

(ii) after authorization of the park, Mr. Coe fought tirelessly and lobbied strenuously for establishment of the park, finally realizing his dream in 1947; and

(iii) Mr. Coe accomplished much of the work described in this paragraph at his own expense, which dramatically demonstrated his commitment to establishment of Everglades National Park.

(b) PURPOSE.—It is the purpose of this Act to commemorate the vision, leadership, and enduring contributions of Marjory Stoneman Douglas and Ernest F. Coe to the protection of the Everglades and the establishment of Everglades National Park.

### SEC. 3. MARJORY STONEMAN DOUGLAS WILDERNESS.

(a) REDESIGNATION.—Section 401(3) of the National Parks and Recreation Act of 1978 (Public Law 95-625; 92 Stat. 3490; 16 U.S.C. 1132 note) is amended by striking “to be known as the Everglades Wilderness” and inserting “to be known as the Marjory Stoneman Douglas Wilderness, to commemorate the vision and leadership shown by Mrs. Douglas in the protection of the Everglades and the establishment of the Everglades National Park”.

(b) NOTICE OF REDESIGNATION.—The Secretary of the Interior shall provide such notification of the redesignation made by the amendment made by subsection (a) by signs, materials, maps, markers, interpretive programs, and other means (including changes in signs, materials, maps, and markers in existence before the date of enactment of this Act) as will adequately inform the public of the redesignation of the wilderness area and the reasons for the redesignation.

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the “Everglades Wilderness” shall be deemed to be a reference to the “Marjory Stoneman Douglas Wilderness”.

### SEC. 4. ERNEST F. COE VISITOR CENTER.

(a) DESIGNATION.—Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-7) is amended by adding at the end the following new subsection:

“(f) ERNEST F. COE VISITOR CENTER.—On completion of construction of the main visitor center facility at the headquarters of Everglades National Park, the Secretary shall designate the visitor center facility as the ‘Ernest F. Coe Visitor Center’, to commemorate the vision and leadership shown by Mr. Coe in the establishment and protection of Everglades National Park.”.

### SEC. 5. CONFORMING AND TECHNICAL AMENDMENTS.

Section 103 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-7) is amended—

(1) in subsection (c)(2), by striking “personally-owned” and inserting “personally-owned”; and

(2) in subsection (e), by striking “VISITOR CENTER” and inserting “MARJORY STONEMAN DOUGLAS VISITOR CENTER”.

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, I rise in full support of S. 931 and urge its adoption. Mr. DEUTSCH of Florida and Mr. GOSS from Florida introduced very similar legisla-

tion in the form of H.R. 136 in the House. The Subcommittee on National Parks and Public Lands held hearings on that legislation, and it is supported on a broad bipartisan basis by the Florida delegation, the administration, and many conservation organizations. I am pleased to support this legislation on the House floor and am pleased that we will be sending S. 931 to the President for his signature.

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. First of all, Mr. Speaker, I want to commend the gentleman from Utah, the chairman of the Subcommittee on National Parks and Public Lands, for his leadership and especially for his being here managing this piece of legislation.

Mr. Speaker, Senate bill 931 is the Senate companion measure to House bill H.R. 136 introduced by my colleague, the gentleman from Florida [Mr. DEUTSCH], who has been a strong advocate for this legislation. H.R. 136 was favorably reported by the Committee on Resources, and we are bringing the Senate-passed bill to the floor to expedite consideration.

This is truly a noncontroversial matter, and I am glad to see the House considering this bill so it can be sent to the President for his signature.

When the Committee on Resources held a hearing on this legislative initiative, the administration of the National Park Service strongly supported the legislation which would name the Everglades Wilderness and Visitor Center after two individuals who have long and distinguished association with the Everglades National Park. Marjory Stoneman Douglas was a tireless advocate of the Everglades for many years, and it is fitting to recognize her work in protecting this unique ecosystem. Likewise, Ernest F. Coe is considered the father of Everglades National Park, and the bill honors his work by naming the visitor center for him.

