

bill to the committee and to the floor today. I would like to thank my good friend, Congressman COURTNEY of Connecticut, who has been an outstanding partner in this effort. I would also like to thank all of those back in Rhode Island who have worked to bring this bill to fruition, including the Wood-Pawcatuck Watershed Association, Save the Bay, The Nature Conservancy, the Rhode Island Department of Environmental Management, and the Connecticut Department of Environmental Protection.

Mr. Speaker, the Wood-Pawcatuck Watershed Protection Act proposes a study of segments of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in Rhode Island and Connecticut for potential addition to the National Wild and Scenic Rivers System. Rhode Island and Connecticut have long been outstanding stewards of these rivers, so I hope the passage and completion of this study will affirm what we who live near these rivers already know, which is that they possess outstanding recreational, natural, and historical qualities that make them worthy of the designation of "Wild and Scenic Rivers."

As a nation, we are privileged to have access to a diverse system of wilderness areas, not only in the remote expanses of our country but also close to home—in our backyard wilderness. The rivers of the Wood-Pawcatuck watershed are within a 45-minute drive for every Rhode Islander, easily accessible for family outings and school field trips. The people of Rhode Island and Connecticut have long enjoyed the recreational and scenic wealth of the Wood-Pawcatuck, and we are eager to share this natural treasure with the rest of New England and the Nation.

These rivers are not only an important part of our national heritage; they are a critical part of our economy, which relies on the health of our waters. The Wood-Pawcatuck watershed offers diverse destinations for tourism, which is a vital industry to Rhode Island and Connecticut, and these rivers offer exceptional trout fishing, canoeing, photography, and bird watching opportunities, with adjacent hiking and camping for sportsmen. Accordingly, the study will not only review the special character of the river, but it will fully engage with local government, landowners, and businesses to recognize the existing commercial and recreational activities on or adjacent to the watershed.

With that, Mr. Speaker, the Wild and Scenic Rivers Act offers the best guarantee that the Wood-Pawcatuck will be here for future generations to enjoy. The passage of this study is an important first step along that path. The rivers of the Wood-Pawcatuck watershed contain outstanding recreational, scenic, and natural heritage qualities that would be an excellent addition to the National Wild and Scenic Rivers System. I urge my colleagues to support the passage of this bill.

Again, I want to thank the members of the committee, especially the chair and the ranking member, for bringing the bill to the floor, and I thank Mr. HASTINGS and also Mr. SABLAN for their assistance with this as well.

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Mr. HASTINGS of Washington. Mr. Speaker, I advise my friend from the Northern Marianas that I have no more requests for time, and I'm prepared to close if he is.

Mr. SABLAN. I have no additional speakers, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, as I mentioned, this is good legislation, and I urge its adoption.

With that, 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. HASTINGS) that the House suspend the rules and pass the bill, H.R. 3388, as amended.

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

A motion to reconsider was laid on the table.

INDIAN TRIBAL TRADE AND INVESTMENT DEMONSTRATION PROJECT ACT OF 2011

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2362) to facilitate economic development by Indian tribes and encourage investment by Turkish enterprises, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2362

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

SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the "Indian Tribal Trade and Investment Demonstration Project Act of 2011".

(b) FINDINGS.—Congress finds that—

(1) the public and private sectors in the Republic of Turkey have demonstrated a unique interest in bolstering cultural, political, and economic relationships with Indian tribes and tribal members;

(2) uneconomic regulatory, statutory, and policy barriers are preventing more robust relationships between the Turkish and Indian tribal communities; and

(3) it is in the interest of Indian tribes, the United States, and the United States-Turkey relationship to remove or ameliorate these barriers through the establishment of an Indian Tribal Trade and Investment Demonstration Project.

(c) PURPOSE.—The purposes of this Act are—

(1) to remove or ameliorate certain barriers to facilitate trade and financial investment in Indian tribal economies;

(2) to encourage increased levels of commerce and economic investment by private entities incorporated in or emanating from the Republic of Turkey or other World Trade Organization member nations; and

(3) to further the policy of Indian self-determination by strengthening Indian tribal

economies and political institutions in order to raise the material standard of living of Indians.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPLICANT.—The term "applicant" means an Indian tribe or a consortium of Indian tribes that submits an application under this Act seeking participation in the demonstration project.

(2) CONSORTIUM.—The term "consortium" means an organization of two or more entities, at least one of which is an Indian tribe, that has the written consent of the governing bodies of all Indian tribes participating in the consortium pursuant to this Act.

(3) DEMONSTRATION PROJECT.—The term "demonstration project" means the trade and investment demonstration project authorized by this Act.

(4) INDIAN TRIBE.—The term "Indian tribe" has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(5) ORGANIZATION.—The term "organization" means a partnership, joint venture, limited liability company, or other unincorporated association or entity that is established in order to participate in the demonstration project authorized by this Act.

(6) PARTICIPATING INDIAN TRIBE.—The term "participating Indian tribe" means an Indian tribe selected by the Secretary from the applicant pool.

(7) PROJECT; ACTIVITY.—The terms "project" and "activity" mean a community, economic, or business development undertaking that includes components that contribute materially to carrying out a purpose or closely related purposes that are proposed or approved for assistance under more than one Federal program.

(8) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. INDIAN TRIBAL TRADE AND INVESTMENT DEMONSTRATION PROJECT.

(a) IN GENERAL.—The Secretary shall authorize Indian tribes or consortia selected under section 4 to participate in a demonstration project under this Act, which shall be known as the "Indian Tribal Trade and Investment Demonstration Project".

(b) LEAD AGENCY.—The Department of the Interior shall be the lead agency for purposes of carrying out the demonstration project.

(c) TRIBAL APPROVAL OF LEASES.—Notwithstanding any other provision of law, and in the discretion of a participating Indian tribe or consortium, any lease of Indian land held in trust by the United States for a participating Indian tribe (or an Indian tribe in a consortium) entered into under this Act to carry out a project or activity shall not require the approval of the Secretary if the lease—

(1) is entered into in furtherance of a commercial partnership involving one or more private entities incorporated in or emanating from the Republic of Turkey or other World Trade Organization member nations;

(2) is entered into not later than 3 years after the date of the enactment of this Act;

(3) is not for the exploration, development, or extraction of any mineral resources;

(4) does not include lease of land or an interest in land held in trust for an individual Indian;

(5) is executed under the tribal regulations approved by the Secretary under this Act; and

(6) has a term that does not exceed 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years.

(d) ACTIVITIES TO BE CONDUCTED ON LEASED LANDS.—Indian land held in trust by the

United States for the benefit of a participating Indian tribe (or an Indian tribe in a consortium) may be leased for activities consistent with the purposes of this Act, including business and economic development, public, educational, or residential purposes, including the development or use of natural resources in connection with operations under such leases, for grazing purposes, and for those farming purposes which require the making of a substantial investment in the improvement of the land for the production of specialized crops as determined by the Secretary.

(e) **APPROVAL OF TRIBAL REGULATIONS.**—

(1) **IN GENERAL.**—The Secretary shall approve a tribal regulation issued for the purposes of subsection (c)(4), if the tribal regulation—

(A) is consistent with regulations, if any, issued by the Secretary pursuant to the Act of August 9, 1955 (25 U.S.C. 415(a)); and

(B) provides for an environmental review process that includes—

(i) the identification and evaluation of any significant effects of the proposed action on the environment; and

(ii) a process for ensuring that—

(I) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the participating Indian tribe or consortium; and

(II) the participating Indian tribe or consortium provides responses to relevant and substantive public comments on those impacts before the participating Indian tribe or consortium approves the lease.

