

offering all Americans fair treatment under ObamaCare, you'd think the cost of "fairness for all" must be pretty astronomical. Not so.

Extending "fairness for all" by giving American families the same break from ObamaCare that businesses are getting will save taxpayers and cut the Federal deficit.

The nonpartisan Congressional Budget Office found that delaying ObamaCare's weighty individual mandate tax on the American people would reduce Federal deficits by roughly \$36 billion over the 2014-2018 period.

Fairness makes sense. It's not just good policy; it's good for taxpayers and for the economy. No wonder Republicans and Democrats joined together this summer to stop the individual mandate just like President Obama decided to stop his Big Business employer mandate.

We encourage President Obama to rethink his insistence on the individual mandate and to support "fairness for all."

#### CONGRATULATING THE CNMI PUBLIC SCHOOL SYSTEM ON ITS 25TH ANNIVERSARY

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

Mr. SABLAN. Mr. Speaker, public education in the Northern Mariana Islands was transformed 25 years ago by the Education Act of 1988, creating an autonomous public school system outside of the executive branch of government, overseen by an elected board of education.

This decision coincided with a period of political maturation, economic expansion, and population growth on the islands; and the intervening years have proven its value. PSS students are excelling, winning national awards for their acting talent, debate skills, spelling abilities, and science acuity.

This year alone, the Marianas High School Aeronautical Dolphins won the national Real World Design Challenge and \$50,000 scholarships for each team member. Three students were awarded Gates Millennium scholarships. It is the third year in a row students from our small community have won. Last summer, Saipan Southern High School's Manta Ray Band performed at the Olympics and brought home a silver medal from the London Celebration Music Festival.

These achievements were made possible through the extraordinary and cumulative support of the leaders, teachers, and staff of the public school system.

Please join me in saluting PSS for 25 years of service to our youth.

#### THE DELICATE BALANCE OF POWERS

(Mr. BURGESS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, today is the 226th anniversary of the signing of one of the most important documents in world history.

A lot of us talk about the Constitution, and talk about it often; but sometimes we forget the ground-breaking influence of that document and the fact that that very document was written by the States to create the Federal Government and not the other way around.

It has provided the basis for our representative Republic; it has provided the foundation for our government; and it has had a lasting influence across the world. In various corners of the globe, our Constitution has served as a model for other countries as they strove to build their governments and to make liberty and freedom for their citizens one of their first priorities.

Today's anniversary marks the spot where history diverged from the history of colonial rule and forged a path based on the rule of law and the rights of individuals. I hope that everyone takes a moment to reflect on the enormous insights of our Founders in creating this document.

#### A FISCAL CUL-DE-SAC

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, I appreciate the recognition of the signing of our Constitution, which has been described as a document created by geniuses for a government that could be run by idiots. It looks pretty idiotic around here today to have been driven into a fiscal cul-de-sac, risking a government shutdown or default on the national debt. We can help the Republicans out of the cul-de-sac they've driven into.

First, just allow the House to vote on a continuing resolution. Second, if you want to cut the budget, bring your House budget bills to the floor. You pulled them back, and you wouldn't even allow a vote on them. Third, if your own budget is too onerous that your own Members don't want to vote on it, allow a conference committee to be formed with the Senate and create a budget that's more realistic. But one thing should be off limits—wrecking the global economy by defaulting on the national debt, which is money we've borrowed for money that has already been spent.

Every small business, church, union, rotary club, contractor, home builder, and bank should tell the Republicans: don't play games with the national debt.

#### A NATIONAL DAY OF REMEMBRANCE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, this past Saturday marked the first annual National Day of Remembrance, a day to solemnly mark the sorrowful loss of life caused by abortion.

Last spring, the murder conviction of abortionist Kermit Gosnell forced our Nation to take a long, hard look into the brutal realities of abortion and the unborn lives that are killed by abortion every day. With Gosnell behind us, it may be tempting for some to look away again and ignore the truth: abortion is the taking of a human life.

I want to acknowledge and thank the pro-life groups and leaders who began the National Day of Remembrance.

It is a double tragedy when an unborn child is killed in abortion, and research has shown us the complications and emotional scars that can linger with the child's mother, compounding that tragedy. That's why we grieve and long for an end to abortion, and it's why pro-lifers must continue to make every effort to educate people about abortion.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1600

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BENTIVOLIO) at 4 p.m.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

#### 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.

#### KEEP THE PROMISE ACT OF 2013

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1410) to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1410

*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 “Keep the Promise Act of 2013”.

**SEC. 2. FINDINGS.**

The Congress finds as follows:

(1) In 2002, the voters in the State of Arizona approved Proposition 202, the Indian Gaming Preservation and Self-Reliance Act.

(2) To obtain the support of Arizona voters to approve Proposition 202, the Indian tribes within Arizona agreed to limit the number of casinos within the State and in particular within the Phoenix metropolitan area.

(3) This Act preserves the agreement made between the tribes and the Arizona voters until the expiration of the gaming compacts authorized by Proposition 202.

**SEC. 3. DEFINITIONS.**

For the purposes of this Act—

(1) the terms “Indian tribe”, “class II gaming”, and “class III gaming” have the meanings given those terms in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703); and

(2) the term “Phoenix metropolitan area” means land within Maricopa County and Pinal County, Arizona, that is north of latitude 33 degrees, 5 minutes, 13 seconds north, east of longitude 113 degrees, 20 minutes, 0 seconds west, and west of longitude 110 degrees, 50 minutes, 45 seconds west, using the NED 1983 State Plane Arizona FOPS 0202 coordinate system.