With that said, Mr. Speaker, I support the legislation, and I urge my colleagues for their approval and adoption by this Chamber.

Mr. DAVIS of Florida. Mr. Speaker, I rise in strong support of S. 931, legislation to commemorate two individuals whose work and dedication were instrumental in establishing the Everglades National Park, one of our Nation's natural treasures. The legislation before us today is nearly identical to H.R. 136, of which I am a proud cosponsor.

This year, citizens throughout Florida, and indeed our Nation, celebrate the 50th anniversary of the Everglades National Park. Over the past five decades, our knowledge and appreciation for the tremendous resources, so critical to the environmental health and quality of life in our State, have deepened in large part to the two individuals commemorated in this legislation: Marjory Stoneman Douglas and Ernest F. Coe.

Through Mrs. Douglas' trailblazing book entitled “The Everglades: River of Grass,” Floridians were first alerted to the fragile nature of the Everglades ecosystem and the degree to which we are all dependent upon its continued health and protection. Since publication of the book in 1947, Mrs. Douglas has fought tirelessly in defense of the Everglades and now at the age of 107, she will be honored through this legislation designating 1.3 million acres within the park as the “Marjory Stoneman Douglas Wilderness.”

In addition, this bill will honor the “Papa of the Everglades National Park,” Ernest F. Coe, by naming the park's main visitor center after him. Mr. Coe's leadership was the driving force behind the establishment of the park and it was his vision which has inspired the preservation of the diverse ecosystem for future generations.

Mr. Speaker, as we celebrate the 50th anniversary of the Everglades National Park it is fitting that we commemorate the valuable service of Mrs. Douglas and Mr. Coe and I urge all my colleagues to support this legislation.

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

Mr. HANSEN. Mr. Speaker, I have no further speakers on this, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, 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 Senate bill, S. 931.

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

A motion to reconsider was laid on the table.

### GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on S. 931.

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

There was no objection.

### NATIONAL WILDLIFE REFUGE SYSTEM VOLUNTEER AND COMMUNITY PARTNERSHIP ACT OF 1997

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1856) to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each United States Fish and Wildlife Service region, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1856

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “National Wildlife Refuge System Volunteer and Community Partnership Act of 1997”.

**SEC. 2. VOLUNTEERS AND COMMUNITY PARTNERSHIPS FOR WILDLIFE.**

(a) PROMOTION OF VOLUNTEERS AT NATIONAL WILDLIFE REFUGES.—Section 7(b)(2) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(b)(2)) is amended by adding at the end the following: "Any gift or bequest made for the benefit of a particular national wildlife refuge or complex of refuges shall be disbursed only for the benefit of that refuge or complex of refuges."

(b) AWARDS AND RECOGNITION FOR VOLUNTEERS.—Section 7(c)(2) of that Act (16 U.S.C. 742f(c)(2)) is amended—

(1) by inserting "awards and recognition," after "lodging,"; and

(2) by inserting "without regard to their place of residence" after "volunteers".

(c) VOLUNTEER AND COMMUNITY PARTNERSHIP ENHANCEMENT.—Section 7 of that Act (16 U.S.C. 742) is amended by adding at the end the following:

"(d) VOLUNTEER AND COMMUNITY PARTNERSHIP ENHANCEMENT.—(1) The purposes of this subsection are the following:

"(A) To encourage the use of volunteers in the National Wildlife Refuge System.

"(B) To facilitate partnerships between the National Wildlife Refuge System and partner organizations.

"(C) To promote participation by individuals, organizations, and communities in understanding and conserving the fish and wildlife resources, lands, and facilities of the National Wildlife Refuge System.

"(D) To enhance the availability of interpretive and educational materials and services for the enjoyment of visitors to national wildlife refuges.

"(2) Subject to the availability of appropriations, the Secretary of the Interior shall conduct a pilot project at 1 national wildlife refuge in each United States Fish and Wildlife Service region, under which the Secretary shall employ a full-time volunteer coordinator for each refuge.

