

U.S. House of Representatives
Committee on Resources
Washington, DC 20515
July 15, 2002

Honorable David Dreier
Chairman
Committee on Rules
US House of Representatives
H-312 The Capitol
Washington, DC 20515

Honorable Martin Frost
Ranking Democratic Member
Committee on Rules
US House of Representatives
H-152 The Capitol
Washington, DC 20515

Dear Chairman Dreier and Ranking Democratic Member Frost:

I am writing to express my opposition to language regarding the management of Indian trust funds in H.R. 5093, the Department of the Interior and Related Agencies Appropriations bill for Fiscal Year 2003. This language is not authorized under current law and was not contained in prior appropriations acts. Moreover, the language undermines and interferes with various aspects of the Cobel v. Norton litigation concerning Indian trust fund management. These are policy matters clearly within the jurisdiction of the Committee on Resources on which I serve as Ranking Democratic Member.

The inclusion of such legislative language in an appropriations bill violates Rule XXI of the Rules of the House of Representatives. Specifically, the following language is objectionable both on substantive and procedural grounds:

Under the heading "Office of Special Trustee for American Indians Federal Trust Programs, beginning on page 50, line 20, all that occurs after the word "expended" through the word "Congress" on page 51, line 6; and,

Sections 131, 132, 133 and 134 in their entirety.

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I strongly urge the Committee not to waive a point-of-order against this language in the rule providing for floor consideration of the FY 2003 Interior Appropriations bill by the full House.

Thank you for your consideration on my views on this matter.

With warm regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Rahall". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

NICK J. RAHALL, II
Ranking Democratic Member

NJR/jz