

medical costs continue to skyrocket, we can expect to see this trend continue for most of the decade.

As chairman of the Committee on Veterans Affairs, I have been working with my colleagues to ensure that next year's budget meets the documented needs of our Nation's 25 million veterans.

Mr. Speaker, I am very pleased to say that, under the leadership of the budget chairman, the gentleman from Iowa (Mr. NUSSLE), the budget resolution that comes to the floor will not only maintain our sacred commitments, but will actually expand vital health care for our veterans.

The VA's budget will grow to a record \$56.9 billion, including a whopping 12 percent increase in VA health care. That is \$2.8 billion for veterans' health care.

It is a good budget, and I commend the chairman, the gentleman from Iowa (Mr. NUSSLE), for crafting this outstanding budget to our Nation's veterans.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 18, 2002.

Hon. J. DENNIS HASTERT,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 15, 2002 at 11:27 a.m. That the Senate agreed to the House amendment to the Senate amendments to the bill H.R. 1499.

Appointments: Board of Trustees of the American Folklife Center of the Library of Congress.

With best wishes, I am

Sincerely,

JEFF TRANDAH, *Clerk of the House.*

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

#### PROVIDING FOR BINDING ARBITRATION IN LEASES AND CONTRACTS ON RESERVATION LANDS OF GILA RIVER INDIAN COMMUNITY

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 3985) to amend the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for binding arbitration clauses in leases and contracts related to reservation lands of the Gila River Indian Community.

The Clerk read as follows:

H.R. 3985

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, (69 Stat. 539; 25 U.S.C. 415) is amended by adding at the end the following new subsection:

"(f) Any lease entered into under the Act of August 9, 1955 (69 Stat. 539), as amended, or any contract entered into under section 2103 of the Revised Statutes (25 U.S.C. 81), as amended, affecting land within the Gila River Indian Community Reservation may contain a provision for the binding arbitration of disputes arising out of such lease or contract. Such leases or contracts entered into pursuant to such Acts shall be considered within the meaning of 'commerce' as defined and subject to the provisions of section 1 of title 9, United States Code. Any refusal to submit to arbitration pursuant to a binding agreement for arbitration or the exercise of any right conferred by title 9 to abide by the outcome of arbitration pursuant to the provisions of chapter 1 of title 9, sections 1 through 14, United States Code, shall be deemed to be a civil action arising under the Constitution, laws or treaties of the United States within the meaning of section 1331 of title 28, United States Code."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. Hayworth).

□ 1415

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I look forward to working with my friend, the gentleman from American Samoa (Mr. FALEOMAVAEGA) this afternoon on the legislation.

Mr. Speaker, the Gila River Indian community is currently a finalist in the new Arizona Cardinals Stadium site selection process. In connection with the possible development of the stadium on the Gila River Indian Community's reservation, the issue has arisen regarding the need for certainty with respect to resolution of contract disputes between the Gila River Indian Community and its business lease tenants.

Many of the community's commercial contracts provide for arbitration of disputes. They further provide that the agreement to arbitrate and any arbitra-

tion decision may be enforced in either tribal or Federal court. Unfortunately, tenants and their lenders remain uncomfortable with the tribal court for a variety of reasons, and Federal courts would lack jurisdiction over contract disputes between private business entities and Indian tribes.

In addition to the possible development of a stadium site, the community has developed the business part for high-end commercial uses. Since potential business partners see no viable means to enforce contract and land lease arbitration provisions, some very good potential tenants for the community's business park and other potential business partners have in the past decided to look elsewhere. Providing potential tenants with a Federal court remedy if the community refuses to arbitrate according to agreed-to lease provisions will cause quality developers to be more interested in leasing land in the business part because leases will be more financeable and marketable.

The Salt River Pima-Maricopa Indian Community, also in my congressional district, has been successful in attracting commercial tenants to its various projects. One reason for its success is a unique Federal statute that Congress adopted in 1983. This statute basically provides that with respect to Salt River leases, Federal courts have jurisdiction to enforce agreements to arbitrate and any resulting arbitration decision. To a large extent, this statute has enabled Salt River leases to be financeable and marketable. Attorneys for the Salt River Pima-Maricopa Indian Community report that there has never been any Federal court litigation filed pursuant to the statute since it was adopted nearly 20 years ago. Still the statute has provided assurance to tenants that, if necessary, there is an available forum other than tribal court to enforce Salt River's agreement to arbitrate lease disputes.

Mr. Speaker, I would also mention that the introduction of this legislation does not in any way imply any preference for the selection of the Gila River Indian Community for the site of the Arizona Cardinals stadium. I feel that both the Gila River Indian Community site and the city of Mesa site will serve as excellent possibilities for construction of a new stadium. This legislation, however, will help ensure that the best possible business environment will exist if the stadium is to be built. Therefore, I would urge passage of the bill.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly would like to commend my good friend and colleague, the gentleman from Arizona (Mr. HAYWORTH)

for his management of this piece of legislation.

Mr. Speaker, I rise in support of H.R. 3985, a bill to assist the Gila River Indian Community in the State of Arizona with the plans of economic development of tribal lands. I want to thank and congratulate again the two sponsors of this legislation, the gentleman from Arizona (Mr. HAYWORTH) and also my good friend, the gentleman from Arizona (Mr. PASTOR) for their hard work in bringing this bill before us today. Both gentlemen from Arizona are good friends of Indian tribes and are often at the forefront of issues important to all of our Native American community.