"(3)(A) Subject to the compatibility requirements of the National Wildlife Refuge System Administration Act of 1966 and this paragraph, the Secretary of the Interior may enter into a cooperative agreement (as that term is used in chapter 63 of title 31, United States Code) with any partner organization, academic institution, or State or local government organization, for the conduct of a project on a national wildlife refuge, under which—

"(i) there will be provided enhanced opportunities for private citizens to volunteer with a national wildlife refuge in their local communities and contribute to stewardship of the resources on that refuge;

"(ii) a partner organization, academic institution, or State or local government organization will develop, produce, publish, distribute, or sell educational materials and products pertaining to a national wildlife refuge approved by the Secretary, under conditions specified by the Secretary;

"(iii) a partner organization, academic institution, or State or local government organization will construct, maintain, operate, or improve a facility on a national wildlife refuge necessary for the sale or distribution of educational materials, products, programs, and services pertaining to national wildlife refuges;

"(iv) a partner organization, academic institution, or State or local government organization will provide visitor services, facilities, or activities within a national wildlife refuge, under terms that require that the net profits from such services, facilities, or activities shall be used exclusively for projects and programs that benefit the refuge and are consistent with the purposes for which it was established; or

"(v) there will be carried out within a national wildlife refuge, on a Federal/non-Fed-

eral cost sharing basis, habitat restoration and improvement, biological monitoring, research, public education and recreation, construction of facilities, or other projects.

"(B) Any Federal funds used to fund a project under a cooperative agreement under this paragraph—

"(i) may be used only for expenses directly related to the project; and

"(ii) may not be used for operation or administration of any non-Federal entity.

"(C) A partner organization, academic institution, or State or local government organization shall not receive preferential treatment in any application process to provide visitor services, products, or facilities in a national wildlife refuge.

"(D) Any facility or permanent improvement constructed pursuant to this subsection shall be the property of the United States Government.

"(4)(A) Amounts received by the Secretary of the Interior as a result of activities under paragraph (3) shall be deposited in a separate account in the Treasury.

"(B) Amounts in the account referred to in subparagraph (A) that are attributable to activities at a particular national wildlife refuge or complex of refuges shall be available to the Secretary of the Interior without further appropriation—

"(i) for materials, training, and other uses related to volunteer activities at the refuge or complex of refuges; or

"(ii) to carry out cooperative agreements under this subsection applicable to the refuge or complex of refuges.

"(5) For the purposes of this subsection, the term 'partner organization' means an organization—

"(A) the mission of which is to promote understanding and conservation of the fish and wildlife, cultural, or historic resources of a particular national wildlife refuge or a complex of related national wildlife refuges;

"(B) that draws its membership primarily from communities near that refuge or complex of related national wildlife refuges; and

"(C) that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code.

"(6) In addition to amounts available under paragraph (4)(B), there are authorized to be appropriated to the Secretary of the Interior for each of fiscal years, 1998, 1999, 2000, 2001, 2002, and 2003—

"(A) \$1,000,000 for carrying out activities under this subsection and subsection (c); and

"(B) \$1,050,000 for pilot projects under paragraph (2) among the United States Fish and Wildlife Service Regions."

(d) CONFORMING AMENDMENT.—Section 7(c)(6) of that Act (16 U.S.C. 742f(c)(6)) is amended by striking "\$100,000 for the Secretary of the Interior and".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

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

Mr. SAXTON. Mr. Speaker, as the author of H.R. 1856, I am pleased to present the House of Representatives the National Wildlife Refuge System Community Partnership Act.

The U.S. Fish and Wildlife Service has a very successful program to en-

courage volunteer activities at the national wildlife refuge and other service field stations. Last year, for example, over 25,000 volunteers donated nearly \$11 million worth of services, ranging from staffing of visitor centers to hunter safety classes to operating heavy equipment. I introduced this bill after a field hearing at the Edwin B. Forsythe National Wildlife Refuge in my district in New Jersey that addressed a large number of maintenance backlog issues.

