

Staff, the Honorable BART STUPAK, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, December 10, 2010.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for testimony issued by the United States District Court for the Eastern District of Michigan.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

SCOTT SCHLOEGEL,  
Chief of Staff,  
Congressman Bart Stupak.

#### HEALTH CARE TAKEOVER UNCONSTITUTIONAL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, yesterday U.S. District Judge Henry E. Hudson of Virginia struck down the individual mandate within the health care takeover as unconstitutional. This job-killing mandate infringes upon an individual's right to choose whether to participate in the government takeover. The ruling affirms that this legislation goes beyond the government's power to regulate interstate commerce. Virginia Attorney General Ken Cuccinelli has taken the lead protecting citizens' rights and has been joined by South Carolina Attorney General Henry McMaster.

Americans should not be forced to purchase health insurance by the Federal Government. Many small businesses cannot afford it. It is time that Congress repeal the government takeover of health care and replace it with a patient-centered program. This is the solution that provides a viable answer to America's health care issues.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### MEDIA COVERAGE OF DREAM ACT SHOWS BIAS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, it is hard to imagine a worse example of media bias than the national coverage of the so-called DREAM Act. Seldom were the facts given to the American people.

The national media said it applied to "65,000 youngsters." The legislation actually would give amnesty to at least 1 million to 2 million illegal immigrants up to the age of 30. And no one in the national media mentioned that no hearings had been held on the bill and no committee had approved it.

The DREAM Act would mean fewer jobs for American workers, and the Congressional Budget Office said it would cost taxpayers billions of dollars. But you won't hear that from the national media.

Even if the national media won't, Congress should put the interests of American workers and taxpayers first. That's what the last election was all about.

#### PASSING OF AMBASSADOR RICHARD HOLBROOKE

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, the sudden and unexpected passing of Ambassador Richard Holbrooke has been very, very sad news for Americans, and it obviously has sent shock waves throughout the international community.

Dick Holbrooke is someone with whom I was privileged to work on a number of issues over the past decade and a half. And I will say that he was known for being rough-and-tumble. He was described by one as "the bulldozer diplomat."

But I have to say that Dick Holbrooke was a true polyglot. He knew, in dealing with diplomatic challenges, that it took different talents and different styles. Regardless of where he was in the world, he was able to apply his unique talents. I have to say that we worked together on a number of very important issues.

As we look at the challenge that exists today in Afghanistan and Pakistan, his passing will be a real loss for that effort. But his passing should lead us to redouble our commitment to pursue the goal that I believe Dick Holbrooke always pursued, and that was for peace, stability, the rule of law, and self-determination around the world.

Our thoughts and prayers go to his wife and two sons.

#### HONORING THE SERVICE AND SACRIFICE OF SERGEANT DAVID S. ROBINSON

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Mr. Speaker, I rise today to honor one of America's bravest, Sergeant David Robinson of Fort Smith, Arkansas, who valiantly sacrificed his life in support of combat missions in Afghanistan.

Service runs in Sergeant Robinson's family, with a grandfather who served as a sharpshooter in the military. So, when at a young age he told his mother he wanted to serve in the military, it was no surprise. He followed in his grandfather's footsteps, going into the artillery field when he joined the Army in 2004.

As a member of the 2nd Cavalry, he served as a gunner, a rifleman, and an ammunition handler. At the young age of 25, he already had remarkable service to our Nation during his three tours: two in Operation Iraqi Freedom and one in support of Operation Enduring Freedom.

My prayers and the prayers of Arkansans are with Sergeant Robinson's family, including his wife Heidi and three young children, Jeremy, Tyler, and Madison. I humbly offer my thanks to Sergeant David Robinson, a true American hero, for his selfless service to the security and well-being of Americans, and I ask my colleagues to keep his family in their thoughts and prayers during this very difficult time.

□ 1410

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### 99-YEAR TRIBAL LEASE AUTHORITY ACT

Mr. LARSEN of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1448) to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1448

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. LEASES OF RESTRICTED LAND.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting "land held in trust for the Coquille Indian Tribe, land held in trust for the Confederated Tribes of Siletz Indians, land held in trust for the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, land held in trust for the Klamath Tribes, and land held in trust for the Burns Paiute Tribe," after "lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. LARSEN) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Under what is known as the Long Term Leasing Act, lands held in trust for Indian tribes may be leased for a variety of purposes for a term of no greater than 25 years, with an option for an additional 25 years if approved by the Bureau of Indian Affairs.

Often, tribes find that in order to operate more efficiently and to sustain economic development activities, they need to be able to lease trust lands for longer periods. In fact, through various acts of Congress, approximately 50 tribes have been granted the ability to issue leases not to exceed 99 years.

The pending legislation would afford this extended leasing authority to several tribes in the State of Oregon.

I want to commend our colleagues, Mr. DEFAZIO and Mr. SCHRADER from Oregon, for their work in getting this bill to the floor. I ask Members to support it.

I reserve the balance of my time.