**SEC. 4. GAMING CLARIFICATION.**

(a) **PROHIBITION.**—Class II gaming and class III gaming are prohibited on land within the Phoenix metropolitan area acquired by the Secretary of the Interior in trust for the benefit of an Indian tribe after April 9, 2013.

(b) **EXPIRATION.**—The prohibition in subsection (a) shall expire on January 1, 2027.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

**GENERAL LEAVE**

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

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

There was no objection.

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

H.R. 1410, the Keep the Promise Act, introduced by a bipartisan group of Members from the Arizona delegation, would preserve Arizona’s voter-approved gaming compact by prohibiting any Indian casino on land acquired in trust after April 9, 2013, in the Phoenix metropolitan area. This prohibition would expire on January 1, 2027, when the current gaming compact negotiated with the Arizona Governor expires.

This bill helps to resolve public promises that were supposedly made in good faith to the voters of Arizona. In 2002, the voters supported the passage of Proposition 202, which limited the number of tribally owned casinos in the State, and it granted tribes exclusive rights to operate casinos in Ari-

zona. During the Proposition 202 campaign, a public promise was made by a coalition of 17 Arizona tribes, including the Tohono O’odham Nation, to limit casino gaming in the Phoenix metropolitan area. Unfortunately, it appears that a tribe is on the verge of breaking that commitment, and more than a majority of the tribes in the State are upset.

The immediate effect of the bill is to block the Tohono O’odham Nation from opening an off-reservation casino in the Phoenix area. This is a modified version of a bill passed by an overwhelming majority of the House last year.

As mentioned earlier, the bill has bipartisan support, including a majority of the House delegation, the Governor of Arizona, and six of the tribes that took part in the Proposition 202 agreement: the Salt River Pima-Maricopa Indian Community, the Gila River Indian Community, the Hualapai Tribe, the Pueblo Zuni, the Cocopah Indian Tribe, and the Fort McDowell Yavapai Tribe.

It is important to point out that it is not just Arizona tribes that support this bill. I have met tribes from other States, and they are very concerned about what is happening in Arizona. They believe that if our legislation is not signed into law, a dangerous precedent could be set, leading to the expansion of off-reservation casinos in Arizona and other States. They want to see Congress protect State gaming compacts.

For me, today’s deliberations are not about stopping one casino or gaming as a whole. I support gaming. The Keep the Promise Act is about protecting the integrity of my State’s gaming compact, the future of gaming in Arizona, and, ultimately, the future of Indian gaming in this country.

I urge adoption of the measure and reserve the balance of my time.

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

We’re back again. This is the second time with a different piece of legislation. And, quite honestly, H.R. 1410 is nothing more than special interest legislation designed to protect the Phoenix market from a few wealthy tribal gaming enterprises.

The legislation not only upsets settled law, but potentially subjects the United States to new liabilities for breach of trust, breach of contract, and taking claims valued in the hundreds of millions of dollars, but it also creates a dangerous precedent for hundreds of tribal-State compacts and land and water rights settlements that are found nationwide.

Let’s talk about those promises. The Gila Bend Act, approved and enacted by this Congress 25 years ago, entitled the Tohono O’odham Nation to acquire nonreservation land anywhere within three Arizona counties in order to replace original reservation land rendered economically useless by the Painted Rock Dam, the San Lucy Dis-

trict in particular, which that community was totally destroyed.

The settlement specifically promised that the nation could acquire new replacement land that could be used by the nation for economic development and as a “Federal reservation for all purposes.”

H.R. 1410 would impose additional restrictions beyond those agreed upon by the United States and the Tohono O’odham Nation 25 years ago, breaking the solemn promise made between two sovereign nations. This would mark the first and only time in the modern era in which the United States unilaterally reneges on a tribal land and water rights settlement.

Last time around, the special interests behind this legislation tried to amend the actual settlement language from 1986. They soon discovered that that would open up a Pandora’s box, potentially rendering more than a century’s worth of binding, legal agreements with Native American tribes and nations moot.

This time, they thought they would be clever and instead attack the actual State compact, but this legislation sets equally dangerous precedent. In the 2003 compact, the State explicitly agreed that the nation could conduct gaming on any of the nation’s lands that meet the requirements of IGRA. Proposition 202, the voter-sanctioned State law which gave the Governor the authority to enter into the very tribal gaming compact now in force, includes the exact same language allowing the Tohono O’odham Nation to conduct gaming on lands that meet the requirements of IGRA.

H.R. 1410 breaks this contractual promise that Arizona made to the Tohono O’odham Nation. It would also be the first and only time that the United States unilaterally inserts new terms into a tribal-State gaming compact. Let me restate that. With H.R. 1410, the Federal Government will be stepping in and unilaterally altering a voter-approved, legislature-approved, tribal-approved, and Governor-approved binding tribal-State compact.

How’s that for a dangerous precedent? This legislation would put all tribal gaming compacts at risk of collateral attack by Members of Congress.

Now the special interests are bringing H.R. 1410 up this time because they have lost yet another court case. Since its predecessor, H.R. 2938, was introduced in 2011, almost every argument to justify H.R. 2938 and now H.R. 1410 has been rejected by Federal courts in multiple cases. In fact, there have been 11 administrative and judicial decisions rejecting justifications for this legislation. The latest came on June 25, 2013, when the Federal district court ruled the Arizona tribal-State gaming compact was fully integrated and contained no prohibition of new gaming in Phoenix, and this foreclosed any alleged promises not to game. The court dismissed all remaining claims brought by plaintiffs.

Aside from making good on what the Federal Government promised the Tohono O'odham Nation, this is also about jobs, jobs that this project would create, 9,000 of them, and \$300 million in annual economic impacts that are critical to the economic well-being of the west valley of Phoenix and the State of Arizona. This is why many of the surrounding cities and hundreds of business leaders and trade organizations are supportive of the project.