(2) **SECRETARIAL REVIEW.**—

(A) **IN GENERAL.**—Not later than 120 days after the date on which the tribal regulations under this subsection are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) **WRITTEN DOCUMENTATION.**—If the Secretary disapproves such tribal regulations, the Secretary shall include written documentation with the disapproval notification that describes the basis for the disapproval.

(C) **EXTENSION.**—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the participating Indian tribe or consortium.

(f) **FEDERAL ENVIRONMENTAL REVIEW.**—Notwithstanding subsection (e)(2), if a participating Indian tribe or consortium carries out a project or activity funded by a Federal agency, the participating Indian tribe or consortium may rely on the environmental review process of the applicable Federal agency rather than any tribal environmental review process under this subsection.

(g) **DOCUMENTATION.**—If a participating Indian tribe or consortium executes a lease pursuant to tribal regulations approved under this section, the participating Indian tribe or consortium shall provide the Secretary with—

(1) a copy of the lease, including any amendments or renewals to the lease; and

(2) in the case of tribal regulations or a lease that allows for lease payments to be made directly to the participating Indian tribe or consortium, documentation of the lease payments that are sufficient to enable the Secretary to discharge the trust responsibility of the United States under subsection (h).

(h) **TRUST RESPONSIBILITY.**—

(1) **IN GENERAL.**—The United States shall not be liable for losses sustained by any party to a lease executed under this Act.

(2) **AUTHORITY OF SECRETARY.**—Pursuant to the authority of the Secretary to fulfill the trust obligation of the United States to an Indian tribe under Federal law, including regulations, the Secretary may, upon reasonable notice from the Indian tribe and at the

discretion of the Secretary, enforce the provisions of, or cancel, any lease executed by a participating Indian tribe or consortium under this Act.

(i) **COMPLIANCE.**—

(1) **IN GENERAL.**—An interested party, after exhausting applicable tribal remedies, may submit a petition to the Secretary, at such time and in such form as the Secretary determines to be appropriate, to review the compliance of a participating Indian tribe or consortium with any tribal regulations approved by the Secretary under this Act.

(2) **VIOLATIONS.**—If, after carrying out a review under paragraph (1), the Secretary determines that the tribal regulations were materially violated, the Secretary may take any action the Secretary determines to be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases of Indian lands.

(3) **DOCUMENTATION.**—If the Secretary determines under this paragraph that a violation of tribal regulations has occurred and a remedy is necessary, the Secretary shall—

(A) make a written determination with respect to the regulations that have been violated;

(B) provide the applicable participating Indian tribe or consortium with a written notice of the alleged violation together with such written determination; and

(C) prior to the exercise of any remedy, the rescission of the approval of the regulation involved, or the reassumption of lease approval responsibilities, provide the applicable participating Indian tribe or consortium with—

(i) a hearing that is on the record; and

(ii) a reasonable opportunity to cure the alleged violation.

SEC. 4. SELECTION OF PARTICIPATING INDIAN TRIBES.

(a) **PARTICIPANTS.**—The Secretary may select not more than 12 Indian tribes or consortia from the applicant pool described in subsection (b) to submit an application to be a participating Indian tribe or consortium.

(b) **APPLICANT POOL.**—The applicant pool described in this subsection shall consist of each Indian tribe or consortium that—

(1) requests participation in the demonstration project through a resolution or other official action of the tribal governing body or, in the case of a consortium, a resolution or other official action of each Indian tribe that is a member of the consortium; and

(2) demonstrates, for the 3 fiscal years immediately preceding the fiscal year for which participation is requested, financial stability and financial management capability as demonstrated by a showing by the Indian tribe or consortium that there were no material audit exceptions in the required annual audit of the Indian Self-Determination and Education Assistance Act contracts or Tribal Self Governance Act compacts of the Indian tribe or consortium.

SEC. 5. APPLICATION REQUIREMENTS, REVIEW, AND APPROVAL.

(a) **REQUIREMENTS.**—An Indian tribe or consortium selected under subsection (a) may submit to the Secretary an application that—

(1) identifies the activities to be conducted by the Indian tribe or consortium;

(2) describes the revenues, jobs, and related economic benefits and other likely consequences to the Indian tribe or consortium, its members, the investors, and the surrounding communities to be generated as a result of the activities identified in paragraph (1); and

(3) is approved by the governing body of the Indian tribe or consortium, including, in

the case of an applicant that is a consortium of Indian tribes, the governing body of each affected member Indian tribe.

(b) **REVIEW AND APPROVAL.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of receipt of an application under subsection (a), the Secretary shall inform the applicant, in writing, of the approval or disapproval of the application.

(2) **DISAPPROVAL.**—If an application is disapproved, the written notice shall identify the reasons for the disapproval and the applicant shall be provided an opportunity to amend and resubmit the application to the Secretary.

SEC. 6. REPORT TO CONGRESS.

Not later than 3 years after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report that includes—

(1) a description of the economic benefits and other consequences to participating Indian tribes, their members, and surrounding communities as a result of the economic activities and financial investment engendered by the demonstration project; and

(2) observations drawn from the implementation of this Act and recommendations reasonably designed to improve the operation or consequences of the demonstration project.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Marianas (Mr. SABLON) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. I ask unanimous consent that all Members may have 5 legislative days 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. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2362 is authored by our colleague from Oklahoma (Mr. COLE).

We continue to be reminded that it takes months and years for the Bureau of Indian Affairs to approve simple lease agreements. For years, many tribes have pleaded with Congress to let them manage their lands with less Federal supervision. The bureaucratic redtape is often cited as the main culprit for the lack of economic development on reservations.

Last week, the Senate passed H.R. 205, the HEARTH Act. The HEARTH Act promotes greater tribal self-determination by allowing tribes to govern their own regulations governing certain leasing of their lands. H.R. 2362, as amended, would give tribes additional options in attracting economic development. The Indian Tribal Trade and Investment Demonstration Project Act would allow any Federally recognized tribe to engage in business with companies of any World Trade Organization member country. It's a good start. It is something that we should be addressing more aggressively.

With that, I urge adoption of this legislation, and I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, at this time I yield 4 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I thank my ranking member.

I rise to oppose H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act. To put it quite simply, there is no good reason for passage of this legislation. In fact, there are a whole bunch of reasons why this legislation should fail today.

First, I would like to say that I strongly support efforts to bring economic prosperity to Indian Country. I've been a longtime advocate of Indian Country's right and power to exercise their sovereignty and pursue economic development in the ways they choose. That is why I was glad to vote for H.R. 205, the HEARTH Act.

The HEARTH Act permits all tribes, not just a select few, to engage in leasing activities without Federal oversight under certain circumstances. Under the HEARTH Act, tribes can engage in these activities with both domestic and foreign entities. Furthermore, the HEARTH Act enjoys strong bipartisan support and passed this body on May 15 by a vote of 400-0. The bill then passed the Senate by unanimous consent, and it now only awaits the President's signature.

In contrast, H.R. 2362 singles out the Republic of Turkey for preferential treatment. Anyone who questions this just needs to turn to the bill itself which states its purposes as "to facilitate economic development by Indian tribes and encourage investment by Turkish enterprises." If this bill didn't give Turkey special preference, what would be the point? It would be entirely duplicative to what will be law in just a few days.

The Republic of Turkey, Mr. Speaker, acts increasingly hostile to U.S. interests and has a long history of human rights violations. Turkey is not a country that should be receiving preferential treatment in any sense, and certainly not explicitly approved by this Congress. Turkey has yet to acknowledge the fact of the Armenian genocide and reconcile itself with its own history. The Armenian genocide is the first genocide of the 20th century. It's a dark chapter in history, but it must be remembered and reaffirmed. That's why we must not stand by as the Republic of Turkey continues their policy of denying the 20th century's first genocide.

