107-247]; a bill to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, AZ [S. 2743, S. Rept. 107-301]; a bill to provide for the use of and distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community [S. 2799, S. Rept. 107-298]; a bill to protect certain lands held in fee by the Pechanga Band of Luiseno Mission Indians from condemnation until a final decision is made by the Secretary of the Interior regarding a pending fee to trust application for that land [S. 2989, S. Rept. 107-299]; a bill to provide for the distribution of judgment funds to the Assiniboine and Sioux Tribes of the Fort Peck Reservation [S. 3059, S. Rept. 107-313]; a bill to amend laws relating to the lands of the

enrollees and lineal descendants of enrollees whose names appear on the final Indian rolls of the Muscogee [Creek], Seminole, Cherokee, Chickasaw, and Choctaw Nations [historically referred to as the Five Civilized Tribes], [H.R. 2880].

D. Legislation given active consideration. A wide variety of bills were given active consideration by the committee. In the 107th Congress, Economic Development in Indian Country was the subject of several committee hearings. Areas such as Indian Reservation Small Business Development, the BIA Loan Guaranty Program, Native American Housing, Tribal Good Governance Practices, and Telecommunications Infrastructure were the subject of several hearings.

The committee also considered several Indian Water Rights Settlement bills including the Zuni Indian Tribe of Arizona; and several land settlement claims such as the Three Affiliated Tribes and Standing Rock Sioux Tribes, the Hoopa and Yurok Tribes of California, and the Bay Mills Indian Community of Michigan.

The committee also spent significant time reviewing the Department of the Interior's management of the Indian Tribal Trust Fund Accounts and the role of the Special Trustee for American Indians.

Another area of major committee focus was the issue of Federal recognition. Hearings were held on the procedure of the Federal recognition process and legislative proposals to reform and improve the procedures for the Bureau of Indian Affairs with respect to tribal recognition.

E. Legislation referred to the committee. A wide variety of measures were introduced and referred to the committee including:

1. S. Res. 46, an original resolution authorizing expenditures by the Senate Committee on Indian Affairs.

2. S. Res. 321, a resolution commemorating the 30th Anniversary of the founding of the American Indian Higher Education Consortium [AIHEC].

3. S. 81, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian Government and the recognition by the United States of the Native Hawaiian Government, and for other purposes.

4. S. 87, a bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend such act.

5. S. 91, a bill to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

6. S. 210, a bill to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes.

7. S. 211, a bill to amend the Education Amendments of 1978 and the Tribally Controlled Schools Act of 1988 to improve education for Indians, Native Hawaiians, and Alaskan Natives.

8. S. 212, a bill to amend the Indian Health Care Improvement Act to revise and extend such act.

9. S. 214, a bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes.

10. S. 243, a bill to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, and for other purposes.

11. S. 266, a bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon.

12. S. 340, a bill to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities.

13. S. 343, a bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to the community, business, and economic development of Native American communities.

14. S. 344, a bill to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes.

15. S. 434, a bill to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands.

16. S. 493, a bill to provide for the establishment of a Sioux Nation Economic Development Council.

17. S. 502, a bill to provide for periodic Indian needs assessments, to require Federal Indian program evaluations, and for other purposes.

18. S. 504, a bill for administrative procedures to extend Federal recognition to certain Indian groups, and for other purposes.

19. S. 533, a bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois.

20. S. 535, a bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional Medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

21. S. 746, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and for other purposes.

22. S. 761, a bill to provide loans for the improvement of telecommunications services on Indian reservations.

23. S. 832, a bill to amend the Indian Gaming Regulatory Act, and for other purposes.

24. S. 934, a bill to require the Secretary of the Interior to construct the Rocky Boy's North Central Montana Regional Water System in the State of Montana, to offer to enter into an agreement with the Chippewa Cree Tribe to plan, design, construct, operate, maintain and replace the Rocky Boy's Rural Water System, and to provide assistance to the North Central Montana Regional Water Authority for the planning, design, and construction of the noncore system, and for other purposes.

25. S. 958, a bill to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K, and for other purposes.

26. S. 1210, a bill to re-authorize the Native American Housing Assistance and Self-Determination Act of 1996.

27. S. 1308, a bill to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772-72, 773-71, and 775-71, and for other purposes.

28. S. 1321, a bill to authorize the construction of a Native American Cultural Center and Museum in Oklahoma City, Oklahoma.