The city of Glendale, where the casino would be located and which was initially party to the lawsuits, is now actively working with the nation to move forward on the project. They see the economic benefits it will bring. In fact, they are asking Congress not to pass this legislation as it will only undermine their ongoing talks.

Congress needs to stop trying to interfere in this issue in order to pick winners and losers. This bill is just a waste of time and energy that this Congress should be spending on many more pressing issues that face this Nation.

It should be noted that the administration has twice testified against this bill in both versions, which regardless of what happens today in the House, it will not become law.

I reserve the balance of my time.

Mr. GOSAR. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona, Mr. TRENT FRANKS, the author of this bill.

Mr. FRANKS of Arizona. I thank the gentleman.

Mr. Speaker, on behalf of a lot of the Members here of the House of Representatives, I want to thank Peggy Sampson for her tremendous work to help us all. This is her birthday, Mr. Speaker, and we wish her a happy birthday. We hope she has 100 more and that at least 90 of them are spent helping us here in this House to do a better job. We appreciate her very much.

Mr. Speaker, let me also thank Chairman HASTINGS and leadership for bringing this bill to the floor today, as well as the bipartisan group of cosponsors for their support. I certainly want to thank all of the Members of the Arizona delegation that are in support of this bill.

Mr. Speaker, H.R. 1410, the Keep the Promise Act, seeks to prevent Las Vegas-style gaming in the Phoenix metropolitan area until the gaming compact that both the tribes agreed to and the Arizona voters approved expires in 2027.

One Tucson-area tribe is trying to build a major casino on lands that were purchased in the Phoenix metropolitan area at the very same time they were in negotiations with other tribes in the State to craft this gaming compact. These actions are contrary to the public commitments that this particular tribe made between 2000 and 2002 to the 16 other Indian tribes in Arizona, the State itself, and the voters of the State of Arizona; and they publicly supported the passage of Proposition 202, a State

referendum to limit casino gambling in the Phoenix metropolitan area. Mr. Speaker, the bipartisan cosponsors of H.R. 1410 are simply trying to keep all the parties to their publicly stated commitment to the people of Arizona not to engage in gaming in the Phoenix metropolitan area.

Mr. Speaker, during the subcommittee hearing on this bill, witnesses made clear that there is a problem and a serious threat to the negotiated gaming structure in Arizona if this tribe is able to break its promise and develop a Las Vegas-style casino in the Phoenix metropolitan area.

□ 1615

H.R. 1410 prevents an onerous precedent that could lead to an out-of-control expansion of off-reservation casinos as well as dangerous changes to the complexion of tribal gaming in other States across America.

Mr. Speaker, tribes across this Nation, including many of the other Arizona tribes that played an integral role in the 2002 gaming compact, strongly support this legislation due to the impact this situation could have on tribal gaming enterprises nationally. The bill is also supported by the State of Arizona, the city of Glendale, the city of Litchfield Park, the city of Scottsdale, the city of Tempe, the town of Gilbert, and the editorial board of *The Arizona Republic*, which is the largest newspaper in the State.

Additionally, Mr. Speaker, even if the casino weren't in violation of Federal law or contrary to the voter-approved gaming compact, claims that the operation would create jobs and benefit the economy of the surrounding area are woefully misinformed at best and shamefully dishonest at worst.

Tellingly, multiple organizations, including the city of Glendale, asked that the tribe release the data and methodology supporting their economic study, which was conducted roughly 4 years ago, and to this day the tribe continues to steadfastly refuse. In other words, the tribe released a batch of numbers extolling the supposed amazing economic benefits of this new casino and then refused to tell anybody how they came about finding and coming up with those numbers.

Mr. Speaker, this bill does not impact any tribe's ability to have lands taken into trust, nor does it impact any water or land claims. Consistent with the intent of the Indian Gaming Regulatory Act and Proposition 202, this bill merely restricts the ability of tribes to game on the very lands on which they agreed they would not game.

With that, Mr. Speaker, I respectfully ask that my colleagues join me and the Members of Arizona's delegation in supporting this bill.

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

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

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

Mr. GRIJALVA. Let me enter into the RECORD three letters. One is from Councilwoman Norma Alvarez from the city of Glendale. Let me quote from it:

As a member of the Glendale City Council, I urge you to oppose H.R. 1410, the so-called Keep the Promise Act. This bill is aimed at halting the Tohono O'odham Nation's resort and casino project in the West Valley in order to preserve the market share of two wealthy tribes on the other side of the valley. In serving these narrow interests, H.R. 1410 will also be harmful to my constituents, who want the thousands of jobs that the West Valley Resort and Casino will create.

I am part of a majority of the Glendale City Council that supports beginning discussions with the Tohono O'odham Nation to find ways to work together. These talks are long overdue and they need an opportunity to succeed.

From Councilman Samuel Chavira from Glendale, let me quote from him:

As a local elected official, I believe that this legislation is not only detrimental to my community, but is an affront to the notion of fairness in attempting to overturn a land settlement resolved by Congress three decades ago brought by parties who have repeatedly failed to sustain their position in court. My constituents want this project to go forward, the sooner the better. Please join me in opposing H.R. 1410.

From Ian Hugh, councilman, city of Glendale:

There is now a consensus of the Glendale City Council that favors pursuing discussion with the Tohono O'odham Nation about its project, which represents our first opportunity in years to work together constructively. Passing H.R. 1410 at this moment would undercut the very local communities it is supposed to protect.

I ask you to please oppose this bill and oppose any effort to move forward on H.R. 1410 until after the discussions between the city and the tribe have run their course.