It is also very appropriate to remember that this past Friday marked the 38th anniversary of the illegal occupation of northern Cyprus by Turkey. On July 20, 1974, Turkey invaded Cyprus in violation of international law, and at great cost to the citizens of Cyprus. Turkish troops continue to occupy Cyprus illegally, and the invasion forced nearly 200,000 Greek Cypriots to flee their homes.

The EU member Cypriot government has made strong efforts to bring this ongoing occupation to a peaceful settlement. However, the Turkish government from afar continues to push against such peace negotiations. In fact, Turkey has used its bases in northern Cyprus to harass Israeli merchant vessels peacefully engaged, in cooperation with the Cypriot Government, on oil and gas exploration. It has even threatened U.S. companies.

I have just presented a couple of examples as to why Turkey's policies fly in the face of solid moral standing and threaten U.S. interests abroad. Legislating preferential treatment for Turkey would be a mistake and only signal that genocide denial, illegal occupation of U.S. allies, and other anti-U.S. policies will be tolerated.

I'm proud to say that this Congress has passed legislation that gives tribes more flexibility in entering into lease agreements that will promote economic development and future vitality. Today's bill does not advance this cause. It would simply put Turkey on a pedestal, and I urge my colleagues to oppose this bill and vote "no."

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 5 minutes to the author of this legislation, the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I thank the gentleman for yielding.

H.R. 2362 is simply a bill to facilitate economic development in Indian Country and to expand the range of options open to some of the poorest and most disadvantaged of Americans, the first Americans.

Currently, as my friend Mr. HASTINGS pointed out, economic development is often hampered in Indian Country by restrictive leasing practices on Indian reservations. H.R. 2362 directs the Secretary of the Interior to create a demonstration project for up to six tribes engaged in economic development with foreign companies and foreign countries. Tribes will develop the guidelines for their own economic activity with these entities, the Secretary will approve them, and we will over time learn how to do business between Indian tribes and foreign countries. Frankly, that is something we know comparatively little about. One of the things that comes out of this is a development by the Secretary of the Interior of recommendations and best practices, something which needs to be done in this area.

We have tried in the course of this legislation to recognize the concerns raised by some people about it. There's no question that I was approached by the Turkish American Coalition, who have a deep interest in Turkey and American Indians. It has been for many hundreds of years. This goes back a long way. They're the only country that has actually sent a national delegation to an Indian economic development conference. There are scholarships for Native American students at

the Istanbul Technical Institute. There's a constant movement of tribal citizens going back and forth. This interest, apart from these other disputes, is real and genuine and deep. We've accepted some of the concerns that were voiced in subcommittee. There is no preferential status for Turkey in this bill. All 155 World Trade Organization countries will have exactly the same opportunity.

It's important to note, I think, that this bill is strongly supported in Indian Country. Maybe we should listen to Indians about what's best for their own economic development. The National Congress of American Indians supports this bill, the National American Indian Housing Council supports this bill, the National Center for American Indian Enterprise Development supports this bill. Numerous tribes support this bill. Perhaps they are the real experts here that we should be listening to.

Passage of this bill would normally be a routine matter in this House. Frankly, due to the strong Turkish interest and support for the bill, we have a number of ethnic communities in the United States that have voiced objections. I think that's always legitimate and always appropriate. But sadly, as I pointed out, some of these objections don't have much merit. Again, this is not special legislation for Turkey. All 155 World Trade Organizations can participate. That includes the folks that are so concerned about this.

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Second, the idea that passing the HEARTH bill—which, by the way, I strongly supported, cosponsored, came down here and argued for. I think it's a wonderful piece of legislation. It's largely silent, save for one phrase. On foreign investment, we do not have a lot of experience here. It would be helpful to have demonstration projects. It would be good to have the Secretary of the Interior involved more deeply.

And third—and I hope this isn't the case. I have heard recently that there is even a sheet going around—perhaps not true; I hope not—that suggests this legislation will cost domestic manufacturing jobs. You've got to be kidding. Putting jobs on Indian reservations is going to take American jobs away? Who were the first Americans? So again, the arguments, I think, largely do not address the legislation.

I understand something about historical grievances and controversies. I'm the only Native American in this House right now. My great-great-grandfather, when he was 13 years old, was forced to move from Mississippi, where his people had lived for 500 years, to avoid being placed under State restriction. His lands were confiscated. They were guaranteed new land in Indian territory in the West. He arrived—nothing. Started it up being, actually, the clerk of the Chickasaw supreme court. His son, my great-grandfather, was treasurer at the time of the Dawes Commission when—guess

what—those treaties that were going to last forever were revoked again by the United States Government. Indian territory was opened up, over the objection of the tribes, to white settlement, and Indian governments were ground down.

My family has spent much of the time since that time working with other Chickasaws and other Native Americans to see tribal sovereignty restored and those rights given back. That's why I cochair the Native American Caucus. That's why, when the tribal law and order bill came to this floor, where there were concerns on our side about process, I got the Republican votes that were necessary to pass it. That is why I was the Republican lead sponsor of the Cobell settlement. That's why I've worked with this administration—which, by the way, has a great record on Native American affairs—on the Carcieri bill.

So I understand grievances, and I understand the legitimacy of expressing them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 2 minutes.

Mr. COLE. I thank the gentleman.

But legislation must be relevant to the historical experience that we're talking about, and we ought to look for opportunities to turn old enemies into new friends. I try to do that on this floor every day.

This legislation has nothing to do with ancient or current disputes between Turkey and Armenia or Greece. This bill is about helping American Indians. We ought to put aside the disputes of the Old World and focus on helping the original inhabitants of the New World, which is exactly what this legislation will do.

Mr. SABLON. Mr. Speaker, at this time, may I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from the Northern Mariana Islands has 16½ minutes remaining.

Mr. SABLON. Mr. Speaker, at this time, I yield 4 minutes to the gentleman from American Samoa, a member of the committee.

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

Mr. FALEOMAVAEGA. Every word that's been spoken by the gentleman from Oklahoma, not only as the chief author and the sponsor of this legislation, but something that I think my colleagues in the House need to be reminded of, this has nothing to do with whatever current feuds are going on between Armenia and Turkey. That is totally irrelevant to the bill that we are discussing here this afternoon. If we talk about past criminalities and acts that were done against the American Indians, Mr. Speaker, I don't know if my colleagues realize that the Government of the United States of America signed 389 treaties with the American

Indians. And guess what. We broke every one of those treaties. So let's talk about fairness.

I rise in strong support of H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011.

First, I want to thank the gentleman from Washington, the chairman of our committee, and also the gentleman from Massachusetts (Mr. MARKEY) for their support. And I especially want to thank my good friend, the only American Indian that we have in this body, a proud member of the Chickasaw Nation of the State of Oklahoma, my good friend and buddy, TOM COLE. Not only is he the cochair of our American Indian Congressional Caucus, but he is also a real gentleman that knows what he's talking about.

Mr. Speaker, despite the recent success of some tribes in creating successful gaming enterprises, pursuant to the 1988 Indian Gaming Regulatory Act, to a large extent, Indian tribes still face extreme economic conditions. This is due in part to the perception by private lenders and investors that risky conditions prevail in Indian country. Because of the Federal trust status, Indian lands and resources are perceived as risky for collateral, and even loans and burdensome regulations restrict and impede efforts to improve economic conditions on tribal lands.

