

this act will have no significant impact on the budgets of State, local, or tribal governments. In addition, the CBO found that annual maintenance spending at Mount Rainier will not notably increase, ensuring that the Park will not have to assume additional, costly responsibilities.

Mr. Speaker, H.R. 265 has broad, bipartisan support and is a critical priority not only for ensuring safe travel to the Carbon River area of Mount Rainier Park, but for providing a permanent solution to an expensive, ongoing maintenance problem for our Park personnel.

I would like to thank Chairman RADANOVICH on the National Parks Subcommittee, as well as Chairman POMBO and Ranking Member RAHALL on the full Resources Committee for their help and support in bringing this legislation to the floor for consideration. I would also like to thank the majority and minority staff on the Resources Committee for their work.

Mr. Speaker, I urge my colleagues to support this legislation to help ensure safe travel in one of our Nation's most visited and well-loved National Parks.

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

Mr. GIBBONS. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time and urge a favorable vote on this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 265, as amended.

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

A motion to reconsider was laid on the table.

#### REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2912) to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government.

The Clerk read as follows:

H.R. 2912

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

#### SECTION 1. REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.

(a) FINDINGS.—The Congress finds as follows:

(1) The Osage Tribe is a federally recognized tribe based in Pawhuska, Oklahoma.

(2) The Osage Allotment Act of June 28, 1906 (34 Stat. 539), states that the "legal membership" of the Osage Tribe includes the persons on the January 1, 1906 roll and their children, and that each "member" on that roll is entitled to a headright share in the distribution of funds from the Osage mineral estate and an allotment of the surface lands of the Osage Reservation.

(3) Today only Osage Indians who have a headright share in the mineral estate are "members" of the Osage Tribe.

(4) Adult Osage Indians without a headright interest cannot vote in Osage government elections and are not eligible to

seek elective office in the Osage Tribe as a matter of Federal law.

(5) A principal goal of Federal Indian policy is to promote tribal self-sufficiency and strong tribal government.

#### (b) REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.—

(1) MEMBERSHIP.—Congress hereby clarifies that the term "legal membership" in section 1 of the Act entitled, "An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes", approved June 28, 1906 (34 Stat. 539), means the persons eligible for allotments of Osage Reservation lands and a pro rata share of the Osage mineral estate as provided in that Act, not membership in the Osage Tribe for all purposes. Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own membership, provided that the rights of any person to Osage mineral estate shares are not diminished thereby.

(2) GOVERNMENT.—Notwithstanding section 9 of the Act entitled, "An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes", approved June 28, 1906 (34 Stat. 539), Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own form of government.

(3) ELECTIONS AND REFERENDA.—At the request of the Osage Tribe, the Secretary of the Interior shall assist the Osage Tribe with conducting elections and referenda to implement this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Texas (Mr. RODRIGUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

#### GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2912, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2912 is sponsored by the gentleman from Oklahoma (Mr. LUCAS). This legislation would put the Osage Tribe on the same footing as every other sovereign, federally recognized tribe in the United States in terms of defining its own membership criteria and its form of government.

The Committee on Resources ordered H.R. 2912 reported by unanimous consent, and the report was filed on May 19, 2004.

The Osage Tribe is the only federally recognized tribe for which a specific act of Congress, which was passed nearly 100 years ago, mandates terms of membership in the tribe, as well as its form of government.

Under the Osage Allotment Act of 1906, as interpreted by subsequent Federal court decisions, the only legal members of the Osage Tribe are the lineal descendants of those Osage persons living before July 1, 1907, who also possess what is called a "headright share."

A headright share, Mr. Speaker, is a share in the royalties from mineral development in the Osage reservation.

This has had the unfortunate result of excluding people who have a high degree of Osage blood from membership in the tribe. Even though the Osage tribal leaders want to allow such disenfranchised people to become members, the 1906 act precludes them from altering their tribe's membership criteria.