I also have one additional communication to enter. It is from Glendale Grassroots Tea Party Activists, and let me quote from their communications to Congress:

I feel confident that I speak for the majority of those involved with the grassroots Tea Party in Glendale as well as other Tea Party organizations in the West Valley that we all can be in agreement that to continue on this insane spending, egotistical stubbornness, and refusal to sit down in a professional-like manner and talk regarding this issue will eventually be the death trap financially of this city and the State, and hurt many innocent families in keeping good-paying permanent jobs out of their reach.

I am sending each of you a copy of this letter as well as posting it on Facebook Web pages of many of the legislative districts, Tea Party organizations, Republicans coalitions, and various other organizations, to ensure a peaceful resolution.

With that, I reserve the balance of my time.

SEPTEMBER 13, 2013.

Hon. TRENT FRANKS,

*U.S. House of Representatives, Rayburn House Office Building, Washington, DC.*

As a member of the Glendale City Council, I urge you to oppose H.R. 1410, the so-called Keep the Promise Act of 2013. This bill is aimed at halting the Tohono O'odham Nation's resort and casino project in the West Valley in order to preserve the market share of two wealthy tribes on the other side of the valley. In serving these narrow interests,

AUGUST 12, 2013.

H.R. 1410 will also be harmful to my constituents, who want the thousands of jobs that the West Valley Resort and Casino will create.

I am a native and lifelong resident of Glendale and have supported the West Valley Resort project since I was elected to the Glendale City Council in 2010. I have watched as the opposition's misinformation about the Nation's project, all of which has been totally discredited point by point. I have also seen the enduring support for the project among my own constituents and voters across the West Valley, where public support remains overwhelming.

I have met with the leaders of the Nation and they are honorable people. The Nation has been a strong community partner in Glendale and the West Valley, supporting our schools, our community events, and our local nonprofits. Even before a single brick has been laid, they have already established themselves as good neighbors.

I am part of a majority of the Glendale City Council that supports beginning discussions with the Tohono O'odham Nation to find ways to work together. These talks are long overdue and they need an opportunity to proceed.

WRITTEN TESTIMONY OF THE HONORABLE SAMUEL U. CHAVIRA, CITY OF GLENDALE, ARIZONA YUCCA DISTRICT COUNCILMAN

Chairman Young, Ranking Member Hanabusa, and distinguished members of the Subcommittee on Indian and Alaska Native Affairs, my name is Samuel (Sam) Chavira and I am respectfully submitting these comments opposing H.R. 1410.

I am submitting these comments on my own behalf although I would have strongly preferred to share them with you in person but apparently the Subcommittee did not want to hear from the many in our local community who are opposed to H.R. 1410. Allowing the minority local opposition to appear while denying the majority local supporters the same opportunity is an abuse of discretion and protocol to which I strongly object.

I am among three members of the Glendale City Council who support this project, two of whom were elected to the Glendale City Council in November of 2012 to a four-year term. The West Valley Resort and casino project was a cornerstone of my campaign as I defeated a four-term incumbent who opposed the resort and casino. I spoke to literally thousands of constituents over several months and nine out of every ten people I talked with joined me in support of the project because of the jobs and economic impact that it will provide to Glendale. So today I am submitting this written testimony in opposition to H.R. 1410 on behalf of my constituents in the Yucca District which borders the Tohono O'odham Nation's West Valley Resort and casino property. Not only is this legislation detrimental to our local community, but is even worse than Representative Franks' previous proposal, which I also opposed. Under this version, we would be left with the Nation's land in reservation status but without the ability to develop the land to its highest and best use.

For those of you who are not familiar with the West Valley, it is a reference to the communities west of the City of Phoenix. The City of Glendale is the largest community in the West Valley, with a population of more than 230,000. My district is home to approximately 40,000 Glendale residents and is fortunate to have community assets like Luke Air Force Base, Jobing.com Arena, University of Phoenix Stadium, the Glendale Municipal Airport and Camelback Ranch Spring Training facility. While on the campaign trail, I was pleased to learn so much about

my district and the needs of my constituents. The issue that my constituents were particularly eager to discuss was the Tohono O'odham Nation's West Valley Resort and casino. The overwhelming majority of the residents I spoke to favor the proposed project, and were quick to share with me the many benefits associated with the project's construction and development.

As the Yucca district is the only Glendale City Council district adjacent to the Nation's land, I wanted to share my perspective with you. The City of Glendale's financial situation is precarious, and I strongly believe that a project of this magnitude will significantly contribute to the City's economic stability and ultimate recovery. The Nation seeks no subsidies and has committed to pay their fair share for infrastructure and services, and the employment their project will generate will bring thousands of quality jobs to the region that my constituents want and need.

As a local elected official, I believe that this legislation is not only detrimental to my community, but is an affront to the notion of fairness in attempting to overturn a land settlement resolved by Congress three decades ago brought by parties who have repeatedly failed to sustain their position in court. My constituents want this project to go forward, the sooner the better. Please join me in opposing H.R. 1410.

SEPTEMBER 13, 2013.

Hon. TRENT FRANKS,

*U.S. House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR REPRESENTATIVE FRANKS, I am writing to ask you to oppose H.R. 1410, a bill aimed at halting the Tohono O'odham Nation's proposed West Valley Resort and Casino.

I speak from the perspective of a lifetime Glendale resident; business owner for 35 years, former City Councilmember from 1986-1991; 8-year former Board Member and Past President of the Glendale Union High School District; and current Glendale City Councilmember.

Glendale is faced with a unique opportunity for a major economic development project in the West Valley Resort and Casino. I have met with the leaders of the Tohono O'odham Nation and have studied the impacts of their project. It would be the largest construction project in the region and would create thousands of permanent jobs, as well as hundreds of millions of dollars in economic impacts.