Mr. Speaker, we have unemployment as high as 80 percent among some of these tribes. In terms of any incentives given them to provide greater economic development, Mr. Speaker, this legislation solves this problem, and we need to give them these tools so that these tribes could better make economic improvements in their situation.

Mr. Speaker, our Federal Government has a trust obligation to our Indian brothers and sisters. A couple of years ago, I was pleased to work with Senator INOUE, my good friend from Hawaii, on legislation that will give Indian tribes access to many tools such as development capital, loans to Indian enterprises, and a host of other authorized activities, with the purpose of creating an environment that is conducive to Indian country economic development. Today I continue to remain steadfast in my support and am willing to work with my colleagues in Congress to make improvements in this area.

Again, I commend my good friend Mr. COLE for his leadership. The bill before us today will create the Indian Tribal Trade and Investments Demonstration project within the Department of the Interior to include up to six Indian tribes for this pilot program. These tribes will be able to lease land currently held in trust by Federal land to conduct such activities including business and economic development; public, educational, or residential purposes; et cetera. Moreover, the bill will streamline the archaic and burdensome—you know, even just to get a lease agreement with the Federal Gov-

ernment, some of these tribes have had to wait for 10 years. They couldn't even get this done through the regulatory process. These are the problems that we're faced with.

Mr. Speaker, I ask my colleagues, pass this legislation. And again, I commend and thank my good friend, the gentleman from Oklahoma, for his leadership and bringing this legislation before us for consideration and approval.

I rise today in support of H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011. First, I want to thank the gentleman from the State of Oklahoma, and my good friend, Mr. TOM COLE, for his authorship of this important piece of legislation that will facilitate economic development by Indian tribes and encourage investment by foreign companies.

Mr. Speaker, despite the recent success of some Indian tribes in creating successful gaming enterprises pursuant to the 1988 Indian Gaming Regulatory Act, to a large extent, Indian tribes still face extreme economic conditions. This is due in part to the perception by private lenders and investors that risky conditions prevail in Indian country. Because of the Federal Trust Status, Indian lands and resources are perceived as risky for collateral, and even loans and burdensome regulations restrict and impede efforts to improve economic conditions on tribal land.

Mr. Speaker, according to recent statistics from the U.S. Department of Commerce, the overall poverty rate for American Indians/Alaska Natives, including children, is higher than that for the total U.S. population. The fact is, many of our Indian brothers and sisters remain stuck in poverty. With unemployment rates of up to 80-percent in some tribal communities, Indian tribes must find creative ways to foster economic growth and generate jobs and economic prosperity in these struggling communities.

Mr. Speaker, our Federal Government has a trust obligation to our Indian brothers and sisters. A couple of years ago, I was pleased to work with the Senator from Hawaii, and my good friend, Senator INOUE on legislation that will give Indian tribes access to many tools, such as development capital, loans to Indian enterprises, and a host of other authorized activities, with the purpose of creating an environment that is conducive to Indian country economic development. Today, I continue to remain steadfast in my support and am willing to work with my colleagues in Congress, to ensure that our federal trust obligation to the Indian tribes is upheld.

Again, I commend Mr. TOM COLE for his leadership. The bill before us today will create the Indian Tribal Trade and Investment Demonstration Project within the U.S. Department of the Interior to include up to six Indian tribes or consortia. These tribes will be able to lease land currently held in trust by the federal land to conduct such activities including business and economic development; public, educational, or residential purposes; development or use of natural resources in connection with operations under such leases; and grazing and farming activities.

Moreover, the bill will streamline the archaic and burdensome federal regulations in place for leasing, to make it easier for Indian Tribes to partner with foreign companies that engage

in economic development on tribal lands. While H.R. 2362 was initially developed because of Turkey's interest in working with Indian tribes, I am pleased to know that all 155 World Trade Organization countries will have the same investment opportunities.

Mr. Speaker, this bill embodies our federal government trust obligation to the economic coalition of the Indian tribes and I urge my colleagues to support H.R. 2362.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank the gentleman from Washington for yielding time.

I want to associate myself with the words of my very capable and articulate colleague from Oklahoma (Mr. COLE), the author of this legislation. As he said, this should be a routine bill to be passed on suspension on the basis of his comments alone. However, some have chosen to try to divert, to take us away from the subject at hand of this bill.

I support H.R. 2362, an important bill designed to bolster global economic cooperation by making it easier for Native American tribal communities to strengthen ties with foreign trading partners.

Even though Native American communities suffer from the highest unemployment rate in the United States, economic development on tribal lands is stifled by a restrictive and archaic leasing system, requiring applicants to succumb to a multilayered review process, taking up to 6 years to complete.

These unnecessary hurdles have compromised important tribal economic development in the past. For example, the Round Valley Indian Housing Authority continues to wait, after 9 years, for the Bureau of Indian Affairs to process a lease for a large housing project. And in 2006, the Swinomish and Walmart agreed to build a store on the reservation while the BIA regional office stalled for 2 years before Walmart withdrew from the deal following the 2008 financial crisis.

This bill helps correct these problems by authorizing select tribes to develop guidelines for leasing land and services to both foreign and domestic companies for economic development purposes. The bill further provides for only one approval of the land leasing guidelines by the Interior Secretary, thereby reducing current multilayer, prohibitive land leasing laws.

Without imposing any new costs, these changes will promote tribal job growth and economic empowerment, encourage foreign and domestic investments in Indian Country, all the while, inviting foreign and domestic companies to explore commercial opportunities with tribes. It's for these reasons that I urge my colleagues to support this legislation.

Mr. SABLON. Mr. Speaker, at this time, I would like to inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from the Northern Mariana Islands has 13 minutes remaining.

Mr. SABLON. Mr. Speaker, at this time, I yield 4 minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank Congressman SABLON for yielding and for his hard work in so many areas and his leadership.

I rise to express my opposition to the Indian Tribal Trade and Investment Demonstration Project Act, H.R. 2362.

This bill is unnecessary and seeks to give special consideration to one country—Turkey.

□ 1620

As a country that has shown both negative and aggressive actions toward a number of our allies, Turkey should not be given investment preferences in Indian tribal lands through this bill. And they should not be given preference over 154 allies, members of the World Trade Organization. Nor should they be given preference over American businesses that wish to invest in Indian tribal lands. This bill would reward a country with a record of human rights and religious freedom violations. It has been on the U.S. Commission on International Religious Freedom's watch list for 3 consecutive years.

Just this last Friday, many of us marked the 38th anniversary of Turkey's illegal occupation of the northern third of the island Republic of Cyprus. Throughout this occupation, Turkey actively seeks to alter the heritage and demographics of Cyprus. It has systematically destroyed the island's Christian heritage and colonized the area with more than 200,000 settlers and 40,000 troops.

Furthermore, Turkey maintains an economic blockade against Armenia, sealing its borders to all trade, and continues to deny the Armenian genocide, during which over 1.5 million Armenians perished. I have with me the Armenian Assembly and the Armenian National Committee of America's letters in opposition to this legislation.

Also, Turkey has challenged Israel by arguing against Israel's right to develop energy sources. Turkey has also threatened American businesses by saying it would use force to stop a Texas-based company, Noble Energy, from drilling for oil and gas off the shores of Cyprus. Turkey has said it will blacklist any business that assists Cyprus and Israel in their efforts to jointly develop their country's natural resources.

The preferential treatment given to Turkey in H.R. 2362 is unnecessary given the previous passage of the HEARTH Act, which passed this body 400-0, passed the Senate, and is now awaiting the President's signature. That bill allows domestic and foreign companies to engage in leases for housing construction, clean energy, and business development. Unlike the HEARTH Act, the bill before us today does nothing to support these domestic businesses.