Mr. Speaker, I urge an aye vote on H.R. 1856.

Mr. Speaker, as the author of H.R. 1856, I am pleased to present to the House of Representatives the National Wildlife Refuge System Community Partnership Act.

The U.S. Fish and Wildlife Service has a very successful program to encourage volunteer activities at National Wildlife Refuges and other Service field stations. Last year, for example, over 25,000 volunteers donated nearly \$11 million worth of services, ranging from staffing visitor centers, to hunter safety classes, to operating heavy equipment.

I introduced this bill after a field hearing at the Edwin B. Forsythe National Wildlife Refuge in my district in New Jersey that addressed the large maintenance backlog at refuges. We heard from several local volunteer conservation groups who pointed out some problems with the existing volunteer program. This bill is intended to solve these problems.

First of all, the biggest obstacle to improving the volunteer program is a shortage of staff at refuges. We can't expect refuge employees who have full-time operation and maintenance duties to also donate all of their weekends to working with volunteer groups. H.R. 1856 would address this problem by establishing pilot projects at seven refuges for the purpose of hiring full-time volunteer coordinators. This will make it much easier for the Service and conservation groups to work together for the benefit of refuges.

Second, H.R. 1856 makes it easier for interested individuals and groups to donate money or services to refuges. It would ensure that gifts to a particular refuge will actually go to that refuge, instead of disappearing into a nationwide account.

Third, the bill will allow refuge managers to enter into cooperative agreements with local conservation groups to conduct projects on refuges. Again, these provisions are designed to make it easier for refuge managers to cooperate with local organizations. For example, if a volunteer group were interested in constructing a wildlife observation tower or other improvement at a refuge, this section would allow the refuge manager to contribute materials or staff assistance to the project.

All of these provisions are designed to make it easier for volunteers who are interested in helping to conserve fish and wildlife to contribute their skills and enthusiasm to our National Wildlife Refuges. Many of my colleagues have worked hard this year to improve Refuge operations and maintenance through the appropriations process, and to enact the National Wildlife Refuge System Improvement Act, which was signed into law on October 9th. However, it is the thousands of volunteers who directly donate their time and energy who really make the difference on the ground. By making it easier for them, this bill will enhance

an already successful program and ultimately benefit fish and wildlife conservation throughout the National Wildlife Refuge System.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I rise in support of the legislation, but also today, Mr. Speaker, we recognize two luminaries who ignited the movement to preserve one of America's greatest national treasures, the Florida Everglades.

I think most Americans know that the Everglades is an ecosystem in serious jeopardy. Decades of well intentioned but misguided human intervention have pushed the Everglades to the brink of extinction. While the pride of the Everglades is accepted as common knowledge today, this was not always the case. It took years of tireless campaigning by a few early leaders to raise public awareness to the appropriate level.

Mr. Speaker, today we consider legislation which recognizes the contributions of two of those early leaders who first led the charge to save the Everglades. The bill before us and the House companion bill, supported by 12 members of the Florida delegation, designates the Marjory Stoneman Douglas Wilderness and the Ernest Coe Visitor Center.

Ernest Coe is widely recognized as the father of Everglades National Park. In 1928 he organized a tropical Everglades National Park Association. As a landscape architect, Mr. Coe's vision for the park recognized the need to protect south Florida's diverse wildlife and habitats for future generations. His leadership and selfless devotion to commitment to achieving this vision culminated in the authorization of Everglades National Park by Congress in 1934 and its dedication by President Truman in 1947. Senate 931 dedicates the park's main visitor center in memory of Mr. Coe to remind visitors of his devotion to the Everglades.

The legislation also honors a person who is probably most identified with the Everglades, Marjory Stoneman Douglas. In 1947, Marjory Stoneman Douglas wrote a landmark book on Florida's largest wetland ecosystem, "The Everglades, River of Grass." This pioneering work was the first to highlight the plight of the Everglades and ultimately served to weigh upon public interest in restoring its health.

