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REMEMBERING RABBI JOSEPH  
WEINBERG

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mrs. CAPPS. Mr. Speaker, this weekend, the nation lost one of its foremost religious and spiritual leaders, Rabbi Joseph P. Weinberg. Rabbi Weinberg served for over thirty years at Washington Hebrew Congregation. Throughout his exceptional career, Rabbi Weinberg distinguished himself not only for his Jewish scholarship and the pastoral care he devoted to his congregation, but as a champion in the fights for civil rights, racial understanding, and religious tolerance.

Rabbi Weinberg was a gracious, warm and compassionate man. He possessed both a softspoken demeanor and a fiery determination to correct the injustices of our society. Above all else, he was devoted to his family. I wish to extend my most sincere condolences to his wife Marcia, his children Rachel, Johathan, Josh, their spouses, and his grandchildren.

Mr. Speaker, I submit for our colleagues an article about Rabbi Weinberg that was published in the Washington Post. This article reports on Rabbi Weinberg's final Rosh Hashanah sermon, delivered last month with the help of his children. Using Tolstoy's famous journal entry, "Still Alive," Rabbi Weinberg said:

"Dear congregants, children and grandchildren,

It is Rosh Hashanah . . . and we are still here.

Still alive—to stand for causes that are just.

Still alive—to stand in solidarity with others.

Still alive—to bear witness to the majesty of the human soul.

Still alive! Still alive!"

Indeed, Mr. Speaker, Rabbi Joseph P. Weinberg is still alive. He may no longer be physically among us, but his spirit and legacy live on.

[From the Washington Post, Oct. 17, 1999]

RABBI JOSEPH P. WEINBERG DIES AT 62

(By Caryle Murphy)

Joseph P. Weinberg, 62, senior rabbi at Washington Hebrew Congregation, who had been active in interracial and civil rights efforts since the 1960s, died at his Potomac home Friday night after battling brain cancer for more than a year.

Rabbi Weinberg, who was known for his concern for social issues, had served for 31 years at Washington Hebrew, the city's oldest Jewish congregation and the largest Reform congregation in the Washington area. For many of its thousands of members as well as many others in the community at large, he was the human symbol of the congregation.

His death came a little more than a month after the rabbi delivered an emotional farewell sermon on Rosh Hashanah, the Jewish New Year and one of the holiest days in the Jewish calendar.

With the help of his three children, who each read portions of the sermon, Weinberg told a packed sanctuary he had just learned that he must "battle anew with my pesky invader" but wanted "to have Rosh Hashanah as usual."

He said the holiday was a reminder of "God's great gift to us . . . the precious gift of time," which is "ours to fill wisely, joyfully, completely." The ailing rabbi told his congregants to rejoice that "we are still here. Still alive, to stand for causes that are just . . . to bear witness to the majesty of the human soul. Still alive!"

The Sept. 11 sermon was the first time many in the congregation realized "what was really happening as far as his health was concerned," recalled Kenneth Marks, president of the Northwest Washington congregation. "The mood was quite emotional.

"Joe Weinberg and the congregation were one and the same, basically," Marks added. "What can you say when you lose someone who meant so much? This is the most compassionate man you ever met in your life. He always wanted to do good, and he always had time for you."

Weinberg's brain cancer was diagnosed in March 1998, and he underwent surgery twice, his wife, Marcia Weinberg, said yesterday. On Friday evening, the family had gathered for the traditional Shabbat prayers, and Weinberg, his wife recalled, "left us while the candles were still burning."

Since his arrival in Washington in 1968—a time when the city was wracked by racial riots and anti-war protests—Weinberg played a leading role in efforts to improve racial relations and fight poverty. He helped organize Ya'chad, a Jewish organization promoting affordable city housing, and Carrie Simon House, a transitional home for unmarried mothers in Northwest Washington, which is supported by Washington Hebrew.

Weinberg also was a moving force behind his congregation's annual service held jointly with local African American churches to honor the legacy of the Rev. Martin Luther King Jr. on the Jewish Sabbath right before King's national holiday.

Marcia Weinberg, 61, said her husband had been deeply affected by his experiences when he marched with King in the historic civil rights march in Selma, AL, in 1965. Then a young rabbi, Weinberg was arrested twice.

"It was an important moment for him as a human being and as a rabbi," she said. "Joseph was very motivated by social action."

Weinberg was born in Chicago in 1937. His mother, Helen Joy Weinberg, was an artist, and his father, Alfred, a businessman. In 1938, as the Nazi menace was threatening European Jewry, Alfred Weinberg returned to his native Germany to bring his parents and several other family members to the United States.