Last November, the director of the Bureau of Indian Affairs, Michael

Black, testified before the Indian and Alaska Native Affairs Subcommittee, stating that the HEARTH Act "fosters the same goals identified in this bill but on a broader, larger scale." Through the HEARTH Act, domestic and foreign entities have already been granted an expedited route to invest in Native American lands and help their economic development.

Given the redundancies in the bill and the favored treatment it gives to one country that has shown threatening and discriminatory action toward a number of American allies, I urge my colleagues to join Ranking Member BERMAN and Ranking Member MARKEY and vote "no" on H.R. 2362.

From: Andreas Akaras

Sent: Monday, July 23, 2012, 1:13 a.m.

To: Elizabeth Darnall

Subject: H.R. 2362 Tribal Trade Bill (AHEPA email blast)

On behalf of the American Hellenic Educational Progressive Association (AHEPA), the largest and oldest membership-based organization of American citizens of Greek heritage and Philhellenes, we are outreaching to share AHEPA's position in opposition to H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act. We understand H.R. 2362 is expected to come to the Floor under Suspension of the Rules this week—perhaps on Monday.

Position

AHEPA is opposed to H.R. 2362 for the following reasons:

1. Turkey's Recent Threats to U.S. Commercial Interests. Why reward it?

Turkey's has issued threats to the actions of U.S. firm Noble Energy, which is lawfully conducting oil and gas exploration off the coast of Cyprus, in Cyprus's Exclusive Economic Zone (EEZ) in the eastern Mediterranean. Noble Energy is based in Houston, Texas.

During this same exploration, Turkey's threats have directed at U.S. allies Cyprus and Israel as both countries are working in cooperation via a signed agreement to develop hydrocarbon reserves in their EEZs.

In response to these threats, House Foreign Affairs Chairman Ileana Ros-Lehtinen stated, "Turkey's decision to escalate tensions by increasing its military presence in the Mediterranean poses a clear threat to U.S. citizens and interests in the region."

Moreover, Turkey has threatened to blacklist international companies willing to work on this particular exploration project off the coast of Cyprus. This would include any U.S. companies.

Why would the United States Congress facilitate the unique opportunity for private entities from Turkey to engage in trade and financial investment with Indian tribal economies when U.S. private entities and citizens are threatened by Turkey?

2. Congress has already acted with the overwhelmingly bipartisan-passed HEARTH Act.

H.R. 205, the HEARTH Act, passed the House 400-0 and the Senate by UC. It will be signed into law by President Obama.

The HEARTH Act promotes trade and investment on Native American lands without requiring the approval of the Bureau of Indian Affairs.

As the Director of the Bureau of Indian Affairs, Mike Black, testified before the House Committee on Natural Resources in November 3, 2011, H.R. 205 "foster[s] the same goals identified in H.R. 2362 on a broader scale."

The HEARTH Act benefits all tribes; not a select few that could benefit from H.R. 2362.

Simply stated, passage of H.R. 205 renders H.R. 2362 unnecessary.

3. Section 1(b) Findings (1)(2)(3) of H.R. 2362 displays preferential treatment for the Republic of Turkey over other WTO nations. Why?

Proponents state that no particular country is granted a commercial advantage under the bill, yet the bill's Findings section clearly single-out and champion Turkey.

If proponents were serious about amending H.R. 2362 to provide all WTO countries with a level playing field, it would not state "Turkey and all other WTO countries."

4. Turkish Entities Under Investigation in the United States.

Mainstream U.S. media outlets have reported on the growth of Turkish charter schools in America, as many as 120 of them, and how the schools have come under federal investigation for how they are administered.

The Philadelphia Inquirer reported on March 20, 2011, "But federal agencies—including the FBI and the Departments of Labor and Education—are investigating whether some charter school employees are kicking back part of their salaries to a Muslim movement founded by Gulen known as Hizmet, or Service, according to knowledgeable sources."

In addition the New York Times in a June 6, 2011 article raised the same concerns about how the schools spend taxpayer money, "And it raises questions about whether, ultimately, the schools are using taxpayer dollars to benefit the Gulen movement—by giving business to Gulen followers, or through financial arrangements with local foundations that promote Gulen teachings and Turkish culture." The article also reports on federal investigations about abuse of a visa program to bring in expatriate employees.

5. Turkey's Treatment of Minority Populations.

The U.S. House of Representatives must take into consideration Turkey's treatment of minority populations.

The United States Commission on International Religious Freedom (USCIRF), an independent, bipartisan U.S. federal government commission established by the U.S. Congress, has recommended Turkey be designated a "country of particular concern" (CPC) in its 2012 annual report. Prior to this designation, Turkey was placed on its "Watch List" for three consecutive years (2009–2011).

According to the Executive Summary of the 2011 U.S. State Department Human Rights Report on Turkey, there is "inadequate protection of vulnerable populations" within Turkey.

In addition to these reasons, AHEPA is dismayed the House Committee on Foreign Affairs was not provided an opportunity to vet H.R. 2362.

We note a concern with Turkey's foreign policy direction and history that conflicts with the best interests of the United States, including: the aforementioned belligerent posture toward Israel, its vote against a UN resolution to impose sanctions against Iran with regard to that country's nuclear weapons program, its 38-year illegal invasion and subsequent illegal occupation of the Republic of Cyprus, a member of the European Union and current holder of the EU presidency; its continued violations of Greece's sovereignty in the Aegean Sea, a staunch NATO ally; and its blockade of Armenia.

Hellenic Caucus Opposition

We also thought you would be interested to learn of AHEPA's position because the congressman is a member of the Congressional Hellenic Caucus.

The Congressional Hellenic Caucus is opposed to H.R. 2362 and has circulated a DC letter on the issue. Please contacts Chairs

U.S. Reps. Gus Bilirakis or Carolyn Maloney to sign the DC letter.

Thank you also for consideration of AHEPA's position. We hope the congressman will take all of the points presented into consideration and will oppose H.R. 2362.

ANDREAS N. AKARAS,

Advisor,

Office of Congressman John Sarbanes.

From: Andreas Akaras

Monday, July 23, 2012 11:16 AM

To: Elizabeth Darnall

Subject: email blast from Armenian Assembly sent this morning

On behalf of the Armenian Assembly of America, I am writing to urge a "NO" vote on H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011 when it is considered today.

H.R. 2362 is not necessary as a more comprehensive measure, H.R. 205, the HEARTH Act has already been adopted by the House and Senate.

The HEARTH Act unlike H.R. 2362 allows all Indian tribes, not just a select few to engage in economic development projects with foreign entities.

H.R. 2362 undermines the HEARTH Act because it seeks to endorse and offer special consideration to one country—Turkey—over every other WTO member country. With respect to the WTO, numerous complaints ranging from restrictions on imports of textile and clothing products to anti-dumping duties on steel have been lodged against Turkey.

The U.S. Trade Representative (USTR) has highlighted several areas of concern regarding Turkey's trade policies and practices in its 2012 National Trade Estimate Report on Foreign Trade Barriers, including its import policies and exports subsidies, yet H.R. 2362 specifically highlights Turkey.

Given Turkey's lack of respect for human rights its ongoing blockade of landlocked Armenia and its illegal occupation of the Republic of Cyprus, passage of H.R. 2362 would send the wrong message to the international community that the United States is not committed to human rights, democracy and the rule of law.

Examples of Turkey's record:

The U.S. Commission on International Religious Freedom in its 2012 Annual Report has recommended that Turkey be designated as a "country of particular concern" due to "the Turkish government's systematic and egregious limitations on the freedom of religion . . ."