Professional journalist and author, Mrs. Douglas went on to lead many battles in defense of the Everglades. In 1994, President Clinton awarded her the Medal of Freedom, America's highest civilian honor. Considering her extraordinary accomplishments, it should come as no surprise that Mrs. Douglas is still going strong today at age 107. The legislation designates 1.3 million acres in Everglades National Park as Marjory Stoneman Douglas Wilderness. It is a fitting and perma-

nent reminder by the Everglades' mightiest defender to forever treasure America's greatest tropical ecosystem.

Like so many Everglades accomplishments, this legislation has an entire delegation. I would especially like to thank the gentleman from Florida's southwest coast [Mr. GOSS], who has been the primary original cosponsor for two Congresses, and Florida's Senators, the sponsors of the bill before us today.

Mr. Speaker, our timing is also appropriate because the park is celebrating its 50th anniversary this year. I can say with confidence that the park would not have made it this far without Ernest Coe and Marjory Stoneman Douglas.

So as we look forward to the next 50 years, let us remember the contributions of those who made everything possible today. As a resident of south Florida in terms of both my children and my parents and hopefully grandchildren into the future, there are no words or no deeds that we can do that can thank these two people in specifics in terms of their work, in terms of quality of life in south Florida, so I urge the support of the bill today.

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. Chairman, I rise in strong support of H.R. 1856. The bill was unanimously reported from the Committee on Resources, and the amendments before the House improves its benefits to wildlife even more. The bill's chief sponsor, the gentleman from New Jersey, and also chairman of the subcommittee, has done a yeoman service for wildlife in this country by introducing this legislation by expeditiously bringing it before the House.

The amendment does three things. It promotes volunteer programs in wildlife refuges, it protects wildlife habitat by reauthorizing the highly successful North American Wetlands Conservation Act, and it improves the management of nongame species of wildlife by reauthorizing a program of Federal matching grants for such activities.

Mr. Speaker, this bill is about protecting wildlife habitat and enhancing the management of both game and nongame wildlife. We have long since reached a point where government cannot provide all the know-how and resources adequately to protect our wildlife. By establishing a pilot program to encourage partnerships between wildlife refuges and private organizations, we create a win-win situation for wildlife. Local citizens get an opportunity to gain firsthand experience with wildlife while enjoying the simple pleasure of volunteer service. For their part wildlife refuges get expertise from the local community as well as goods and services which would not otherwise be available to them.

Mr. Speaker, in the 7 years of its existence, the North American Wetlands Act has resulted in the protection of more than 10 million acres of wetlands in the United States, Canada, and Mexico. Two hundred and eight million dollars in government funds for this voluntary, nonregulatory program has been matched by more than \$420 million in non-Federal funds, conserving valuable habitat for migratory birds and many nonmigratory species as well.

Lastly, the amendment reauthorizes the Partnerships for Wildlife Act which provides matching grants for nongame wildlife conservation and appreciation. A permanent source of funding like we have for sport fish and game conservation is sorely needed for nongame species. The States currently estimate their unmet needs for nongame management and conservation at over \$300 million annually.

I hope that we have the opportunity to give permanent funding for nongame species serious consideration next session. In the meantime, we will continue doing what we can for nongame species under the Partnerships for Wildlife program. This legislation is sound, to benefit wildlife throughout through nonregulatory programs that leverage scarce Federal resources, and, Mr. Speaker, I also would like to commend the gentleman from Hawaii, the ranking member of this subcommittee, for his contribution to this piece of legislation.

I urge my colleagues for their adoption and support of this bill.

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

Mr. SAXTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in support of S. 931, a bill which honors two south Floridian conservation pioneers, Ernest Coe and Marjory Stoneman Douglas. S. 931 names the main visitor center at the Everglades National Park the Ernest F. Coe Visitor Center and designates 1.3 million acres in the park as the Marjory Stoneman Douglas Wilderness.

