

itself when and under what circumstances a sovereign will be sued. These provisions would force Indian tribes to address, disclose, or waive their sovereign immunity in basic contracts, where a State or the Federal Government would not be required to do so.

Madam Speaker, I also note that this bill defines the term "Indian tribes" using the definition from the Indian Self-Determination and Education Assistance Act. That definition of the tribe includes, and I quote, "any Alaska native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Act." End of quote.

Senate bill 613 has no application on Alaska, and the Alaska Corporation does not possess "Indian lands" as such lands are defined in this bill. It is unfortunate that the Senate has not been more careful in the drafting of Senate bill 613. There is no reason to confuse the matters by references to tribes and the corporations in Alaska, especially since the bill has no impact or application to the State of Alaska and the treatment of the Native Alaskans.

However, Madam Speaker, since this bill does have the support of the administration and the National Congress of the American Indians, I urge support of this legislation.

Madam Speaker, I reserve the balance of my time.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the Senate bill, S. 613.

The question was taken.

Mr. SHERWOOD. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 396

Mr. BLUMENAUER. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H. Res. 396.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from Oregon?

There was no objection.

#### LOWER SIOUX INDIAN COMMUNITY LAND TRANSFER

Mr. SHERWOOD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2484) to provide that land

which is owned by the Lower Sioux Indian Community in the State of Minnesota but which is not held in trust by the United States for the Community may be leased or transferred by the Community without further approval by the United States.

The Clerk read as follows:

H.R. 2484

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

#### SECTION 1. APPROVAL NOT REQUIRED TO VALIDATE LAND TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, without further approval, ratification, or authorization by the United States, the Lower Sioux Indian Community in the State of Minnesota, may lease, sell, convey, warrant, or otherwise transfer all or any part of the Community's interest in any real property that is not held in trust by the United States for the benefit of the Community.

(b) TRUST LAND NOT AFFECTED.—Nothing in this section is intended or shall be construed to—

(1) authorize the Lower Sioux Indian Community in the State of Minnesota to lease, sell, convey, warrant, or otherwise transfer all or any part of an interest in any real property that is held in trust by the United States for the benefit of the Community; or

(2) affect the operation of any law governing leasing, selling, conveying, warranting, or otherwise transferring any interest in such trust land.

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

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

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

Madam Speaker, I rise today in support of H.R. 2484, legislation which will give the Lower Sioux Indian Community in Minnesota the right, without further approval from the Federal Government, to lease or sell land which the tribe has bought but which has not been taken into trust.

Existing Federal law enacted in 1834 provides that an Indian tribe may not lease, sell, or otherwise convey land which it has acquired unless conveyance is approved by Congress. This antiquated law applies even though the land was purchased by the tribe with its own money, and even though the land is located outside the tribe's reservation, and even though the land has never been taken into trust for the tribe.

The Lower Sioux Community has found this law to be a major detriment to economic development. The law puts the tribe at a distinct disadvantage, because it finds that it cannot develop or use land which it has acquired to its full advantage.

H.R. 2484 will allow the Lower Sioux Indian Community to use the fee land it has purchased just like any other

landowner, without having to come to Congress any time it wants to sell, lease, or even mortgage that land.

Madam Speaker, this is important to this small Minnesota tribe and I recommend its adoption.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I certainly want to commend the gentleman from Minnesota (Mr. MINGE), my good friend, for sponsoring of this legislation. This legislation would permit the Lower Sioux Indian Community in Minnesota to lease or sell certain lands the tribe currently holds in fee status without further approval by the United States Government.

This provision would apply only to lands held in fee by the tribe and not lands held in trust by the United States for the tribe's benefit.

Current law and regulations established to protect Indian lands from alienation have been, in some instances, interpreted in a very restrictive manner. The Lower Sioux Indian Community has had trouble leasing and selling land which is not held in trust but in fee status without receiving prior approval of the Secretary of the Interior. This legislation would allow the tribe to make decisions and use land it has purchased and holds in fee status in the same manner as any other landowner, without having to commit to additional congressional or Secretarial approval.

Madam Speaker, although no formal administration views have been received by us on this legislation, I have been told informally by the Bureau of Indian Affairs that they do support the legislation, provided it does deal solely with lands held in fee status.

Not all tribes have encountered problems like this, Madam Speaker, when selling or leasing fee land. However, we need to address the problems faced by the Lower Sioux Indian Community of Minnesota, and I do urge my colleagues to support this legislation.

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Mr. FALEOMAVAEGA. Madam Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. MINGE) in response to this bill.

Mr. MINGE. Madam Speaker, I would like to thank the Speaker and I would like to thank the Chair and the ranking member of the subcommittee for moving this legislation through the committee.

I would also like to report that I am familiar with the Indian tribe that is involved here, the Lower Sioux community. It is in my congressional district. It is a relatively small Indian community, Native American community; but I would like to emphasize it is