

ACTIONS BY FEDERAL AGENCIES

SEC. 6. (a) By no later than the date that is 2 years after the date of enactment of this Act, any agency or instrumentality of the Federal Government which has possession or control of any skeletal remains of a Native American, any grave goods, or any sacred ceremonial object shall compile an inventory of all of such items in its possession or control and, to the extent possible, identify such items as to the Indian tribe of which the Native American was a member or from which the items originated.

(b)(1) By no later than the date that is 3 years after the date of enactment of this Act, each Federal agency and instrumentality described in subsection (a) shall provide to the governing body of each Indian tribe notice of any skeletal remains of a Native American, grave goods, or sacred ceremonial objects that are associated with the Indian tribe and are in the possession or control of the agency or instrumentality. The notice shall contain—

(A) a list which identifies each of such items and the circumstances surrounding the acquisition of the item, and

(B) a list of items that are not definitely identifiable as being associated with that Indian tribe but which, given the totality of circumstances surrounding the acquisition of the item, make it more likely than not that the item originated with that Indian tribe or that the skeletal remains are of a member of that Indian tribe.

(2) A copy of each notice provided under paragraph (1) shall be sent to the Secretary of the Interior who shall publish a list of all the notices in the Federal Register.

(c)(1) By no later than the date that is 1 year after the date on which notice is provided to an Indian tribe by a Federal agency or instrumentality under subsection (b)(1), the Indian tribe shall decide which, if any, of the remains, grave goods, or sacred ceremonial objects it agrees to accept and shall notify the Federal agency or instrumentality of such decision and of the place, date, and manner of delivery that the Indian tribe has chosen.

(2) Notwithstanding any other provision of law, upon receiving notice of acceptance of items by an Indian tribe under paragraph (1), the Federal agency or instrumentality shall return such items to the Indian tribe unless such items—

(A) were acquired with the express consent of the Indian tribe or the legitimate Native American owners of such items, or

(B) are indispensable for the completion of a specific scientific study, the outcome of which would be of major benefit to the United States.

(3) If an Indian tribe provides notice of acceptance of items to a Federal agency under paragraph (1) and the items are not returned to the Indian tribe by reason of a scientific study described in paragraph (2)(B), the Federal agency shall return the items to the Indian tribe by no later than the date that is 90 days after the date on which the scientific study is completed.

ENFORCEMENT

SEC. 7. The United States district courts shall have jurisdiction over any action brought by an heir of a Native American or by an Indian tribe alleging a violation of this Act and shall have the authority to issue such orders as may be necessary to enforce the provisions of this Act.

ACTIONS REQUIRED FROM CERTAIN MUSEUMS

SEC. 8. (a) By no later than the date that is 2 years after the date on which a written request for the return of skeletal remains, grave goods, or sacred ceremonial objects is submitted by the governing body of any

Indian tribe to a museum which receives Federal funds, the museum shall return to the Indian tribe any skeletal remains of a Native American who was a member of the Indian tribe, and any grave goods or sacred ceremonial object which originated from the Indian tribe, that are in the possession or control of the museum unless—

(1) such items were acquired with the consent of the Indian tribe or the Native American owners of such items, or

(2) such skeletal remains are indispensable for the completion of a specific scientific study, the outcome of which would be of major benefit to the United States.

(b) If an Indian tribe makes a written request to a museum for the return of items under subsection (a) and the items are not returned to the Indian tribe by reason of a scientific study described in subsection (a)(2), the museum shall return the items to the Indian tribe by no later than the date that is 90 days after the date on which the scientific study is completed.

(c) Notwithstanding any other provision of law, any museum that fails to comply with the provisions of this section shall no longer be eligible to receive any Federal funds.

By Mr. INOUE:

S. 1022. A bill to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

AMENDING THE COMMUNICATIONS ACT OF 1934

● Mr. INOUE. Mr. President, today, I am introducing legislation to reauthorize the Federal Communications Commission for fiscal years 1990 and 1991. The President has asked that we fund the Commission at a level of \$109,831,000 for fiscal year 1990 and \$117,831,000 for fiscal year 1991. Both of these amounts represent increases over current authorization levels. The increase for fiscal year 1990 is to fund pay increases and the retirement program. The much larger increase for the next fiscal year is to cover the major cost of consolidating the Commission in a single building.

The legislation I am introducing reflects these amounts requested by the administration. The FCC's workload has increased tremendously with the introduction of new services. Not only must the Commission first determine what new services shall be offered, it then must process the tens of thousands of applications it receives, enforce its rules and police interference. The Commission is also involved in fundamental decisions about the use of the scarce electromagnetic spectrum and important actions concerning the development and maintenance of competition in the telecommunications marketplace. Finally, the Commission must continue to pursue effective regulatory policies where necessary to ensure the public interest is served.

This legislation also provides for the extension of: the travel reimbursement program; the program to permit the Commission to use the skills of older Americans; and the authority to

relocate the Hawaii monitoring station. The Congress has provided for these policies in past FCC reauthorization legislation. Experience has demonstrated their value, and I believe we need to continue them.

By Mr. DASCHLE (for himself, Mr. LEAHY, Mr. PRYOR, and Mr. CONRAD):

S. 1023. A bill to provide grants by the Department of Agriculture for technology and emergence assistance to benefit rural areas, to target Rural Electrification Administration investments toward business development, telecommunications improvements, and community planning, to assist distressed rural hospitals with FmHA community facility loans, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

ADVANCED TECHNOLOGY AND EMERGENCY ASSISTANCE ACT OF 1989

By Mr. DASCHLE (for himself, Mr. LEAHY, and Mr. CONRAD):

S. 1024. A bill to improve the coordination of the rural development efforts of the Department of Agriculture, and to increase the rural development efforts of the Rural Electrification Administration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

RURAL MONITORING AND ASSISTANCE ACT OF 1989

● Mr. DASCHLE. Mr. President, out of concern that rural communities have for too long taken a back seat in our nation's economic affairs, I rise today to introduce the Rural Monitoring and Assistance Act of 1989 and the Advanced Technology and Emergency Assistance Act of 1989.

Let's face it. The economic statistics for non-metropolitan, noncoastal America have not been encouraging during the past decade. After experiencing a revitalization during the 1970's, rural areas today suffer from net out-migration; lower average incomes and higher unemployment rates than metropolitan areas; and a deterioration in quality of life through hospital closings. We need to take affirmative steps to address these problems. As one Nation, we cannot consciously allow an entire way of life for a significant sector of our society to wither. We owe it to ourselves to make rural, as well as urban life, viable.

The two bills I am introducing today address several important needs faced by rural areas.

RURAL MONITORING AND ASSISTANCE ACT OF 1989

This bill would do two things. First, it would require the Secretary of Agriculture to make recommendations by September 1, 1989, regarding how to improve the coordination of rural development activities by seven USDA agencies (FmHA, Forest Service, Soil Conservation Service, Agricultural Research Service, REA, Office of Transportation, ASCS, Extension Service).