The Gila River Indian Community is one of the several Indian tribes which has taken full advantage of the proceeds it receives from a well-run gaming facility to diversify into a comprehensive economic development plan. It is a true success story that this Indian tribe, which not so long ago was impoverished, stands at the brink of becoming the home of the Arizona Cardinals National Football stadium. Years of good management, principles, smart business practices and innovative thinking on behalf of the tribal leaders has brought them to this point.

In order to encourage business development on the Gila River Reservation, the tribe has adopted standard provisions in its commercial agreements which provide for arbitration should any dispute arise. This legislation will provide Federal court jurisdiction to enforce both agreements for arbitration and any resulting arbitration decisions.

Unfortunately, many non-Indian businesses still lack a full understanding of tribal courts and remain uncomfortable with the prospect of pursuing disputes there. The tribe has asked Congress to provide this Federal court remedy to assist them in their economic pursuits. In a letter to the Committee on Resources ranking member, the gentleman from West Virginia (Mr. RAHALL), Gila River Indian River Community Governor Donald Antone, Sr., wrote, "The community has found this formulation to provide a level of comfort to certain non-Indian businesses who are largely unfamiliar with tribal governments and their judicial system."

This is an example of tribal self-determination at its finest, and I wish to commend Governor Antone and the Gila River Tribal Council continued success as they blend their ancient culture with moderate economic developments to enhance the lives of all their members.

Mr. Speaker, I just want to mention the fact that the Arizona Cardinals National Football team was mentioned here. I have had a couple of my cousins that have played for the Cardinals. In fact, one currently plays for the Arizona Cardinals. His name Ma'o Tosi. He is only six-foot-five and he weighs 300 pounds. I would like to offer my chal-

lenge to our Native American community, where are your Jim Thorpes and Jimmy Sixkillers? We need more of them. I would like to suggest to my friend from Arizona (Mr. HAYWORTH), I would be more than happy to accommodate any of your needs, if you need more Samoan football players for the Arizona Cardinals team.

With this in mind, Mr. Speaker, I urge my colleagues to support this legislation. Again, I thank my good friend from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend, the gentleman from American Samoa (Mr. FALEOMAVAEGA). For purposes of full disclosure, we should point out he is quite right. In fact, both the University of Arizona and Arizona State University have enjoyed great success with athletes from American Samoa, and for purposes of full disclosure, my alma mater, N.C. State, enjoyed the services of Niko Noga as middle guard.

We appreciate the athletic prowess of our friends, but more than football, and obviously, we are focused on this possibility, but in spite of football you can see, really, we are looking at financial opportunities and economic possibilities for the Gila River Indian Community, much like the Salt River Pima-Maricopa Community, also in my district, has enjoyed. So this legislation which we join together in a bipartisan fashion to champion today is all about economic opportunity. That is the real possibility we champion here today, even as we certainly tip our rhetorical cap to the great athletes of American Samoa who have performed so admirably in the State of Arizona.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think this is also a classic example where we find that we recognize the sovereignty of our Native American people, but at the same time we also recognize that there is a sense of flexibility where if there are problems that are needful, not only from the business community, to allow issues that need to be taken or arbitrated or adjudicated, be taken to the Federal courts. I think this is an example of where the States and the tribes can work together and provide solutions to whatever problems arise. I think this legislation provides for that.

Mr. Speaker, again I commend both of my friends, the gentlemen from Arizona (Mr. PASTOR and Mr. HAYWORTH) for working together with our Indian tribes and with the members of the business community of Arizona that we now have provided a resolution to the problem that we have been faced with. I commend my good friend for his efforts.

Mr. Speaker, I yield back the balance of my time.

Mr. HAYWORTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again I would thank my friend, the gentleman from American Samoa (Mr. FALEOMAVAEGA), and let me simply say that it is my hope that this example can be replicated to offer economic opportunity throughout the width and breadth of Indian country as we move in the days ahead. I would urge my colleagues to support the legislation.

Mr. PASTOR. Mr. Speaker, I rise today as an original co-sponsor of this important legislation which will help to bring needed economic development opportunities to the Gila River Indian Community located in Phoenix.

In recent months, there have been many inquiries to the Gila River Indian Community from potential tenants for purposes of creating establishment of business. These businesses will not only provide needed job opportunities, but also serve the consumers of Phoenix.

However, one of the persistent questions of potential tenants concerns how lease disputes might be resolved. Many of the Community's commercial contracts provide for arbitration of disputes. They further provide that the agreement to arbitrate may be enforced in either Tribal or Federal Court. There exists, however, an unusual and troubling circumstance associated with this practice. Unfortunately, some tenants and their lenders are uncomfortable with the use of Tribal Courts, and Federal Courts generally lack jurisdiction over landlord-tenant disputes.

This legislation is simply an attempt to make potential business developers and their lenders more comfortable with the method used to settle any disputes or disagreements.

A similar arrangement is already in place with the Salt River Pima-Maricopa Indian Community, and it is my understanding that there has never been any Federal Court litigation filed since the statute was adopted almost 20 years ago. Still, the statute has provided assurances and peace of mind to the businesses who have located there. This legislation would virtually establish the same legal proceedings and options for the Gila River Indian Community.

The Gila River Indian Community fully supports this legislation.

Mr. Speaker, again, I wish to express my support for this legislation and ask my colleagues to vote for passage.

Mr. HAYWORTH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arizona (Mr. HAYWORTH) that the House suspend the rules and pass the bill, H.R. 3985.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### LEASE LOT CONVEYANCE ACT OF 2002

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 706) to direct the Secretary of