It just does not make any sense for Congress to intervene to stop this project, especially with H.R. 1410. This legislation unilaterally amends the Nation's settlement with the federal government to draw an arbitrary line across the state in a fashion that does more to protect the market share of special interests than serve any public good.

It's also a terrible deal for Glendale because H.R. 1410 would still leave us with the Nation's land in reservation status, while preventing the property from being put to its highest and best use.

There is not a consensus of the Glendale City Council that favors pursuing discussion with the Tohono O'odham Nation about its project, which represents our first opportunity in years to work together constructively. Passing H.R. 1410 at this moment would undercut the very same local communities it is supposed to protect.

I ask you to please oppose this bill and oppose any effort to move forward on H.R. 1410 until after the discussion between the City and the tribe have run their course.

Sincerely,

IAN HUGH,  
*Councilmember.*

Mayor JERRY WEIERS,  
Councilman IAN HUGHES,  
Councilwoman NORMA ALVAREZ,  
Councilman SAM CHAVIRA,  
Councilman MANNY MARTINEZ,  
Councilwoman YVONNE KNAACK,  
Councilman GARY SHERWOOD,  
Attorney General TOM HORNE,

TO THE MAYOR OF THE CITY OF GLENDALE, ALL MEMBERS OF CITY COUNCIL AND THE ATTORNEY GENERAL FOR THE STATE OF ARIZONA.

I am speaking as an individual concerned citizen of the City of Glendale with regards to the excess spending in lawsuits for the past 4+ years against the Tohono O'odham Nation in their pursuit of creating a Free Enterprise project that entails the creation of upwards of 3500-4000 permanent much needed jobs for the people in Glendale and surrounding West Valley communities.

Free Enterprise is one of our greatest US Constitutional rights. To continue to deny this venture that will help families keep their homes, put food on their tables, clothing on their children, and pursue the American Dream is a travesty. Taking away good hard earned money in the form of taxes to continue to pay lawyers who knowingly continue this mockery of so called justice to suit only a small special interest group in their quest of having a monopoly on a specific enterprise is outrageous.

This is purely all about keeping all the profits to one-two specific tribal groups who do not want any competition as I've been personally told by both Senator MCCAIN and Congressman FRANKS. To use the words spoken specifically to me by Senator MCCAIN—It's All About The Money. Truer words were never spoken.

The Tohono O'odham Nation have won all lawsuits costing both the State of Arizona and City of Glendale millions of dollars in taxpayer money to fight frivolous lawsuits—State of Arizona to the tune of \$4.4 million and the City of Glendale \$5-6 million. How much longer can the State and the City continue this insanity before either one or both go bankrupt and for what. Ego?

Mayor Weiers, you campaigned on the promise that if the TO Nation won their suit that was pending last October/November 2012, you would go with whatever the courts decided. The courts, Again, decided in favor of the TO Nation and once more after that. So that's 2 more Wins for TO Nation. Isn't it about time you kept your promise to the citizens of the City of Glendale.

I understand that thousands of letters are pouring into Councilmembers hands as well as to the Mayor all in favor of stopping the insane spending to continue fighting a fight that is a Gila River Indian Community Fight to keep all the money that they feel is 'their' money from profits from their Casinos. This is not about the Casino any longer. It is about taxpayers money, lost jobs, and lost revenue to the City of Glendale as well as hurting Westgate businesses and other surrounding businesses.

Surely all of you Councilmembers, the Mayor and Attorney General Tom Horne recognize the wall you are up against and realize to maintain your integrity you must see, recognize and adhere to the will of the people in the City of Glendale, Phoenix, Surprise, Sun City, Peoria, Tolleson, Buckeye, and other surrounding cities who want the Spending to STOP!

Please be adults and good, principled business people. Be willing to accept the Olive Branch that has been provided to you all to sit down at the table to talk and pursue negotiations of what will be feasible, productive both financially and opportunistically to all parties including We The People who voted you all into office. We The People,

with our tax dollars, pay all of your salaries. It is in all of your best interests to listen to the majority who are asking that you STOP the wasteful spending in lawsuits and become more productive in pursuing an amicable solution by coming together with the TO Nation in sit down in talks with the sole intent of coming to a resolution that provides for everyone.

I have spoken to many people in the Grassroots Tea Party Activists in Glendale who are definitely in favor of stopping the wasteful spending of taxpayer money on these frivolous lawsuits against the TO Nation especially when it is costing people their livelihood, and chance of better jobs, or just at having permanent jobs. We have a few who are not in favor of Casinos, any casinos, on moral principles. Vast majority though will concede the common sense thing to do right now after the TO Nation has already won approximately 12 lawsuits, leaving the State of Arizona & the City of Glendale in debt to the TO Nation combined total at around \$10 million plus.

I feel confident that I speak for the majority of those involved in the GRTP in Glendale as well as other Tea Party Organizations in the West Valley that we all can be in agreement that to continue on in this insane spending, egotistical stubbornness, and refusal to sit down in a professional like manner and talk regarding this issue will eventually be the death trap financially of this City and the State and hurt many innocent families in keeping good paying permanent jobs out of their reach.

I am sending each of you a copy of this letter as well as posting it on Facebook webpages of many of the Legislative Districts, Tea Party organizations, Republican Coalitions and various other organizations, to ensure that a peaceful resolution be brought to the table and No More Lawsuits. Thank you.

In Liberty,

FRANCINE ROMESBURG,  
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H.R. 1410 prevents an onerous precedent that could lead to an out of control expansion of off-reservation casinos as well as dangerous changes to the complexion of tribal gaming in other states across America. of off-reservation casinos o the complexion of tribal America.