After graduating from Northwestern University in 1958, Joseph Weinberg immediately entered seminary at Hebrew Union College-Jewish Institute of Religion in Cin-

cinnati. After his ordination in 1963, he served as assistant rabbi at a San Francisco congregation before coming to Washington.

Weinberg, who also was a fervent supporter of Israel and campaigned for years to help Soviet Jews emigrate, became senior rabbi at Washington Hebrew in 1986. He was only the fifth rabbi to hold that position since the Reform congregation was founded in 1952.

The original congregants held services in their homes until they purchased a building site in the 800 block of Eighth Street NW. in Chinatown. There, they built their first synagogue, which they sold 58 years later. Today, the former temple, which still has the Star of David in its stained-glass windows, is home to Greater New Hope Baptist Church.

Washington Hebrew, with a membership of more than 3,000 families, is now located on Macomb Street NW. Funeral services for Weinberg will be held at the congregation tomorrow at 1 p.m.

In addition to his wife, Weinberg is survived by a sister, Judith Adler, 66 of Seattle; a daughter, Rachel Weinberg of Arlington; two sons, Jonathan Weinberg of Potomac and Josh Weinberg of Bethesda; and four grandchildren.

INTRODUCTION OF A BILL TO  
AMEND THE ALASKA NATIVE  
CLAIMS SETTLEMENT ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 18, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing legislation that would address several matters of concern to Alaska Natives through amendments to the Alaska Native Claims Settlement Act (ANCSA) of 1971.

As my colleagues know, ANCSA was enacted in 1971, stimulated by the need to address Native land claims as well as the desire to clear the way for the construction of the Trans-Alaska Pipeline and thereby provide our country with access to the petroleum resources of Alaska's North Slope. As the years pass, issues arise which require amending that act. The Resources Committee as a matter of course routinely considers such amendments and brings them before the House.

The bill has three provisions. One of the provisions would restore 50,000 acres back to the village of Elim. The Norton Bay Reservation (later referred to as Norton Bay Native Reserve) was formally established in 1917 by an Executive Order and comprised approximately 350,000 acres of land for use of the U.S. Bureau of Education and the Natives of Indigenous Alaskan race. It is located approximately 110 miles southeast of Nome, Alaska along the shoreline of Norton Bay Reservation. Some of the burial grounds were mass graves of Natives who succumbed to epidemics of disease brought into the Eskimo culture by non-Natives. Today, Elim is home to about 300 Alaska Natives and a small number of non-Natives who live and work in the village.

In 1919, Congress enacted a law requiring that any future Indian Reservations be established only by an act of Congress. In 1927, Congress passed an act which prohibited

boundary adjustments to Executive Order Reservations other than an act of Congress.

In 1929, President Herbert Hoover, by an Executive Order, reduced the size of the Elim reservation by 50,000 acres. The land was deleted from the Reservation for the benefits of others and was not offered to be restored to the original Reservation when lands comprising the Reservation were made available to the Native inhabitants of Elim under section 19(b) of the Alaska Native Claims Settlement Act of 1971. The failure to replace these lands has been and continues to be a source of deep concern to the indigenous people of Elim and until this matter is dealt with equitably, it will continue to be a source of great frustration and sense of loss among the shareholders of Elim Native Corporation and their descendants.

This bill will give the Elim Native Corporation 2 years in which to select no more than 60,000 acres depicted on the map dated August 1, 1999, and entitled Land Withdrawal Elim Native Corporation Land Restoration. It also authorizes the Elim Native Corporation to select and receive title to 50,000 acres of lands within the boundary of the lands described on the map. The Secretary is further authorized and directed to receive and adjudicate a selection application by the Elim Native Corporation, and to convey the surface and subsurface estate in the selected lands to the Elim Native Corporation subject to rules, conditions and limitations outlined in this bill.

I am attaching copies of two letters (with my statement) from two individuals who support the restoration of 50,000 acres to the people of Elim. The first letter is from Mr. Donald C. Mitchell, Attorney at Law. Mr. Mitchell, over the course of 20 years, has worked on amendments to the Alaska Native Claims Settlement Act (ANCSA) and has written a book regarding the history of the ANCSA. The second letter is from Mr. Rick Steiner, Director of The Coastal Coalition, a highly respected conservation group in Alaska. Their letters simply state a brief outline of support for the restoration of 50,000 acres to the people of Elim.

Another provision of this bill would allow shareholder stock to be transferred to adopted Alaska Native children and to their descendants.

Another provision would amend the definition of a "settlement trust" under ANCSA.

This bill is the result of the work of the Alaska Federation of Natives, Elim Native Corporation and myself to restore 50,000 acres back to the Native peoples of Elim. The legislative language changes within the bill were revised with the technical assistance of the Department of the Interior.

DONALD C. MITCHELL,  
ATTORNEY AT LAW,  
Anchorage, AK, October 8, 1999.