According to the 2011 Freedom House report, "Turkey struggles with corruption in government and in daily life." In addition, according to an April 2012 Freedom House article, "the number of journalists imprisoned in Turkey has nearly doubled" from 57 in 2011 to 95 journalists in 2012.

Turkey also continues to deny the Armenian Genocide (New York Times Op-Ed—July 19, 2012), while at the same time accuses Israel of committing genocide and has defended the genocidal regime of Sudanese President Omar al-Bashir even after Bashir's indictment (BBC News—November 6, 2009) for war crimes by the International Criminal Court (ICC).

For all of the aforementioned reasons, the Armenian Assembly strongly opposes H.R. 2362 and urges a "NO" vote.

Sincerely,

BRYAN ARDOUNY,

Executive Director.

From: petian7@gmail.com on behalf of Kate Nahapetian [Kate@anca.org]

Sent: Friday, July 20, 2012 4:09 PM

To: Kate Nahapetian

Subject: VOTE NO ON H.R. 2362

On behalf of the Armenian National Committee of America, I am writing to express

our opposition to H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011.

1. H.R. 2362 is redundant and unnecessary

The House and Senate have already passed the HEARTH Act (H.R. 205), which has already accomplished the aims of H.R. 2362 to promote trade and investment on Native American lands without requiring the approval of the Bureau of Indian Affairs. As the Director of the Bureau of Indian Affairs testified before the House in November 2011, H.R. 205 "foster[s] the same goals identified in H.R. 2362 on a broader scale." Turkey and other countries have already been granted an expedited route to invest in Native American lands. This bill will not create any new jobs or investment opportunities that have not already been provided by H.R. 205.

2. H.R. 2362 creates an implied preference for Turkey

By singling out the Republic of Turkey in its findings section, the bill will create confusion around the granting of an actual preference for Turkey during the drafting of regulations or their implementation, should this bill become law. Other nations, including those, such as Canada, which already have leases in place are not mentioned at all, which leaves the impression that Turkey is somehow more deserving of favorable treatment.

3. This measure is morally wrong

The U.S. Congress should not extend special economic benefits to a country that remains an unrepentant perpetrator of genocide against millions of its own indigenous minorities, including Armenians, Greeks, Assyrians, and others. At a time when Turkey continues to oppress its indigenous minorities, confiscates Christian churches and properties, denies the Armenian Genocide and threatens the United States if we merely commemorate this crime, occupies our ally Cyprus, and both threatens and excludes our ally Israel from international initiatives, promoting Turkey in the findings section is misplaced and does not reflect the values of American citizens.

Today, it is criminal to even discuss Turkey's genocidal policies and these indigenous minorities continue to face persecution in Turkey. The U.S. Commission for International Religious Freedom has documented that the Turkish government's continued limitations on religious freedom are "threatening the continued vitality and survival of minority religious communities in Turkey." In its 2012 report, the Commission recommended that, Turkey be designated as a "country of particular concern," along with Iran, Sudan, and Saudi Arabia, due to "the Turkish government's systematic and egregious limitations on the freedom of religion. . . ." Moreover, just a few weeks ago Turkey ordered the expropriation of Mor Gabriel, one of the oldest Christian monasteries in the world.

As Nina Shea, a Commissioner, recently wrote:

Turkey's Christian minorities struggle to find places in which they can worship, are denied seminaries in which to train future leaders, are barred from wearing clerical garb in public, see the trials of the murderers of their prominent members end with impunity, and, above all, lack the legal right to be recognized as churches so that their members can be assured of their rights to gather freely in sacred spaces for religious marriages, funerals, and baptisms, and otherwise carry out the full practice of their respective religions.

We do not believe providing trade preferences, even if just implied, to a country that exhibits such a disdain for religious freedom and its minorities, is a message that reflects the values of our country.

4. Turkey prohibits trade with Armenia, a U.S. ally which has tripled its troop deployment to Afghanistan

We should not be providing trade preferences to Turkey, a country that has been blockading landlocked Armenia for nearly twenty years. Close to a quarter of Armenia's population—has been forced from their homeland over the past decade, largely as a result of the economic dislocation caused by Turkey's blockade, the last closed border of Europe.

Sincerely,

KATE NAHAPETIAN,
Government Affairs Director.

Sent to Issue(s): Foreign Affairs, Natural Resources

Subject: The Truth About H.R. 2362

From: The Honorable Tom Cole

Sent By: straton.edwards@mail.house.gov

Bill: H.R. 2362

Date: 7/23/2012

DEAR COLLEAGUE, I want to highlight my responses below to recent criticism of my legislation, H.R. 2362, which will be considered under suspension of the rules this afternoon.

1. H.R. 2362 is redundant and unnecessary

Leasing on tribal lands is an overly complicated system that requires extensive review and Secretarial approval. This legislation may be operationally the same as the HEARTH Act, which passed the House and Senate and is waiting for the President's signature, but tribes want both programs to give them the flexibility to address lease reforms using which program best suits their needs, which is why the National Congress of American Indians and the National American Indian Housing Council strongly support this legislation in addition to the HEARTH Act.

2. H.R. 2362 creates an implied preference for Turkey

I authored H.R. 2352 in response to Turkish entities expressing interest in doing business with American Indians. The findings reflect that interest. Despite this, the legislation gives no preference to Turkey over any of the 155 other WTO countries. This legislation does not alter any leases already in place. I applaud our trading partners engaged in economic development with Tribes and look forward to this legislation encouraging expansion of those partnerships.

3. This measure is morally wrong

American Indians across the United States face unimaginable poverty. Unemployment on Indian reservations is unfathomably high. Economic development on tribal lands is hampered because of overly complicated and archaic regulations. It is morally wrong not to do everything in our power to give tribes, and American citizens, every opportunity to succeed. While not as sweeping as the HEARTH Act, H.R. 2362 provides tribes with additional tools they need to help them succeed.

4. Turkey prohibits trade with Armenia, a U.S. ally which has tripled its troop deployment to Afghanistan

Turkey is a NATO ally and a critical and willing partner in the War on Terror. Turkish troops have fought alongside American soldiers as far back as the Korean Conflict. The United States maintains Incirlik Air Force base in Turkey. While Turkey and Armenia have a long history of conflict, that history is irrelevant to this legislation. This legislation will economically empower Indian tribes and help the most disadvantaged Americans while providing no special treatment for Turkey over any other WTO member country.

Sincerely,

TOM COLE,
Member of Congress.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, I rise in support of this Indian Tribal Trade and Investment Demonstration Project Act.

Mr. Speaker, the unemployment rate on American Indian reservations averages between 40-50 percent, and it is intergenerational. Income, employment, and educational attainment are all well below the American average. As a member of the Interior Appropriations Committee, I am very much aware of that, as Mr. COLE is. But the fact is every Member of this body should be as intensely aware as Mr. COLE and those supporting this legislation are, of the immense needs in Indian country and the serious shortfall the Federal Government confronts in meeting its obligations to Native Americans and Native Alaskans.

Some have suggested that private enterprise on reservations may help substantially in alleviating that poverty. And with rising income, many of the social and health-related ills that Native Americans confront in disproportionate numbers will decline. That ought to be a national responsibility, and, really, an obligation. The fact is that this act would test the theory by enabling foreign investors to partner with Native Americans on reservations to create new businesses and generate income where little to none exists today.

The legislation complements other legislation that Congress has already passed, allowing tribes to simplify leasing arrangements to address their housing needs. Go to a reservation and see the housing needs. This bill will bring new capital into reservations and simplify the arrangements under which long-term leases with private investors can be executed. While the proposal may initially have focused on foreign investment from one country, Turkey, it has been amended to include all 155 World Trade Organization countries.