Mr. Speaker, tribes across this nation, including many of the other Arizona tribes that played an integral role in the 2002 gaming compact, strongly support this legislation due to the impact this situation could have on tribal gaming enterprises nationally. This bill is also supported by the State of Arizona, the City of Glendale, the City of Litchfield Park, the City of Scottsdale, the City of Tempe, the Town of Gilbert, and the Editorial Board of the Arizona Republic, which is the largest newspaper in the State.

Additionally, Mr. Speaker, even if the casino weren't in violation of federal law or contrary to the voter approved gaming compact, claims that the operation would create jobs and benefit the economy of the surrounding area are woefully misinformed, at best, and shamefully dishonest, at worst.

Tellingly, multiple organizations, including the City of Glendale, asked that the tribe release the data and methodology supporting their economic study (which was conducted roughly four years ago) and, to this day, the tribe continues to steadfastly refuse.

In other words, the tribe released a batch of numbers extolling the supposed amazing economic benefits of this new casino, then refuses to tell anybody how they came up with the numbers.

Mr. Speaker, this bill does not impact any tribe's ability to have lands taken into trust,

nor does it impact any water or land claims. Consistent with the intent of the Indian Gaming Regulatory Act and Proposition 202, this bill merely restricts the ability of tribes to game on the very lands on which they agreed they would not game.

I respectfully ask that my colleagues join me and members of Arizona's delegation in supporting this bill. With that, Mr. Speaker, I yield back.

Mr. GOSAR. Mr. Speaker, may I inquire regarding the amount of time remaining?

The SPEAKER pro tempore. The gentleman from Arizona has 13 minutes remaining.

Mr. GOSAR. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Speaker, I thank Congressman GOSAR, and from all of us, I see Peggy has slipped off the floor, but happy birthday.

Mr. Speaker, I actually come here before the body with somewhat of a unique perspective on what's going on here. And I hate to admit that I'm getting this old, but in 1993, I was the majority whip in the Arizona State house. I was the one who was assigned to work as a negotiator on the original IGRA compacts between the State of Arizona—the legislature had to put its text together—and the tribal communities, our 21 land-holding tribes within the State of Arizona. So I spent a year of my life with lawyers and tribal members and their lawyers and members of the legislature and members of the Governor's office going over this over and over.

And the concern that constantly came up was, if we make this deal as IGRA, that had passed a few years earlier and was sponsored by one of our U.S. Senators, are we confident that this very situation that's happening right now would not happen.

Look, I know many of the players have changed in those 20 years, but this is what we talked about. And now I need to take you to the next reason: Why is this so dangerous to our State?

Arizona does something, and I don't know if it's unique to our State, but there's the ability for my poor rural tribal communities to transfer their machines to urban communities. I believe if this casino goes into my metropolitan area, my State, within a couple years, becomes a full-scale gaming State because the horse track and the others are already lining up, gearing up, I believe, to do the initiative, saying, hey, we all thought we had this deal. Look what's happening. They're coming into your neighborhood. Let's just put it on the ballot and let everyone participate in full-scale gaming. And the moment that happens, the value of the machine transfer for these poor rural tribes that are just now starting to build that consistent cash flow will go away.

This is much more than just dealing with the Tohono O'odham and where their aboriginal lands are and this acquisition of lands that are 100 miles beyond. This is an issue of: Are you about

to allow something to happen that will change the very nature of my State?

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

It has been impossible to correct the misrepresentations, and to put that mildly, the constant and sophisticated disinformation lobbying campaign has persisted without regard to facts or reality. There has been some constant points that were made—that H.R. 1410 is about stopping reservation shopping and off-reservation gaming, akin to the situation that's going on in Michigan. It is totally different. It is unrelated, and the decree by Congress in law, upheld by State and Federal law, points to the fact that that is not real, and it is totally different.

The 202 initiative that the public voted on and passed, that that somehow is in jeopardy. The last court hearing reaffirmed that that was not the case.

And that it is a precedent for all State compacts to be opened up. Each State compact is unique, different, with its own checks and balances, and Arizona is no different.

This is a violation of the State gaming compact, and that there was a gentleman's agreement. Again, the courts pointed out that that was not in fact part of the record or part of the decision, and that court decisions, very interesting, court decisions, Interior Department findings, are of no matter:

In 2009, April 30, the Department of Interior ruled in favor of Tohono O'odham Nation.

In 2009, June, ruled in favor of the Tohono O'odham Nation.

In 2010, July 23, Echohawk Trust decision letter, in favor of the Tohono O'odham Nation.

The Gila River v. U.S., 2011, March, court summary judgment in favor of the Tohono O'odham Nation.

May 20, 2013, Ninth Circuit Court decision in favor of the Tohono O'odham Nation.

The Tohono O'odham Nation v. Glendale on an annexation issue 2011, May, Court of Appeals decision, Tohono O'odham Nation.

2011, October, Supreme Court denial of petition for review, Tohono O'odham Nation prevails.

2011, December, Supreme Court fee award, Tohono O'odham Nation prevails.

2012, January, Superior Court judgment, Tohono O'odham Nation prevails.

Tohono O'odham Nation v. Arizona, 2011, June, district court summary judgment, Tohono O'odham Nation prevails.

2011, June, again district court judgment, Tohono O'odham Nation.

Arizona v. Tohono O'odham Nation, district court order on a motion to dismiss claims 5 and 6; claims 1, 2, 3, and 7 in part, Tohono O'odham Nation wins.

2013, May, district court summary judgment order, all remaining claims except breach of contract under re-statement, Tohono O'odham Nation wins.

2013, June, district court summary judgment order, all remaining claims, including breach of contract, Tohono O'odham Nation prevails.