Re: Section 7 of H.R. 3013 (Elim Native Corporation Amendment).

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

Hon. GEORGE MILLER,  
Ranking Member, Committee on Resources, Longworth Building, House of Representatives, Washington, DC.

DEAR REPRESENTATIVES YOUNG and MILLER: On October 5, 1999 Mr. Young introduced, and the Committee on Resources was

referred, H.R. 3013, the Alaska Native Claims Technical Amendments of 1999.

In 1971 when it settled Alaska Native land claims by enacting the Alaska Native Claims Settlement Act (ANCSA) the 92d Congress determined that social and economic justice required that Alaska Natives who resided in a village located within the boundaries of a reservation that had been established for their benefit should be afforded an opportunity to select, and to be conveyed legal title to, all public land located within the reservation's boundaries.

The Inupiat residents of the village of Elim took advantage of that opportunity, and the Secretary of the Interior conveyed the Elim Native Corporation legal title to the public land located within the boundaries of the former Norton Bay Reservation, as those boundaries existed in 1971.

ANCSA was a milestone in the history of Congress's relations with Native Americans. But because it was by no means perfect, since 1971 subsequent Congresses have amended ANCSA on numerous occasions to provide Alaska Natives additional land selection opportunities when necessary to ensure that the Act achieves its objectives.

The most important of those objectives is to afford Alaska Natives social and economic justice regarding their ownership of public land they historically used and occupied.

As you know, from 1977 to 1994 I served as counsel to the Alaska Federation of Natives (AFN), which Alaska Natives organized in 1967 to lead the fight for a fair and just land claims settlement. In that capacity I over the years participated in developing a number of amendments to ANCSA that Congress enacted to ensure that the objective of affording Alaska Natives social and economic justice is achieved.

One of the most grievous cases of social and economic injustice of which I became aware during my tenure as AFN's counsel was the caprice with which representatives of the federal executive in 1929 diminished the land rights of the Inupiat residents of the village of Elim by adjusting the boundary of the Norton Bay Reservation without their knowledge or consent.

The facts regarding that situation are well-known and uncontroverted. During my tenure at AFN I and others on several occasions attempted to bring the Elim situation to Congress's attention, but we were no successful. As a consequence, I am delighted to find that section 7 of H.R. 3013 attempts to remedy the injustice that was inflicted on the Inupiat residents of Elim in 1929 when the boundary of the Norton Reservation was unfairly, and in my view unlawfully, modified. For that reason, I would respectfully, but strongly, urge you and other members of the Committee on Resources to favorably report section 7 of H.R. 3013 to the U.S. House of Representatives, either as part of H.R. 3013, or as a stand-alone bill.

Sincerely,

DON MITCHELL.

THE COASTAL COALITION,  
Anchorage, AK, October 8, 1999.

Re: Elim Native Corporation Land Restoration proposal

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

DEAR GENTLEMEN, I just wanted to offer a few words in support of the proposal before your committee to return to the Elim Corporation 50,000 acres of land that had been deleted in 1929 by Executive Order.

It is my understanding from the history of this issue that the deletion by Executive Order from the Norton Bay Reservation was the result of a concerted effort by non-Natives to gain access to the area for commercial purposes such as fur farming, prospecting and mining. The deletion from the Reservation seemed to be yet another profound injustice perpetrated on Alaska Natives. Apparently, Elim people weren't even consulted regarding this deletion.

In my many years living in and working in northwest Alaska, I visited Elim several times, and they were always some of the kindest, most accommodating people I had the opportunity to work with. They certainly seem to care a great deal about their land and cultural heritage.

Before your committee is a remarkable opportunity to right this wrong, and I urge you to act upon this opportunity. The return of 50,000 acres of land to the Elim shareholders seems justified not just on moral and ethical grounds, but also on the grounds of conservation and protection of valuable fish and wildlife habitat. Particularly important is the habitat along the Tubuktoolik River and its watershed.

I would hope that a protective conservation easement or other protective covenant could be included with the transfer in order to secure sustainable protection of the area well into the future. This would not only protect the lands from potentially damaging commercial activities, but would also allow Elim to develop a truly sustainable economy in the region. As the lands are held at present, there are no such protections and the area could easily fall victim to short-term activities against the desires and sentiments of the Elim people.

Returning this land to the Elim people with protective covenants is a win-win scenario, as it provides ethical redress of some rather outrageous federal activity earlier this century, conservation of the region, and opportunity for the Elim people to rebuild a sustainable economy on their land.

Thanks for your attention to this very important issue.

Sincerely,

RICK STEINER,  
Director, The Coastal Coalition.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 19, 1999 may be found in the Daily Digest of today's RECORD.