The reasons for how the 1906 act came about are complicated, and though Congress may have had its reasons for mandating membership rules for the Osage people, such reasons are no longer relevant today. Preventing the tribe from determining its membership and form of government is the exact opposite of promoting self-determination.

The Committee on Resources held a hearing within the Osage reservation on March 15, 2004. We received testimony from several witnesses with a high degree of Osage blood who are part of the Osage community in Oklahoma and whom many of the tribal members want to welcome into the tribe.

But because of the 1906 act, they are not eligible to be members of the tribe because they do not own a headright share in the Osage mineral estate. They are denied the basic benefit, as well as responsibilities, of tribal membership. Some are not eligible for certain services and benefits, such as Native American scholarships. They are prohibited by law from participating in certain rituals and ceremonial events, even though they may or might, in theory, have a higher degree of Osage blood than official members of the tribe.

It is past time to consider letting the Osage Tribe decide how to govern itself as it sees fit, providing that no one loses any property or other vested legal rights in the process. H.R. 2912 includes language to ensure that no one's interest in headright shares is touched. Headrights are private property, and there is no intent to affect them under this bill.

This bill received support from all the witnesses testifying at the hearing, including the representatives of the Osage Shareholders Association, which is comprised of individuals who have a vested interest in the mineral estate of the Osage reservation.

Again, Congress is overdue in addressing this unusual problem, and I urge passage of H.R. 2912.

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

Mr. RODRIGUEZ. Mr. Speaker, I yield myself as much time as I might consume.

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

Mr. RODRIGUEZ. Mr. Speaker, the honorable gentleman from Nevada (Mr. GIBBONS) has done a beautiful job of adequately explaining the legislation.

I would simply like to add, for almost a century now the Osage Tribe of Oklahoma has lived with a cloud over their ability to determine tribal membership roles. This is a basic right afforded all Indian tribes, and I am pleased we are here to clarify the matter for the tribe.

I would also like to commend the gentleman from Oklahoma (Mr. CARSON) for his work on behalf of the legislation during its consideration by the Committee on Resources.

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

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. LUCAS), who is the author of this bill.

Mr. LUCAS of Oklahoma. Mr. Speaker, I am here today to bring my strong support to H.R. 2912 to reaffirm the inherent sovereign rights of the Osage Tribe to determine their membership and form of government. Because of a law created in 1906 by this Congress, the Osage Tribe has not been afforded the same rights as every other federally recognized tribe. According to that law, membership in the tribe would be extended only to those who owned a share of the Osage mineral estate and their descendants. Today, there are literally thousands of Osage Indians denied the benefits of membership simply because they do not hold a share of that estate.

H.R. 2912, which I introduced in July of 2003, was designed to clarify the 98-year-old law. It is intended to put the Osage Tribe on equal footing with all other federally recognized tribes by allowing them to determine their own membership criteria and system of government, while protecting the headrights of the shareholders.

I believe most importantly it will give many Osages, many young Osages, the opportunity to take part in Indian programs that have been previously denied to them.

At a field hearing in March of this year, members of the Committee on Resources and I heard testimony from members of the Osage Tribe, as well as others involved with Indian affairs. It was clear from the warm reception that the bill received that the Osage people are prepared for the right to decide for themselves who is and who is not a tribal member.

Mr. Speaker, I am quite confident in 1906 that this body was acting in the spirit of benevolent support to protect the Osages from what was, at that time, I should say, fantastic mineral wealth within their tribal reservation. Times have changed. The oil fields are not quite what they once were. It is important, I believe, now that we allow the Osages the same rights as every other federally recognized tribe; that we allow the Osages to go forward with their tribe.

Therefore, Mr. Speaker, I urge my colleagues to vote in favor of H.R. 2912, bringing the Osage Tribe one step closer to finally receiving that right.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 2912.

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

A motion to reconsider was laid on the table.

#### NATIONAL GREAT BLACK AMERICANS COMMEMORATION ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1233) to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center, as amended.

The Clerk read as follows:

S. 1233

*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 Great Black Americans Commemoration Act of 2004".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Black Americans have served honorably in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, yet their record of service is not well known by the public, is not included in school history lessons, and is not adequately presented in the Nation's museums.

