

where they already have leases or to lose those leases. It's time Big Oil uses it or loses it.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 430. An act to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse".

H.R. 781. An act to redesignate Lock and Dam No. 5 of the McClellan-Kerr Arkansas River Navigation System near Redfield, Arkansas, authorized by the Rivers and Harbors Act approved July 24, 1946, as the "Colonel Charles D. Maynard Lock and Dam".

H.R. 1019. An act to designate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayagüez, Puerto Rico, as the "Rafael Martínez Nadal United States Customhouse Building".

H.R. 2728. An act to designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

H.R. 3712. An act to designate the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the "James M. Ashley and Thomas W.L. Ashley United States Courthouse".

H.R. 4140. An act to designate the Port Angeles Federal Building in Port Angeles, Washington, as the "Richard B. Anderson Federal Building".

H. Con. Res. 32. Concurrent resolution honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2403. An act to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the "Spottswood W. Robinson III and Robert R. Merhige, Jr. Federal Courthouse".

S. 2837. An act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Theodore Roosevelt United States Courthouse".

S. 3009. An act to designate the Federal Bureau of Investigation building under construction in Omaha, Nebraska, as the "J. James Exon Federal Bureau of Investigation Building".

S. 3145. An act to designate a portion of United States Route 20A, located in Orchard Park, New York, as the "Timothy J. Russert Highway".

#### PROVIDING FOR CONSIDERATION OF H.R. 2176, BAY MILLS INDIAN COMMUNITY LAND CLAIMS SETTLEMENT

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1298 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1298

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2176) to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 2176 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Washington, Representative HASTINGS.

All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1298.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, House Resolution 1298 provides for consideration of H.R. 2176, a bill which provides for, and approves, the settlement of certain land claims of the Bay Mills Indian Community.

In lieu of the substitute reported by the Committee on Natural Resources, the rule makes in order the substitute printed in the Rules Committee report. The Rules substitute consists of the text of H.R. 2176 with that same language and the text of H.R. 4115 as reported by the Committee on Natural Resources. That bill provides for, and approves, the settlement of certain land claims of the Sault Sainte Marie Tribe of Chippewa Indians.

This is a fair rule, and it gives the proponents and opponents of the two Michigan Indian land claims bills a straight up-or-down vote on the bills.

Mr. Speaker, the underlying legislation seeks to settle a land claim agreement which was reached in 2002 by the then-Republican Governor of Michigan John Engler and the two tribes. The

current Democratic Governor of Michigan, Jennifer Granholm, has also approved the deal.

Under these bills, both tribes have agreed to relinquish their claims to land in Charlotte Beach, located in Michigan's Upper Peninsula, in exchange for a parcel of land outside of Port Huron, Michigan. The agreement reached between the tribes and the State allows the tribes to conduct gaming on their new land.

If approved by Congress and the President, this agreement secures the private ownership rights of the Charlotte Beach land in question and will help to restore the fair market value of the land. It will also provide the two tribes with an opportunity to help create jobs and economic opportunities in Port Huron while further providing for their membership.

The underlying bill conforms with the Indian Gaming Regulatory Act, and the land being given to the two tribes was selected by the State of Michigan as appropriate places for economic development.

Mr. Speaker, the underlying legislation is nothing new. Under the Constitution, only Congress—not the Department of the Interior or a Federal court—holds the power to settle Indian land title and claims. As such, Congress has taken similar action in at least 14 different instances in recent years when there have been disputed land claim settlements. Not once in those instances did Congress prohibit a tribe from conducting gaming on the tribal lands. We also never forced a tribe to jump through hoops to exercise its right to do what it wishes on its own land. I see no reason why we should start now.

Mr. Speaker, I have little doubt that today's debate on this issue will be both spirited and intense. Nevertheless, I am hopeful that the House will do the right thing and pass this rule and the underlying legislation.

□ 1045

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend and namesake from Florida, the other Mr. HASTINGS, for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this bill deals specifically with Indian land claims settlements in Michigan and designating new tribal trust lands that will be used to open any new Indian casinos in two Michigan towns.

The Michigan delegation is split in their support and opposition to this legislation, with the two Representatives whose districts will become home to the new casinos being strongly in favor of this proposal.

Generally, Mr. Speaker, it has been my long-held view that when it comes