Again, June, 2013, district court judgment, Tohono O'odham Nation prevails.

Eleven in total administrative and judicial decisions—but let's not let facts and judicial precedent and the fact that the Tohono O'odham Nation has prevailed consistently against the State, against the city of Glendale, against competing tribes over and over again and has had the Interior Department, which, as I stated earlier, has testified twice against the previous legislation and against this legislation.

I want to quote from The Glendale Star from their editorial of August 1:

Is it any wonder so many people distrust government—at any level? When there are so many questions about the motives of the plaintiffs that are suing the Tohono O'odham Nation, one begins to ask about the greed factor.

Does anyone believe the future of Indian gaming in Arizona is at risk if the Tohono O'odham Nation eventually wins this long, drawn-out battle in the courts? Who is willing to bet on the future of Indian gaming in our State?

If the congressman who is sponsoring this legislation is so set against gambling, he should be trying to get rid of all the casinos in the State. He should be out stumping for the end of gaming altogether.

Instead, he is working on the side of the two major gaming operations in the valley, both in the East Valley, by the way, and not the West Valley.

This congressman needs to start looking in his own backyard and trying to come up with solutions to unemployment, help for small business owners, transportation gridlock, and more than blocking what could be a big step toward economic stability, i.e., jobs. At least, the nation's resort-casino would provide construction jobs for many out-of-work carpenters and masonry workers for a year or two. Those jobs are needed now.

□ 1630

I mention all this because, as I said earlier, it's been difficult to try to counter the allegations and the misrepresentation and the disinformation that have been leveled against the Tohono O'odham Nation's efforts to establish a casino under a congressional decision and law that afforded them, to make them whole because of the land they lost because of the dam, and we're still back here on this particular piece of legislation.

So court decisions, administrative decisions matter not. Precedent matters not. The opening of Pandora's box, in terms of water claims and other settlements with Indian country, matters not.

What matters is to protect some very important gaming interests and special interests for two gaming entities that have had the luxury for the last 5, 6, 7, 8, 10 years.

Tohono O'odham Nation has prevailed in court. The issue of a backroom deal that wasn't kept has been ruled moot by the court. The issue that this is somehow reservation shopping

and offsite gaming has been ruled moot by the court.

And then you have the Glendale City Council, a principal plaintiff in this, now retreating and, rather, working with the Tohono O'odham Nation to work out some agreements, as opposed to continuing the litigation.

The courts have ruled \$4.5 million is owed to the tribe in legal costs by both the State and the affected gaming industry, also from Glendale; and I think it's time, as this legislation goes forward, that people ask a very fundamental question about this legislation: Is it intended to preserve a gaming compact? Which, I believe, and the court has ruled, no.

Or is it intending to preserve a market share for two gaming entities that have enjoyed that market share by themselves?

The free market requires competition. The free market requires opportunity. And all that is happening in this legislation is to try to constrict the ability of people in this free market of ours to compete, to create jobs, and to create opportunities.

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

Mr. GOSAR. Mr. Speaker, I'd like to acknowledge that out of our committee this bill was reported 35-1 in favor of this bill, so a heavily bipartisan bill reported to the House.

I reserve the balance of my time.

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

There's no question that the prevailing point of view—and I talked about the disinformation—will prevail here today. I have no question about that.

The fact that we are going against judicial decisions, undoing a law that was passed by this Congress to make whole a tribe that lost their land 25 years ago, and interjecting ourselves, for the first time in the history of this Nation into a State and Native American gaming compact, that doesn't negate that.

So, you know, my opposition, whether it's in the distinct minority or not, is based on what I believe is reality and fact. And if this debate were about reality and fact, and not about supposition, disinformation, or misinformation, the debate would be in a whole different tone.

This is about economic development for the State. This is about Congress making true on a decision they made 25 years ago, and this is about Congress not short-cutting judicial decisions that have been made over the course of the last 5 years, in which the Tohono O'odham Nation has prevailed in every one of them.

So, given all that, bipartisanship, I love it, but being correct and holding true to a decision that this Congress made 25 years ago, I think, is consistent with the work of this House and consistent with preserving gaming compacts in States and, more importantly, making whole a tribe that lost

valuable resources to the Federal Government in the past.

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

Mr. GOSAR. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, thank you for yielding some time to me.

I rise in support today of H.R. 1410. The Saginaw Chippewa Tribe in Michigan, whom I have the privilege of representing here, and for reasons that I concur with, have asked that I support this legislation, along with several other Michigan tribes that are opposed to off-reservation gaming. And so I ask my colleagues to join me in support of this legislation and in opposition to off-reservation gaming.

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

In closing, let me say that the situation in Michigan, as I mentioned, is unrelated to this. There is no legal precedent, and there is no congressional action to guide the decisions of courts, which has been the case with the Tohono O'odham decision and with the casino in the West Valley.

Let me just say, this is about fairness. This is about Congress upholding its word.

This is not about reservation shopping. It's not about offsite gaming. It is not about a gentlemen's agreement.

And it is totally and entirely about an act that was taken 25 years ago, upholding that act, making a tribe whole, and not opening up a Pandora's box in which litigation will continue to proceed once this legislation goes forward.

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

Mr. GOSAR. Mr. Speaker, I yield myself as much time as I may consume.

Trust is a series of promises kept. That's the basis of all government functions. And that is the same thing that is required of the Tohono O'odham. When they entered into the agreement in 2002, they publicly supported the compact which limited the amount of casinos in the Phoenix-Greater Phoenix area.

Yes, it is true there are other precedents behind it, but contractual law always follows and subjugates itself when you look at this.