Ernest Coe, widely recognized as the father of the Everglades National Park, labored for more than 20 years with a single-minded determination to create a national park for the protection of the birds, panthers, and hundreds of other species of wildlife indigenous to Florida.

Almost 70 years ago, Coe presaged the societal pressures which would have threatened this unique habitat and made the designation of the park his purpose in life. Floridians owe him a debt of gratitude, and, indeed, the entire Nation does.

This bill also honors Marjory Stoneman Douglas. So much has been written about this woman's incredible life. Ms. Douglas has achieved near legendary status. At 107 years old, Ms. Douglas remains the single greatest

icon of Everglades restoration and a true south Florida treasure.

□ 1630

Although it is difficult to conceive in 1997, the Everglades before World War II was considered by most to be a worthless swamp and a hindrance to development and industry. Ms. Douglas was among the first to suggest that the Federal Government's construction programs to drain and redirect the river of grass might upset the natural cycles on which the whole south Florida ecosystem relies. Thanks to Ms. Douglas' foresight, this ecological treasure is now protected in perpetuity.

Mr. Speaker, on the eve of the golden anniversary of the founding of the Everglades National Park, I urge my colleagues to support the bill.

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

Again, I want to commend the gentleman from Hawaii [Mr. ABERCROMBIE], who is necessarily absent this afternoon, for his comanagement of this piece of legislation, and I want to commend him for his service and contributions to making this bill possible to be brought before the floor for consideration.

At this time I have no additional speakers, Mr. Speaker, and I yield back the balance of my time.

Mr. SAXTON. Mr. Speaker, the gentleman from American Samoa correctly points out the important role that the gentleman from Hawaii [Mr. ABERCROMBIE] played in developing and getting this bill to the floor. So I would like to thank him myself for his support of the National Wildlife Refuge System Volunteer and Community Partnership Acts of 1997.

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

The SPEAKER pro tempore (Mr. KINGSTON). 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. 1856, 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 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### PROVIDING FOR THE DIVISION, USE, AND DISTRIBUTION OF JUDGMENT FUNDS OF OTTAWA AND CHIPPEWA INDIANS

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1604) to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of

Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission, as amended.

The Clerk read as follows:

H.R. 1604

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

#### SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. Findings; purpose.
- Sec. 3. Definitions.
- Sec. 4. Division of funds.
- Sec. 5. Development of tribal plans for use or distribution of funds.
- Sec. 6. Preparation of judgment distribution roll of descendants.
- Sec. 7. Plan for use and distribution of Bay Mills Indian Community funds.
- Sec. 8. Plan for use of Sault Ste. Marie Tribe of Chippewa Indians of Michigan funds.
- Sec. 9. Plan for use of Grand Traverse Band of Ottawa and Chippewa Indians of Michigan funds.
- Sec. 10. Payment to newly recognized or reaffirmed tribes.
- Sec. 11. Treatment of funds in relation to other laws.
- Sec. 12. Treaties not affected.

#### SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Judgments were rendered in the Indian Claims Commission in dockets numbered 18-E, 58, and 364 in favor of the Ottawa and Chippewa Indians of Michigan and in docket numbered 18-R in favor of the Sault Ste. Marie Tribe of Chippewa Indians.

(2) The funds Congress appropriated to pay these judgments have been held by the Department of the Interior for the beneficiaries pending a division of the funds among the beneficiaries in a manner acceptable to the tribes and descendency group and pending development of plans for the use and distribution of the respective tribes' share.

(3) The 1836 treaty negotiations show that the United States concluded negotiations with the Chippewa concerning the cession of the upper peninsula and with the Ottawa with respect to the lower peninsula.

(4) A number of sites in both areas were used by both the Ottawa and Chippewa Indians. The Ottawa and Chippewa Indians were intermarried and there were villages composed of members of both tribes.

(b) PURPOSE.—It is the purpose of this Act to provide for the fair and equitable division of the judgment funds among the beneficiaries and to provide the opportunity for the tribes to develop plans for the use or distribution of their share of the funds.