29. S. 1340, a bill to amend the Indian Land Consolidation Act to provide for probate reform with respect to trust or restricted lands.

30. S. 1344, a bill to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers.

31. S. 1392, a bill to establish procedures for the Bureau of Indian Affairs of the Department of the Interior with respect to tribal recognition.

32. S. 1393, a bill to provide grants to ensure full and fair participation in certain decisionmaking processes at the Bureau of Indian Affairs.

33. S. 1783, a bill expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and of other purposes.

34. S. 1857, a bill to encourage the negotiated settlement of Tribal claims.

35. S. 2017, a bill to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.

36. S. 2018, a bill to establish the Tuf Shur Bien Preservation Trust Area within the Cibola National Forest in the State of New Mexico to resolve a land claim involving the Sandia Mountain Wilderness, and for other purposes.

37. S. 2212, a bill to establish a direct line of authority for the Office of Trust Reform Implementations and Oversight to oversee the management and reform of Indian trust funds and assets under the jurisdiction of the Department of the Interior, and to advance tribal management of such funds and assets, pursuant to the Indian Self-Determination Act and for other purposes.

38. S. 2567, a bill to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of claims of the tribe concerning the contribution of the tribe to the production of hydro power by the Grand Coulee Dam, and for other purposes.

39. S. 2694, a bill to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe.

40. S. 2711, a bill to re-authorize and improve programs relating to Native Americans.

41. S. 2743, a bill to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, AZ, and for other purposes.

42. S. 2799, a bill to provide for the use of and distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community, and for other purposes.

43. S. 2921, a bill to encourage Native contracting over the management of Federal lands, and for other purposes.

44. S. 2971, a bill to amend the Transportation Equity Act for the 21st Century to provide the Highway Trust Fund additional funding for Indian reservation roads, and for other purposes.

45. S. 2974, a bill to provide that land which is owned by the Seminole Tribe of Florida but which is not held in trust by the United States for the Tribe may be mortgaged, leased, or transferred by the Tribe without further approval by the United States.

46. S. 2986, a bill to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community, Michigan.

47. S. 2989, a bill to protect certain lands held in fee by the Pechanga Band of Luiseno Mission Indians from condemnation until a final decision is made by the Secretary of the Interior regarding a pending fee to trust application for that land.

48. S. 3059, a bill to provide for the distribution of judgment funds to the Assiniboine and Sioux Tribes of the Fort Peck Reservation.

49. S. 3066, a bill to improve programs relating to Indian tribes.

50. H. Con. Res. 270, expressing the sense of Congress that Americans should take time during Native American Heritage Month to recognize the many accomplishments and contributions made by native peoples.

51. H.R. 483, a bill regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon.

52. H.R. 1913, a bill to require the valuation of non-tribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

53. H.R. 1937, a bill to authorize the Secretary of the Interior to engage in certain feasibility studies of water resource projects in the State of Washington.

54. H.R. 2880, a bill to amend laws relating to the lands of the enrollees and lineal descendants of enrollees whose names appear on the final Indian rolls of the Muscogee [Creek], Seminole, Cherokee, Chickasaw, and Choctaw Nations [historically referred to as the Five Civilized Tribes], and for other purposes.

55. H.R. 4938, a bill to direct the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water supply for the Santee Sioux Tribe of Nebraska, and for other purposes.

F. Oversight Activity. A substantial portion of the committee's hearing and investigatory energy was devoted to carrying out its authority and responsibility to provide oversight of the executive branch's implementation of Federal Indian law and policy. Many of the hearings led to the development of corrective legislation which was the subject of further committee activity during the 107th Congress.

The hearings touched on a wide range of issues, including Indian tribal trust fund management reform; Native American housing;

business and economic development on Indian lands; Indian Gaming Regulatory Act issues; Federal recognition of Indian tribes; welfare reform and impacts in Native communities; Indian land and water rights and settlement legislation; problems with Native youth; Indian tribal self governance; the role of the Special Trustee for American Indians within the Department of the Interior; confirmation hearings on the nominations to head the Bureau of Indian Affairs, Department of the Interior, the National Indian Gaming Commission, Department of the Interior, the Administration of Native Americans, the Department of Health and Human Services; goals and priorities of tribal governments from various regions across the country; telecommunications on Indian reservation lands; and others.