I applaud the government of Turkey for coming up with this original proposal and for what is a genuine offer of assistance and friendship.

I understand the objections that have been raised that really have very little to do with this legislation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman from Virginia an additional 1 minute.

Mr. MORAN. I thank the gentleman very much. I appreciate the additional time to make a further point.

Turkey and Israel have long enjoyed amicable relations. Turkey was the first Muslim country to recognize the State of Israel. The two states remain active trade partners. Their bilateral trade volume is almost \$3 billion. It is Israel's sixth-largest trading partner. Israel exports chemicals, agriculture products, and high-tech manufacturing

machinery to Turkey. And Turkey exports textiles and transport equipment to Israel. Israel needs Turkey as a trading partner.

The fact is that, according to the Israel-Turkey Business Council, bilateral trade between the two nations increased 35 percent between 2010 and 2011 despite the diplomatic tensions that emerged in 2009. The reality is that they are working together. They want to work together and transcend politics. Bilateral trade is in the interest of both nations.

This is in the interest of the Native American nations. Gosh sakes, they deserve this kind of help after we turned our back on one treaty after another, as has already been said. This is a unique opportunity. We ought to seize it.

Mr. SABLON. Mr. Speaker, at this time I yield 4 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding. I rise in opposition to H.R. 2362 because I don't believe that the preferential consideration which it gives to the interest of one country, Turkey, can be justified.

There is no dispute over what many of our colleagues have said today, which is that there are tremendous needs on the part of Native American tribes, and a desire I think shared widely here for economic development opportunities on tribal lands. We all know the statistics. But that goal of achieving enhanced economic development on tribal lands has been achieved through the HEARTH Act. As Congresswoman MALONEY just indicated a minute ago, Michael Black, director of the Bureau of Indian Affairs, testified that the HEARTH Act "fosters the same goals identified in H.R. 2362 on a broader scale." We don't need this legislation to accomplish all of the important things that have been articulated here.

I have tremendous respect for Congressman COLE, and he just gave a very powerful articulation of the legacy that he carries in his DNA and why he is so passionate about these issues, and we share his perspective on the important need to develop tribal lands, but this particular piece of legislation is redundant at best, and it gives this unjustified preference to Turkish interests.

This presents a number of issues. First of all, there are some concerns on the trade front. Now, I understand the bill was amended because originally it would have given exclusive opportunity to Turkish enterprises without regard to the rest of the WTO nations. Now that's been changed so other the WTO nations can participate.

□ 1630

But if you look at the bill, Turkey's interests are discussed all through it. It's infused with language about Turkey. The findings section is about Turkey. And frankly, a Turkish enterprise could take this bill, once it passed, and

use it as a passport to get preferential consideration with respect to these economic opportunities. So I think it does present some continued concern with respect to trade concerns.

But on the foreign policy front, even if you felt it were important to give preferential consideration for purposes of a demonstration project or a pilot project to one nation's interest over others, why would you select the country of Turkey given its record? That's why Ranking Member BERMAN has sent a Dear Colleague letter around urging opposition to this bill, because he knows from a foreign policy standpoint the record of Turkey.

I have to mention a few of these things because they're compelling. Increasingly, Turkey has become hostile to our ally, Israel, recently threatening to mobilize its air and naval assets to escort ships to Gaza and to stop Israel from developing energy sources in its Exclusive Economic Zone in the eastern Mediterranean.

Secondly, in June of 2010, NATO member Turkey voted against the United Nations resolution imposing sanctions against Iran to thwart its nuclear weapons program.

Thirdly, Turkey has just now been put on the U.S. Commission on International and Religious Freedom watch list for its widespread discrimination of minority religious communities.

Fourthly, Turkey has threatened the use of force to stop Texas-based Noble Energy—this is an American company—from drilling for oil and gas off the shores of Cyprus and Israel and to blacklist any businesses that work with Cyprus or Israel for natural resource extraction.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SABLON. I yield the gentleman 1 additional minute.

Mr. SARBANES. We've heard the discussion of how Turkey has continually denied the Armenian genocide of 1915 to 1923 during which 1.5 million Armenians perished and since 1993 has maintained a destabilizing blockade of Armenia.

Now some would say these are irrelevant issues. They're very relevant. If you're going to choose a country to which you're going to extend some preferential consideration, these kinds of activities and this kind of legacy ought to be part of your consideration.

Finally, for more than 38 years, Turkey has illegally occupied the northern third of the island Republic of Cyprus, which is a member of the European Union. In fact, as of July 1, Cyprus assumed the presidency of the European Union, but Turkey refuses to recognize this.

These are all relevant to the question of whether a preferential consideration ought to be extended to one country. It's not justified, and it's not warranted. I join Ranking Member MARKEY and Ranking Member BERMAN in urging opposition to H.R. 2362.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. SABLON. Mr. Speaker, at this time, I yield the remainder of my time to the gentleman from Oklahoma (Mr. BOREN).

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 4 minutes.

Mr. BOREN. Mr. Speaker, I rise today in strong—very strong—support of H.R. 2362, the Indian Tribal Trade and Investment Demonstration Project Act of 2011.

In an effort to reduce unemployment and incentivize investment, H.R. 2362 allows—again, we have said this all along the debate—all 155 World Trade Organization countries to participate in a trade program directly with sovereign Native American tribes in the United States. Specifically, it would authorize the Secretary of the Interior to select up to six tribes to participate in a program that would allow them to use their land for economic development.

In addition to creating jobs, H.R. 2362 would provide a path for economic empowerment of tribes and encourages foreign and domestic investment in Indian Country. With this bill, we can give tribes the means and the authority to address specific issues plaguing Indian Country.

I want to also, as Mr. MORAN and many other members on our side of the aisle have done, commend my good friend, Mr. COLE, for his diligence on this issue, for his persistence and for all that he has done for Indian Country. Mr. COLE mentioned in his debate earlier that there are a lot of different organizations that are supporting this legislation. He talked about NCAI and a whole list of others.

Again, if you ask Indian Country, "Do you support this bill?" they're saying, "Yes." The other people that are saying, well, we're opposed to it, it's not coming from Indian Country. It's not coming from places like my home State of Oklahoma.

So I ask my colleagues that are watching this debate to give their deepest consideration and to support this legislation. Again, I want to say "thank you" to Mr. COLE, to the chairman and to all the other Members who are supporting this legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes again to the author of this legislation, the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

I want to thank my friends on the other side of the aisle for participating in the debate. I understand the passions here are high, and I actually respect that a great deal even when I disagree with the policy conclusions that may have led some of my colleagues to.

I do ask you to stop and think, there is a sort of a contradiction in your argument: It's both redundant and yet gives special preferences. Both those things can't be true. It suggests to me the real argument is fundamentally

different from those two points. The reality is it gives no one special preferences. We tried to listen to that point.

I wish other countries were beating down my door to want to go do work on Indian reservations and to want to partner with Indians. They aren't. I know of one country that has really cared enough to do this.

Now, there are a range of disputes in other areas. Those are legitimate disputes, and those are matters that ought to be the subject of serious discussion and debate on the floor, but have nothing to do with this bill. They have nothing to do with this bill. They're about ancient and current acrimonies and differences that ought to be settled in other forums on other issues but not on this bill, and certainly not at the expense of the least advantaged, frankly, the most disadvantaged part of our own population. I wish I could get more American companies that wanted to go on reservations and sit down and work with people about creating jobs. That's all this bill is about.