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

As a matter of policy, authorizing 99-year lease terms for tribes is a means of increasing tribal independence from the Bureau of Indian Affairs bureaucracy. Therefore, we have no objection to this bill.

Mr. FALCOMA. Mr. Speaker, I rise in strong support of S. 1448, legislation that will allow five Indian Tribes—the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe—to enter into long-term leases for trust land.

First, I want to commend Senator JEFF MERKLEY for his leadership on this issue. I also want to thank Senator RON WYDEN, Representative PETER DEFAZIO, and Representative KURT SCHRADER, for their support and advocacy on behalf of the five Indian Tribes in the State of Oregon that are the subject of this legislation.

Historically, since 1834, Congress prohibited land transactions with Indian Tribes unless specifically permitted. In 1955, under the Long-Term Leasing Act, Congress permitted the leasing of Indian lands, but restricted the term of leases to no more than 25 years. Conditions for economic development and business opportunities have changed significantly and leases with terms of more than 25 years are now more desirable. As a result, 50 Indian Tribes have already petitioned Congress and have been granted authority to enter into long-term leases through amendments to the Long-Term Leasing Act. Another bill, S. 2906, to be considered later will add two more Indian Tribes from the State of Washington. I want to register my support for these bills.

Extending the privileges of the Long-Term Leases Act to these Indian Tribes is very im-

portant since economic development and business opportunities underscore our government's longstanding responsibility to the Indian Tribes. This longstanding responsibility is to provide assistance to the Indian people in their efforts to break free from the devastating effects of extreme poverty and unemployment and achieve lasting economic self-sufficiency. Yet, high rates of unemployment and poverty continue to exist among Indian Tribes. And one of the main reasons has been the lack of effective control by the Indians over their own lands and resources.

I urge my colleagues to support this important piece of legislation.

Mr. DEFAZIO. Mr. Speaker, S. 1448 is identical to legislation that I introduced in the House of Representatives with Representative SCHRADER in March. The bill accomplishes two things: (1) It corrects a disparity between federally recognized tribes in Oregon in how these tribes lease land held in trust, and (2) it incentivizes long-term investment that will attract businesses and create jobs for Oregon tribes and nearby communities.

Currently, four of the nine federally recognized tribes in Oregon are able to lease land held in trust by the Federal Government for up to 99 years without going through a maze of bureaucracy and red tape at the Bureau of Indian Affairs. The 99-year lease authority is crucial to attracting and retaining long-term investment, incentivizing economic development projects on trust land, and creating jobs for communities that need them the most.

But five of Oregon's nine federally recognized tribes—the Coquille, the Confederated Tribes of the Siletz, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath, and the Burns Paiute do NOT have this important authority. These tribes are limited to 25-year leases or must rely on a lethargic BIA to approve longer leases on an individual basis.

S. 1448 fixes this disparity and gives all nine federally recognized tribes the same authority to pursue economic development and job-creating activities on land held in trust.

The bill enjoys bipartisan support, has no opposition in the State of Oregon, and passed the U.S. Senate without amendment and by unanimous consent. This is a no-brainer. It's good for the Tribes. It's good for rural and tribal communities. The bill will create jobs and incentivize financial investment. I ask my colleagues to pass this bill today on suspension and send it to President Obama for his signature.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of S. 1448, which allows the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain a 99-year lease authority.

I thank Senator MERKLEY for introducing this legislation, and I also thank Chairman RAHALL for bringing this bill to the floor today.

This common sense legislation will allow these tribes in Oregon to continue their lease authority for 99 years. The tribes will be guaranteed to be able to live on their current land well into the next century.

As a member of the Native American Caucus, I will continue to be an advocate for Native Americans. My home state of California is home to nearly 100 federally recognized tribes. I pledge to continue to work on behalf

of all Native Americans in this Congress and the 112th Congress.

Mr. Speaker, I urge my colleagues to join me in supporting S. 1448.

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

Mr. LARSEN of Washington. Mr. Speaker, again I want to urge our colleagues to support S. 1448, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and pass the bill, S. 1448.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### MODIFYING TRIBAL LEASE PROVISIONS

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2906) to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2906

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. LEASES INVOLVING CERTAIN INDIAN TRIBES.

The first section of the Act of August 9, 1955 (25 U.S.C. 415), is amended—

(1) in subsection (a), in the second sentence, by inserting “and land held in trust for the Kalispel Tribe of Indians, the Puyallup Tribe of Indians,” after “the Kalispel Indian Reservation”; and

(2) in subsection (b), by inserting “, the Puyallup Tribe of Indians, the Swinomish Indian Tribal Community, or the Kalispel Tribe of Indians” after “Tulalip Tribes”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

#### GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

□ 1420

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

Mr. Speaker, as with the bill we just considered, the pending legislation would amend the long-term leasing act to allow several tribes, in this case located in Washington State, to issue leases for trust lands for terms not to exceed 99 years. As business opportunities and economic considerations