The speaker from Arizona spoke about the dialogue with the courts. The courts had to rule because the Tohono O'odham hid behind sovereignty in which the tapes and discussion in which they were truly negating or negotiating behind closed doors in dire dissent against this compact would not be disclosed. So the court only had one way to look.

Congress has the ability to rectify this answer, and that's why we are here today. This is good legislation. It doesn't prohibit any of the jurisdictions over that, except just complying with the compact to the end of the compact, 2027. Once upon that time, then they can renegotiate, and everybody is fairly into the game.



This is about trust, but it is trust from the Tohono O'odham to the Federal Government, to the taxpayers of Arizona, to the Governor, and to the other tribes of Arizona.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GOSAR) that the House suspend the rules and pass the bill, H.R. 1410.

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.

#### AUTHORITY TO EXTEND THE UNITED STATES-REPUBLIC OF KOREA NUCLEAR COOPERATION AGREEMENT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2449) to authorize the President to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2449

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

#### SECTION 1. AUTHORITY TO EXTEND THE UNITED STATES-REPUBLIC OF KOREA NUCLEAR COOPERATION AGREEMENT.

The President is authorized to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016, notwithstanding any other provision of law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. MEEKS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include any extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, over the past six decades, the United States and South Korea have built a strong and enduring alliance, which is the cornerstone of peace, the cornerstone of security in the Asia-Pacific region.

Ever since the dark days of the Korean war, our two nations have stood

side by side to meet some of today's most pressing challenges. The alliance between our two countries is a model for global partnership in every field, whether it's in the economic field or political or concerning security.

And earlier this year, my good friend, the ranking member, and I led a bipartisan delegation to South Korea to reaffirm our Nation's steadfast commitment to the good people of South Korea. It was during this visit that we witnessed the tremendous sacrifice that South Koreans made in order to live in freedom.

The ranking member and I stood by the wreckage of the naval ship Cheonan, paying our respects to the 46 South Korean sailors who perished as a result of the unprovoked North Korean attack, a poignant reminder of the constant threat that our two nations face.

When Madame Park Geun-hye, the first woman to be elected President of South Korea, addressed a joint session of Congress, she honored the deep sacrifice that Americans have made in protecting her beloved nation. I was pleased to serve on the host committee when she visited the Congress.

Madam Park and her delegation were warmly received when in southern California as part of her official visit to the United States.

Today, South Korea is at the forefront of global innovation, with the world's 13th largest economy; and as a result of the landmark U.S.-South Korea trade agreement, South Korea is our seventh largest trading partner.

One of the most important areas of our close economic cooperation is commerce and, particularly, commerce in nuclear energy. And that is why, Mr. Speaker, it is so important that the Congress approve this piece of legislation before us today.

South Korea's nuclear energy sector is extensive. It's critically important to its economy. Its 23 operating reactors produce one-third of the nation's electricity. In an effort to secure greater energy independence, the government plans to double this figure over the next two decades, with 11 more power plants to be completed.

Much of South Korea's nuclear infrastructure is of American origin, and U.S. businesses provide millions of dollars' worth of spare parts and services every year to that nation. That is one of the reasons expansion of this vital sector will be good for the U.S. economy as well.

South Korea also plans to become a major nuclear exporter in the international market. Given the truly global nature of this industry, American suppliers stand to make considerable gains as well.

For example, in 2009, a consortium of Korean companies was selected to build four nuclear power reactors in the United Arab Emirates, a deal worth \$20 billion. Of this total, American companies will earn up to \$2 billion for this project alone through sales of equipment and of services. It is estimated

that this one project will support 5,000 jobs in 17 States.

□ 1645

The ability of American companies to export to South Korea's nuclear power sector rests upon our two countries' 40-year-old nuclear cooperation agreement, which expires on March 19, 2014. The U.S. and South Korean negotiators are currently negotiating a long-term extension of this agreement.

But to prevent an unnecessary interruption that would have a major negative impact on our alliance with South Korea and on U.S. exporters alike, Ranking Member ENGEL and I introduced this bipartisan legislation to extend the existing agreement for 2 years, to March 19, 2016. The State Department is in support of this legislation.

Testifying earlier this year on behalf of an extension, a top State Department official told the House Foreign Affairs Committee:

An extension would also ensure there is no lapse in our ongoing civil nuclear cooperation, preserving stability and predictability in our joint commercial activities.

This bill is a simple extension of the existing agreement—with no modifications or changes—that will allow negotiators time to focus on substance instead of the clock.

The Foreign Affairs Committee voted unanimously in favor of the bill, which now has a total of 41 cosponsors from both sides of the aisle.

I urge my colleagues to vote for this legislation so that it can be sent to the Senate and then on to the President for his signature and thereby ensure that the cooperation between our two countries in this vital area can continue without interruption.

I reserve the balance of my time.

Mr. MEEKS. Mr. Speaker, I rise in support of H.R. 2449, and I yield myself such time as I may consume.

I'd like to begin by thanking my good friend, the chairman of the Foreign Affairs Committee, ED ROYCE, and the ranking member, ELIOT ENGEL, for their work on this bipartisan legislation.

The current U.S.-South Korea civil nuclear cooperation agreement, also known as a "123 agreement," allows the U.S. and South Korea to work together on peaceful uses of nuclear energy. That agreement is set to expire next year. Because our two countries have not yet completed negotiations for a new agreement, H.R. 2449 allows a 2-year extension of the existing agreement to provide more time for the two sides to come to an agreement.

An extension would help ensure that there's no lapse in our ongoing civil nuclear cooperation, preserving stability and predictability in our joint commercial activities. South Korea is a vital economic and security partner of the United States, and passing this bill would help ensure that we maintain the strongest possible relationship with our trusted ally.