#### SEC. 3. DEFINITIONS.

For purposes of this Act the following definitions apply:

(1) The term "judgment funds" means funds appropriated in full satisfaction of judgments made in the Indian Claims Commission—

(A) reduced by an amount for attorneys fees and litigation expenses; and

(B) increased by the amount of any interest accrued with respect to such funds.

(2) The term "dockets 18-E and 58 judgment funds" means judgment funds awarded in dockets numbered 18-E and 58 in favor of the Ottawa and Chippewa Indians of Michigan.

(3) The term "docket 364 judgment funds" means the judgment funds awarded in docket numbered 364 in favor of the Ottawa and Chippewa Indians of Michigan.

(4) The term "docket 18-R judgment funds" means the judgment funds awarded in docket numbered 18-R in favor of the Sault Ste. Marie Band of Chippewa Indians.

(5) The term "judgment distribution roll of descendants" means the roll prepared pursuant to section 6.

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

#### SEC. 4. DIVISION OF FUNDS.

(a) DOCKET 18-E AND 58 JUDGMENT FUNDS.—The Secretary shall divide the docket 18-E and 58 judgment funds as follows:

(1) The lesser of 13.5 percent and \$9,253,104.47, and additional funds as described in this section, for newly recognized or reaffirmed tribes described in section 10 and eligible individuals on the judgment distribution roll of descendants.

(2) 34.6 percent to the Sault Ste. Marie Tribe of Chippewa Indians of Michigan and the Bay Mills Indian Community, of which—

(A) the lesser of 35 percent of the principal and interest as of December 31, 1996, and \$8,313,877 shall be for the Bay Mills Indian Community; and

(B) the remaining amount (less \$161,723.89 which shall be added to the funds described in paragraph (1)) shall be for the Sault Ste. Marie Tribe of Chippewa Indians of Michigan.

(3) 17.3 percent (less \$161,723.89 which shall be added to the funds described in paragraph (1)) to the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan.

(4) 17.3 percent (less \$161,723.89 which shall be added to the funds described in paragraph (1)) to the Little Traverse Bay Bands of Odawa Indians of Michigan.

(5) 17.3 percent (less \$161,723.89 which shall be added to the funds described in paragraph (1)) to the Little River Band of Ottawa Indians of Michigan.

(6) Any funds remaining after distribution pursuant to paragraphs (1) through (5) shall be divided and distributed to each of the recognized tribes listed in this subsection in an amount which bears the same ratio to the amount so divided and distributed as the distribution of judgment funds pursuant to each of paragraphs (2) through (5) bears to the total distribution under all such paragraphs.

(b) DOCKET 364 JUDGMENT FUNDS.—The Secretary shall divide the docket 364 judgment funds as follows:

(1) The lesser of 20 percent and \$28,026.79 for newly recognized or reaffirmed tribes described in section 10 and eligible individuals on the judgment distribution roll of descendants.

(2) 32 percent to the Sault Ste. Marie Tribe of Chippewa Indians of Michigan and the Bay Mills Indian Community, of which—

(A) 35 percent shall be for the Bay Mills Indian Community; and

(B) the remaining amount shall be for the Sault Ste. Marie Tribe of Chippewa Indians of Michigan.

(3) 16 percent to the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan.

(4) 16 percent to the Little Traverse Bay Bands of Odawa Indians of Michigan.

(5) 16 percent to the Little River Band of Ottawa Indians of Michigan.

(6) Any funds remaining after distribution pursuant to paragraphs (1) through (5) shall be divided and distributed to each of the recognized tribes listed in this subsection in an amount which bears the same ratio to the amount so divided and distributed as the distribution of judgment funds pursuant to each of paragraphs (2) through (5) bears to the total distribution under all such paragraphs.

(c) DOCKET 18-R JUDGMENT FUNDS.—The Secretary shall divide the docket 18-R judgment funds as follows:

(1) 65 percent to the Sault Ste. Marie Tribe of Chippewa Indians of Michigan.