To those of you that have other concerns, I recognize the legitimacy of those concerns. But I just ask you to focus on the nature of the legislation. The New World is supposed to be able to put some of the Old World's controversies behind us, and certainly on a topic like this.

So for those of you, again, that have a different opinion, I respect it. But I also point out that Turkey is an ally of the United States. It has been for decades and decades. It's an important regional partner for the United States. This strengthens that relationship, as well, and the interest and the commitment in this area is genuine.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman 1 additional minute.

Mr. COLE. The interest in this area is genuine and real. Shouldn't that be something we should take and build on and try and add to and encourage? There needs to be a competition here. Let's build a competition to help Indian Country. Other countries can step up. Foreign companies can step up. Let's get a blueprint on how to do it. It is more complex than we would like to admit or acknowledge. That's one of the reasons why there's not American investments in these places.

I can take you to some of the Indian reservations in North and South Dakota where the unemployment rate is 80 percent and the State unemployment is under 5. Should that tell you how serious the problem is? I'd like to get anybody interested in helping and doing it legitimately.

We now have a level playing field for everybody. There are no preferences in this bill. Let's encourage other people to join the competition. Have them come in, and maybe they've got a better idea and a better way. But in the

meantime, we should pass this bill, we should get about the business of putting Americans to work—the first Americans—and certainly Americans on Indian reservations that have every obstacle in the world against them. This bill will give one more tool in the toolbox. It's not a panacea, but it's a tool they ought to have.

Mr. SABLAN. Mr. Speaker, at this time, I would like to inquire if the other side has any additional speakers.

Mr. HASTINGS of Washington. Mr. Speaker, I would tell my friend I have no more requests for time, and I am prepared to close if the gentleman is.

Mr. SABLAN. Mr. Speaker, then, at this time, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, once again, I urge adoption of this legislation, and I yield back the balance of my time.

Ms. RICHARDSON. Mr. Speaker, as a member of the Native American Caucus and co-sponsor, I rise today in support of H.R. 2362, "The Indian Tribal Trade and Investment Demonstrations Project Act of 2011." This bill authorizes the Secretary of the Interior to select up to six Indian tribes or consortia of Indian tribes to participate in an Indian Tribal Trade and Investment Demonstration Project that facilitates trade and financial investment in Indian tribal economies by private entities from Turkey.

Tribes selected for the program are to develop their own guidelines for leasing land and services to both foreign and domestic companies for economic development purposes. This act requires that the Secretary of Interior approve land leasing guidelines only once, reducing current multi-layer prohibitive land leasing laws. H.R. 2362 is a demonstration project, and if successful it would be expanded. This bill has been amended to expand the period of the demonstration project from one to three years to allow reasonable time for Tribes to draft leasing regulations, attain approval by the Secretary of Interior, and enter into a lease.

Economic development on tribal lands is hampered by a restrictive and archaic leasing system that requires applications to go through multiple levels of review and can sometimes take up to six years. Examples of projects delayed by this application process: Round Valley Indian Housing Authority has been waiting for nine years for BIA to process a lease for a large housing project. In 2006, the Swinomish made a deal with Wal-Mart to build a store on the reservation. The BIA regional office sat on the lease for two years and Wal-Mart pulled out of the deal after the 2008 financial crisis.

During a hearing on the bill held in the Subcommittee on Indian and Alaska Native Affairs, a tribal witness explained that Turkey has a long track record of promoting good relations and trade between its private business community and Indian tribes in the United States. The intent of the bill is to further such relations to increase private business development in Indian Country where economic diversification is greatly needed. This bill also allows all 155 members of the World Trade Organization (WTO) an equal opportunity to invest in Indian tribal economies.

Mr. Speaker, the major purpose and dominant aim of this bill is to promote economic

development in Indian Country and not to reward or show favoritism to Turkey. The reason Turkey is directly recognized in this legislation is to acknowledge its helpful role in developing this bill.

Mr. Speaker, Native Americans suffer from the highest unemployment and social illness rates reported in the United States. This legislation will be the first step to ameliorating those ailments and begin to diversify Indian Country.

That is why this legislation is strongly supported by the National Congress of American Indians and the National American Indian Housing Council two of the nation's leading advocacy organizations on behalf of Native Americans. I will continue support legislation that invests in our economy and our Indian tribes. I urge my colleagues to support this demonstration so that we can expand this much needed project.

Mr. MARKEY. Mr. Speaker, nothing in H.R. 2362 can't be accomplished by H.R. 205, the HEARTH Act, which passed the House unanimously in May and was just last week passed by the Senate without change. The President is expected to sign H.R. 205 into law any day now.

Unlike H.R. 2362, the HEARTH Act authorizes all tribes to engage in leasing activities with any nation—foreign or domestic—for economic development purposes on tribal lands. It does not discriminate based on world geography, or benefit a select few tribes who qualify under strict requirements for a time-limited demonstration project.

In light of H.R. 205, there is simply no need for H.R. 2362. It is redundant and unnecessary and should be rejected by the House on this basis alone.

But there are serious reasons to oppose H.R. 2362.

By acknowledging Turkey's "unique interest" in developing tribal economies and in building "robust" relationships between it and tribal communities, this legislation rewards a country with a terrible history of human rights and religious freedom violations, threats to U.S. commercial interests in Cyprus, and—most importantly—its refusal to acknowledge the Armenian Genocide which resulted in the deaths of 1.5 million people.

The manager's amendment to include WTO countries does not change the fact that Turkey is singled out for preferential treatment and will benefit through increased investment opportunities in Indian country.

Congress should not be in the business of rewarding countries with appalling records on human rights to develop economic ties to Indian country on a preferential basis.

I urge a "no" vote.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2362, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SARBANES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1640

BRIDGEPORT INDIAN COLONY LAND TRUST, HEALTH, AND ECONOMIC DEVELOPMENT ACT OF 2012

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2467) to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2467

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bridgeport Indian Colony Land Trust, Health, and Economic Development Act of 2012".

SEC. 2. LANDS TO BE TAKEN INTO TRUST.

(a) IN GENERAL.—Subject to valid existing rights and management agreements related to easements and rights-of-way, all right, title, and interest (including improvements and appurtenances) of the United States in and to the Federal lands described in subsection (b) are hereby declared to be held in trust by the United States for the benefit of the Bridgeport Indian Colony, except that the oversight and renewal of all easements and rights-of-way with the Bridgeport Public Utility District in existence on the date of the enactment of this Act shall remain the responsibility of the Bureau of Land Management.

(b) FEDERAL LANDS DESCRIBED.—The Federal lands referred to in subsection (a) are the approximately 39.36 acres described as follows:

(1) The South half of the South half of the Northwest quarter of the Northwest quarter of the Northeast quarter and the North half of the Southwest quarter of the Northwest quarter of the Northeast quarter of Section 21, Township 8 North, Range 23 East, Mount Diablo Meridian, containing 7.5 acres, more or less, as identified on the map titled "Bridgeport Camp Antelope Parcel" and dated July 26, 2010.

(2) Lots 1 and 2 of the Bureau of Land Management survey plat entitled "Dependent resurvey of a portion of the subdivision of Section 28, designed to restore the corners in their true original locations according to the best available evidence, and the further subdivision of Section 28 and the metes and bounds survey of a portion of the right-of-way of California State Highway No. 182, Township 5 North, Range 25 East, Mount Diablo Meridian, California" and dated February 21, 2003 containing 31.86 acres, more or less.

(c) AVAILABILITY OF MAP.—The maps referred to in subsection (b) shall be on file and available for public inspection at the office of the California State Director, Bureau of Land Management.

(d) GAMING.—Land taken into trust under this section shall not be eligible for, or considered to have been taken into trust for, class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.