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penses under section 5703(b) of title 5 of the United States Code.

(c) Two members of a Board shall constitute a quorum.

(d) Each Board shall select a chairman who shall call meetings of that Board.

(e) Each Board shall consider and decide any appeal from a county within the State relating to the appraisal of public land within such county either with regard to the cost or procedure of the appraisal or to the appraisal findings. Decisions of the Board shall be final and shall not be subject to judicial review unless arbitrary or capricious.

Sec. 5. (a) Beginning in the first complete fiscal year after the acceptance of such appraisal by both the county involved and the Administrator, the Secretary of the Treasury is authorized to pay annually to the State in which such county is located an amount equivalent to the State, county, and local real property taxes on public lands within such county, based on the tax rate applicable to similar private lands at the value arrived at under the appraisal conducted under this Act.

(b) The payment, made to a State shall be distributed by the State to those counties electing to proceed under the terms of this Act in which the public lands are located to be used by such counties for any public purpose. Each such county shall receive an amount equal to the total amount of taxes due from the public lands located within such county.

Notwithstanding any other provisions of this Act, or of any other law, the Administrator is authorized to discontinue payments to such county of part of the revenue derived from such public land on a gradually decreasing basis over a period of five years and to program implementation of this Act on a similar time basis, for any county where immediate implementation of this Act will result in hardships because of a substantial reduction in the amount of payments.

Sec. 6. Nothing in this Act shall interfere with the right of State or local governments to levy possessory interests taxes on private owners of improvements made by private users on public lands.

Sec. 7. There are hereby authorized to be appropriated such sums as may be necessary to administer this Act and to make the payments authorized by it.

By Mr. MONDALE:

S. 2913. A bill to declare that certain federally owned lands within the White Earth Reservation shall be held by the United States in trust for the Minnesota Chippewa Tribe, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

Mr. MONDALE. Mr. President, I am today reintroducing legislation which I first introduced on May 23, 1967. This bill, identical to S. 1830 of the 90th Congress and S. 1710 of the 91st Congress and S. 1217 of the 92d Congress, restores to the Minnesota Chippewa Tribe, White Earth Reservation, certain submarginal lands of the United States and makes such lands part of the reservation.

These properties consist of approximately 28,700 acres purchased by the Federal Government during the mid-1930's under title II of the National Industrial Recovery Act. The lands were so acquired in order to retire them from private ownership, to correct maladjustments in land use, and with the expectation that they would be made available for tribal use.

Mr. President, these lands were orig-

inally owned by the Minnesota Chippewa Tribe. Unfortunately, they were allotted under the Allotment Act and subsequently passed from Indian ownership. The Government acquired the lands at a cost of \$175,664. In 1963, when similar legislation was introduced in the Congress, their market value was placed at \$474,000 by appropriate governmental agencies.

Similar legislation has already been enacted restoring property to the Seminoles of Florida and to the Pueblos and other tribes in New Mexico. During the 92d Congress, a bill identical to the one I am introducing today was passed by the Senate. I am, therefore, most hopeful that this legislation will again receive favorable consideration during the present session.

I ask unanimous consent that the text of the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to valid existing rights, all of the right, title, and interest of the United States in the lands, and the improvements thereon, that were acquired under title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), and section 55 of the Act on August 24, 1935 (49 Stat. 750, 781), and that are now administered by the Secretary of the Interior for the benefit of the Minnesota Chippewa Tribe, White Earth Reservation, are hereby declared to be held by the United States in trust for said tribe, and the lands shall be a part of the reservation heretofore established for the tribe.

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

By Mr. KENNEDY (for himself and Mr. HRUSKA):

AMENDMENT OF THE MAIL FRAUD STATUTE

Mr. KENNEDY. Mr. President, today I join with the distinguished Senator from Nebraska (Mr. HRUSKA) in introducing a bill to amend the mail fraud statute in light of the recent decision of the U.S. Supreme Court in United States against Maze. Prior to this decision 3 weeks ago, it was generally believed that the mail fraud statute, section 1341 of title 18, United States Code, could be applied to prosecute persons who devised a scheme to defraud cardholders, merchants, or banks by unlawfully obtaining possession of another person's credit card and using it to obtain goods and services for themselves.

The Department of Justice supported this interpretation by prosecuting the appeal in the Maze case, in which it argued that the mailing of sales slips from merchants to the issuing bank, and from the bank to the cardholder, conferred Federal jurisdiction under the

mail fraud statute. But the Supreme Court, by a 5-to-4 vote, held that the statute as presently drafted could not be used to prosecute such conduct. This is because under present statutory language, the mailing must be "for the purpose of executing" the fraudulent scheme, and the Court held that the mailing which took place in connection with the credit card fraud was not for that purpose.

The Court, however, issued a clear invitation to the Congress to amend the statutory language to cover such conduct. The Court noted that "Congress could have drafted the mail fraud statute so as to require only that the mails be in fact used as a result of the fraudulent scheme," and stated, "If the Federal Government is to engage in combat against fraudulent schemes not covered by the statute, it must at the initiative of Congress and not of this Court." The Court pointed out that the mail fraud statute, first drafted in 1872, "while obviously not directed at credit card frauds as such, is sufficiently general in its language to include them if the requirements of the statute are otherwise met."

The bill I am introducing today is designed to accept the Supreme Court's invitation in the Maze case. It amends the statute to require only that the use of the mails be "for the purpose of, as an incident to, or as a result of executing such a scheme or artifice or attempting so to do" in order for Federal jurisdiction to be present. Any fraudulent scheme in which the mails were used as an incident to, as a result of, or for the purpose of executing the scheme or attempting to execute it would be prosecutable under the amended statute.

In my judgment, Congress never intended to exclude schemes such as credit card frauds from the coverage of the mail fraud statute. My amendment would codify what I believe to be the original congressional intent in light of the modern-day use of credit instruments. In the wake of the Maze decision, there is also some question as to whether certain other fraudulent practices, such as check kiting, are prosecutable under Federal law. My amendment will permit vigorous Federal law enforcement of such offenses as well.

The problem of credit cards frauds is a serious one. It was estimated that in 1969, 1.5 million credit cards were lost or stolen, resulting in \$100 million in losses due to fraud. Credit card fraud offenses are often difficult to prosecute under State laws, since it is relatively easy for the perpetrator to leave the State before the fraud is discovered. It is important that Federal laws protect the cardholder, the merchant, and the bank that may be the victims of fraud, and my amendment is intended to accomplish this.

Mr. President, I ask unanimous consent that the text of the opinions in the Maze case be printed in the Record at this point.

There being no objection, the opinions were ordered to be printed in the Record, as follows: