



1-1-1984

Year-End Report of the 2d Session of the 98th Congress

United States Congress

US Senate

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Recommended Citation

US Congress, Senate. *Year-End Report of the 2d Session of the 98th Congress*. 98th Cong., 2d sess., S. Doc. 46. January 1, 1984. <https://commons.und.edu/indigenous-gov-docs/43/>.

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YEAR-END REPORT
OF THE
2D SESSION OF THE 98TH CONGRESS

SUBMITTED BY
THE HONORABLE HOWARD H. BAKER
MAJORITY LEADER
U.S. SENATE



VA Home Loan Program

Acting to avert the impending insolvency of the VA Loan Guaranty Revolving Fund, Congress approved legislation increasing the loan origination fee on VA guaranteed home loans from one-half percent to one percent of the loan amount. This measure was contained in the Deficit Reduction Act of 1984, which President Reagan signed into law as Public Law 98-369 on July 18, 1984. The increased fee will be deposited in the VA Loan Guaranty Revolving Fund rather than the Treasury as general revenue.

In a further effort to bolster the VA Loan Guaranty Program, additional funds in the total amount of \$260 million were made available to the home loan program by way of a \$100 million supplemental appropriation passed by the Congress August 10 (contained in Public Law 98-396) in addition to a transfer of \$160 million to it from other VA accounts. Also, as part of the fiscal year 1985 Omnibus Continuing Resolution, Public Law 98-473, an additional amount of \$306.6 million was included for the VA's Loan Guaranty Program.

Other Committee Activities

In addition to the legislative activities enumerated above, the Committee considered a number of other important issues including oversight of the VA's quality assurance programs, including the effectiveness of the Medical Inspector's Office and oversight of the VA's medical facility construction projects. While the Committee adopted by unanimous vote on May 24, 1984, a resolution approving 55 medical facility projects, working drawings for three projects and one medical facility lease, it went on record with a statement that the planning basis for the VA medical construction program should stress the service-connected veteran population, needy veterans and older veterans who are unlikely to have alternatives to VA care.

ACCOMPLISHMENTS OF THE SENATE SELECT COMMITTEE ON INDIAN AFFAIRS

In the 98th Congress, a total of 54 Senate bills and 14 bills enacted by the House of Representatives were referred to the Select Committee on Indian Affairs for consideration; 18 Senate bills and 7 House bills were referred in the second session of the Congress. A total of 29 bills considered by the Committee were enacted into law; the second session accounted for 17 of these bills, 8 Senate bills and 9 originating in the House of Representatives. In addition, three bills considered by the Committee were incorporated into multititle legislation reported by other Senate Committees and enacted into law.

Early in the 98th Congress, the Committee had the pleasure of moving S. 726, a bill to reauthorize Tribally Controlled Community Colleges, into law (Public Law 98-192). This legislation had been vetoed at the close of the 97th Congress. In the 98th Congress, six bills acted upon by this Committee were vetoed. One, S. 366, to settle claims of the Mashantucket Pequot in the State of Connecticut, was reintroduced in a slightly modified form as S. 1499 and

enacted into law (Public Law 98-134) on October 18, 1983. A second, S. 973, to make technical amendments to certain prior legislation, was vetoed on the basis of a nongermane amendment. It was reintroduced as S. 1530 and enacted into law (Public Law 98-250) on April 3, 1984. The most important legislative item that was subject to veto was S. 2166, to reauthorize the Indian Health Care Improvement Act, vetoed at the close of the 98th Congress.

During the 98th Congress, the Committee held field hearings on Indian health in North Dakota, Alaska, Washington, and Montana. Three hearings were held in Washington, DC. The House Committee on Interior and Insular Affairs gave similarly intense scrutiny to this issue and the bill was the subject of lively debate at conference. The veto of this legislation occurred after the close of the 98th Congress. Reauthorization of the Indian Health Care Improvement Act is clearly considered unfinished business and will be at the top of the Committee's calendar in the 99th Congress.

In addition to providing for the reauthorization of the Tribally Controlled Community Colleges and making great strides toward reauthorization of the Indian Health Care Improvement Act, the Select Committee played an important role in the second session of the 98th in securing reauthorization of the Administration for Native Americans programs at the Department of Health and Human Services and continuation of Indian Education programs at the Department of Education. Legislation was enacted to reauthorize and increase funding of loan programs for Indian economic development under the Indian Finance Act; provision was made to enhance returns on short term investment of funds held by the United States in trust for Indian tribes and their members; the claim of the Mashuntucket Pequot Tribe in Connecticut was resolved, the claim of the Shoalwater Bay Tribe in Washington was settled, and legislation to resolve, 5,000 individual claims for improper disbursements from Indian trust estates for old age assistance was enacted, thus providing inroads on the Indian statute of limitations claims.

Legislation was enacted to restore mineral interests of the Three Affiliated Tribes under the Garrison Reservoir in North Dakota; a substantial tract of land was vested in the Cochiti Pueblo in New Mexico, ending a 200 year dispute over title to the land; provision was made for acquisition of lands in Arizona that are sacred to the Zuni Pueblo; and, parcels of land were set aside for the Paiute Indians of Utah and the Las Vegas Paiute Tribe in Nevada.

Four tribes were restored to federally recognized status in Oregon; a final resolution of claims to water by the Ak-Chin Tribe in Arizona was accomplished; lands were restored to the Kaw Tribe in Oklahoma; an inheritance and land consolidation code for the Sisseton-Wahpeton Sioux Tribe of North and South Dakota was enacted; important, perfecting amendments to the Indian Land Consolidation Act were achieved; legislation to clarify Federal, State and tribal jurisdiction on the Southern Ute Reservation in Colorado was enacted; and the Committee acted on seven bills to provide for the use and distribution of judgment funds awarded Indian claimants by the Indian Claims Commission on the U.S. Claims Court.

In addition, the Committee held hearings on S. 2879, a bill to establish authority of Indian tribes to regulate strip mining and surface reclamation on Indian reservations. Oversight hearings were held on: Fiscal year 1984 and 1985 budget submissions of the Bureau of Indian Affairs, Indian health Service, and Department of Education; Indian health issues; operation of the Federal Acknowledgement Program for extension of recognition to Indian tribes; Native Hawaiian education; implementation of the Alaska Native Claims Settlement Act; issues involving Federal exchange of coal lands with private land owners and the impact of such exchanges upon Indian coal interests; and, oversight on the implementation of the Indian Child Welfare Act of 1978.

Of major importance to the Committee's work was the approval by the Senate in the second session of the 98th Congress of S. Res. 127. S. Res. 127, which at the time of passage, had some 60 cosponsors, made the heretofore temporary Select Committee on Indian Affairs a permanent Committee.

January 31

William Lee Hanley, Jr., of Connecticut, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring March 1, 1984.

February 2

William H. Taft IV, of Virginia, to be Deputy Secretary of Defense.

February 3

Mary A. Grigsby, of Texas, to be a Member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1986.

Routine list of Air Force nominations.

February 9

A.C. Arterbery, of California, to be a Member of the Board of Directors of the African Development Foundation for a term of six years.

Richard D. Erb, of Virginia, to be United States Executive Director of the International Monetary Fund for a term of 2 years.

Mary Kate Bush, of New York, to be United States Alternate Executive Director of the International Monetary Fund for a term of 2 years.

Walter Leon Cutler, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Thomas W.M. Smith, of Maine, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.

Maurice Lee Barksdale, of Texas, to be an Assistant Secretary of Housing and Urban Development.

J. Bonnie Newman, of New Hampshire, to be an Assistant Secretary of Commerce.