(2) The Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, a nonprofit organization, is the Nation's first wax museum presenting the history of great Black Americans, including those who have served in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, as well as others who have made significant contributions to benefit the Nation.

(3) The Great Blacks in Wax Museum, Inc. plans to expand its existing facilities to establish the National Great Blacks in Wax Museum and Justice Learning Center, which is intended to serve as a national museum and center for presentation of wax figures and related interactive educational exhibits portraying the history of great Black Americans.

(4) The wax medium has long been recognized as a unique and artistic means to record human history through preservation of the faces and personages of people of prominence, and historically, wax exhibits were used to commemorate noted figures in ancient Egypt, Babylon, Greece, and Rome, in medieval Europe, and in the art of the Italian renaissance.

(5) The Great Blacks in Wax Museum, Inc. was founded in 1983 by Drs. Elmer and Joanne Martin, 2 Baltimore educators who used their personal savings to purchase wax figures, which they displayed in schools, churches, shopping malls, and festivals in the mid-Atlantic region.

(6) The goal of the Martins was to test public reaction to the idea of a Black history wax museum and so positive was the re-

sponse over time that the museum has been heralded by the public and the media as a national treasure.

(7) The museum has been the subject of feature stories by CNN, the Wall Street Journal, the Baltimore Sun, the Washington Post, the New York Times, the Chicago Sun Times, the Dallas Morning News, the Los Angeles Times, USA Today, the Afro American Newspaper, Crisis, Essence Magazine, and others.

(8) More than 300,000 people from across the Nation visit the museum annually.

(9) The new museum will carry on the time honored artistic tradition of the wax medium; in particular, it will recognize the significant value of this medium to commemorate and appreciate great Black Americans whose faces and personages are not widely recognized.

(10) The museum will employ the most skilled artisans in the wax medium, use state-of-the-art interactive exhibition technologies, and consult with museum professionals throughout the Nation, and its exhibits will feature the following:

(A) Blacks who have served in the Senate and House of Representatives of the United States, including those who represented constituencies in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia during the 19th century.

(B) Blacks who have served in the judiciary, in the Department of Justice, as prominent attorneys, in law enforcement, and in the struggle for equal rights under the law.

(C) Black veterans of various military engagements, including the Buffalo Soldiers and Tuskegee Airmen, and the role of Blacks in the settlement of the western United States.

(D) Blacks who have served in senior executive branch positions, including members of Presidents' Cabinets, Assistant Secretaries and Deputy Secretaries of Federal agencies, and Presidential advisers.

(E) Other Blacks whose accomplishments and contributions to human history during the last millennium and to the Nation through more than 400 years are exemplary, including Black educators, authors, scientists, inventors, athletes, clergy, and civil rights leaders.

(11) The museum plans to develop collaborative programs with other museums, serve as a clearinghouse for training, technical assistance, and other resources involving use of the wax medium, and sponsor traveling exhibits to provide enriching museum experiences for communities throughout the Nation.

(12) The museum has been recognized by the State of Maryland and the city of Baltimore as a preeminent facility for presenting and interpreting Black history, using the wax medium in its highest artistic form.

(13) The museum is located in the heart of an area designated as an empowerment zone, and is considered to be a catalyst for economic and cultural improvements in this economically disadvantaged area.

#### SEC. 3. ASSISTANCE FOR NATIONAL GREAT BLACKS IN WAX MUSEUM AND JUSTICE LEARNING CENTER.

(a) ASSISTANCE FOR MUSEUM.—Subject to subsection (b), the Attorney General, acting through the Office of Justice Programs of the Department of Justice, shall, from amounts made available under subsection (c), make a grant to the Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, to be used only for carrying out programs relating to civil rights and juvenile justice through the National Great Blacks in Wax Museum and Justice Learning Center.

(b) GRANT REQUIREMENTS.—To receive a grant under subsection (a), the Great Blacks