IV. COMMITTEE ACTIVITIES

107TH CONGRESS, FIRST SESSION

A. Committee Hearings and Markups

January 31, 2001.—Business/Organizational Meeting to Select the Chairman and Vice Chairman.

February 28, 2001.—Business Meeting to Consider the Committee Funding Resolution for the 107th Congress.

February 28, 2001.—Oversight Hearing to Receive the Views of the Department of the Interior on Matters of Indian Affairs.

March 7, 2001.—Business Meeting to Adopt the Rules of the Committee for the 107th Congress.

March 14, 2001.—Business Meeting to Consider the Committee's Views and Estimates on the President's Fiscal Year 2002 Budget Request for Indian Programs.

March 14, 2001.—Hearing on S. 211, the "Native American Education Improvement Act of 2001".

March 22, 2001.—Oversight Hearing on the Goals and Priorities of the Member Tribes of the National Congress of American Indians for the 107th Congress.

April 4, 2001.—Business Meeting to markup S. 211.

April 5, 2001.—Oversight Hearing to Receive the Goals and Priorities of the United South and Eastern Tribes [USET] for the 107th Congress.

May 10, 2001.—Oversight Hearing to Receive the Goals and Priorities of the Alaska Native Community for the 107th Congress.

June 13, 2001.—Confirmation Hearing on the Nomination of Mr. Neal A. McCaleb to be Assistant Secretary for the Bureau of Indian Affairs, U.S. Department of the Interior.

June 19, 2001.—Hearing to Receive Testimony on the Goals and Priorities of the Member Tribes of the Midwest Alliance of Sovereign Tribes/Inter-tribal Bison Cooperative for the 107th Congress.

June 21, 2001.—Oversight Hearing on Native American Program Initiatives.

June 26, 2001.—Hearing to Receive Testimony on the Goals and Priorities of the Great Plains Tribes for the 107th Session of the Congress.

July 12, 2001.—Hearing to Receive Testimony on the Goals and Priorities of the Member Tribes of the Montana Wyoming Tribal Leaders Council for the 107th Session of the Congress.

July 18, 2001.—Oversight Hearing on Tribal Good Governance Practices and Economic Development.

July 24, 2001.—Business Meeting to markup S. 87, S. 91, S. 746.

July 24, 2001.—Hearing on S. 266, a bill to Provide for the Long-Term Leasing of Lands on the Warm Springs Reservation, and for the Approval of an Agreement Between the U.S. Department of the

Interior, the Portland General Electric Company and the Confederated Tribes of the Warm Springs Reservation.

July 25, 2001.—Oversight Hearing on the Indian Gaming Regulatory Act.

July 31, 2001.—Hearing on Indian Health Care Improvement Act Focusing on Urban Indian Health Care Programs.

107TH CONGRESS, 2D SESSION

February, 7, 2002.—Oversight Hearing on Legislative Proposals relating to the Statute of Limitations on Claims Against the United States Related to the Management of Indian Tribal Trust Fund Accounts.

February 13, 2002.—Business Meeting to markup S. 1857.

February 13, 2002.—Oversight Hearing on the Implementation of the Native American Housing Assistance and Self-Determination Act.

February 26, 2002.—Oversight Hearing on the Management of Indian Trust Funds.

*February 27, 2002.*Hearing on Rulings of the United States Supreme Court Affecting Tribal Government Powers and Authorities.

March 5, 2002.—Hearing on the President's Budget Request for Indian Programs for Fiscal Year 2003.

March 7, 2002.—Hearing on the President's Budget Request for Indian Programs for Fiscal Year 2003.

March 14, 2002.—Oversight Hearing on the President's Budget Request for Indian Programs for Fiscal Year 2003.

March 21, 2002.—Business Meeting to markup S. 214, S. 434, S. 1308.

April 3, 2002.—Field Hearing on the Three Affiliated Tribes and Standing Rock Sioux Equitable Compensation Act [Title 35 of Public Law 102-575].

April 5, 2002.—Field Hearing on Native Hawaiian Early Education, Development, and Care.

April 17, 2002.—Oversight Hearing on Subsistence Hunting and Fishing Issues in the State of Alaska.

April 24, 2002.—Legislative Hearing on S. 2017, a bill to Amend the Indian Financing Act of 1974.

April 24, 2002.—Joint Hearing with the Senate Energy and Natural Resources Committee on S. 2018, a bill to Establish the T'uf Shur Bien Preservation Trust Area Within the Cibola National Forest in the State of New Mexico to Resolve a Land Claim Involving the Sandia Mountain Wilderness, and for other purposes.

April 30, 2002.—Joint Hearing with the Senate Small Business Committee on Small Business Development in Native American Communities: Is the Federal Government Meeting its Obligations?

May 8, 2002.—Legislative Hearing on S. 343, The Indian Tribal Development Consolidated Funding Act of 2001.

*May 10, 2002.*Hearing on Implementation and Re-authorization of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

May 14, 2002.—Joint Oversight Hearing with Senate Commerce Committee on Telecommunications Issues in Indian Country.

May 22, 2002.—Legislative Hearing on S. 1340, a bill to Amend the Indian Land Consolidation Act to Provide for Indian Probate Reform.

June 4, 2002. Oversight Hearing on the Activities of Federal Agencies as they Affect Native American Sacred Sites.

June 11, 2002.—Oversight Hearing on the Branch of Acknowledgment, U.S. Department of the Interior.

June 18, 2002. Oversight Hearing on Texas Restoration Act.

June 26, 2002. Oversight Hearing on the Status of the Department of the Interior/Tribal Trust Fund Management Reform Dialog.

July 10, 2002.—Business Meeting to markup S. 210.

July 10, 2002.—Hearing on Elder Health Issues.

July 11, 2002.—Hearing on Contemporary Tribal Governments: Challenges in Law Enforcement Related to the Rulings of the U.S. Supreme Court.

July 17, 2002.—Hearing on the Protection of Native American Sacred Places.

July 18, 2002.—Business Meeting to mark-up S. 1210, S. 2711.

July 18, 2002.—Hearing on S. 2743 , a bill to Approve the Settlement of Water Rights Claims of the Zuni Indian Tribe in Apache County, Arizona, and for other purposes.

July 18, 2002.—Hearing on S. 2065, a bill to Ratify an Agreement to Regulate Air Quality on the Southern Ute Indian Reservation.

July 24, 2002.—Hearing on S. 1344, a bill to Encourage Training to Native Americans Interested in Commercial Vehicle Driving Careers.

July 25, 2002.—Hearing on the July 2, 2002 Report of the U.S. Department of the Interior to the Congress on the Historical Accounting of Individual Indian Money Accounts.

July 30, 2002.—Hearing on a Legislative Proposal of the Department of Interior/Tribal Trust Fund Reform Task Force.

July 30, 2002.—Hearing on S. 2212 , the Indian Trust Asset and Trust Fund Management and Reform Act of 2002.

August 1, 2002.—Business Meeting to markup: S. 1344, S. 2017, H.R. 2880.

August 1, 2002.—Oversight Hearing on the Interior Secretary's Report on the Hoopa Yurok Settlement Act.

August 1, 2002.—Oversight Hearing on Problems Facing Native Youth.

August 2, 2002.—Hearing on S. 958, A bill to Provide for the Use and Distribution of the Funds Awarded to the Western Shoshone Identifiable Group Under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K, and for other purposes.

September 14, 2002.—Oversight Field Hearing on the Goals and Priorities of South Dakota Tribes.

September 17, 2002.—Hearing on S. 1392, a bill to Establish Procedures for the Bureau of Indian Affairs of the Department of the Interior With Respect to Tribal Recognition.

September 18, 2002.—Hearing on H.R. 2880, Five Nations Citizens Land Reform Act.

September 24, 2002. Oversight Hearing on the Role of the Special Trustee Within the Department of the Interior.

September 25, 2002.—Business Meeting for the consideration of bills for Report to the full Senate Hearing, to Receive Testimony on the President's Appointment of Quanah Crossland Stamps to Serve As Commissioner for the Administration for Native Americans, and the Appointment of Phil Hogen to Serve as Chairman of the National Indian Gaming Commission.

September 26, 2002.—Oversight Hearing on Intra-tribal Leadership Disputes and Tribal Governance.

October 1, 2002.—Business Meeting to consider S. 2743, S. 2799, S. 2989, S. Res. 321, the Nomination of Phil Hogen to Serve As Chairman of the National Indian Gaming Commission, and the Nomination of Quannah Crossland Stamps to Serve as Commissioner of the Administration for Native Americans.

October 9, 2002.—Hearing on S. 2694, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2002.

October 10, 2002.—Hearing on S. 2986, a bill to Provide for and Approve the Settlement of Certain Land Claims of the Bay Mills Indian Community, Michigan.

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