

this project from going forward. Again, this is supported by all the Members of the San Diego delegation. It is a bipartisan bill, and the gentleman from California (Mr. FILNER) is a cosponsor of this resolution.

Mr. CUNNINGHAM. Mr. Speaker, I rise today to support H.R. 5477, introduced by my colleague from California. Members should be aware that this legislation sets no new standards on Indian gambling. It addresses one specific problem with one specific parcel of land in San Diego County, California.

I would hope that the matter before the House would be free from controversy. This legislation is supported by the entire San Diego delegation, with Mr. HUNTER, Mr. FILNER and myself as sponsors.

This legislation prevents the Cuyapaipe Indian tribe from using land and buildings not connected to the tribe's traditional homeland and purchased with HUD Community Development Block Grants (CDBGs) for the establishment of a massive Indian gaming casino.

The Cuyapaipe Community of Diegueno Mission Indians recently announced a proposal to relocate an outpatient health care clinic operated by the Southern Indian Health Council (SIHC) in Alpine, California. The stated purpose of the relocation is to permit the Cuyapaipe to construct a gaming casino on the clinic property, which the Cuyapaipe claim as their reservation. The Southern Indian Health Council was organized in 1982 by seven Indian tribes in southern San Diego County to provide medical care to their members. The Council's clinic provides vital health care services to Indian and non-Indian patients in a rural area of San Diego County, serving over 10,000 patients per year, many of whom are from low income families.

The Bureau of Indian Affairs (BIA) has recently rejected the Cuyapaipe tribe's application to build the casino, finding the paperwork incomplete. This provides a temporary stay of construction, leaving the door open to the future conversion of the Cuyapaipe's health care center into a casino. The legislation before us today prevents the tribe from using the clinic property to build a casino.

Nothing in this legislation will prevent the Cuyapaipe from establishing gaming facilities on their traditional homeland. This bill does not affect the ability of the Cuyapaipe to build a casino on their own reservation. In fact, as amended, the bill goes to great pains to avoid stepping on the sensitive question of Indian gaming. It does not amend the Indian Gaming Regulatory Act, and the amended version before us does not even deal with the question of the rights of tribes to conduct gaming operations, or the relationship between tribal and state governments.

Instead, the bill seeks to resolve a dispute among several tribes, by requiring that they achieve consensus before changing the use of land taken into trust for all of them. As one additional protection, the bill sunsets in January of 2003, so the prohibition is actually a two-year moratorium.

Mr. EVERETT. Mr. Speaker, I support my distinguished colleague's bill H.R. 5477, which would delay casino approval on Indian Trust Lands in California. I understand the distinguished gentleman's concern with Indian gaming and its effect on surrounding communities, especially when those effected communities are not in favor of such gambling operations.

I have similar concerns and for that reason I, along with Congressman BOB RILEY, introduced legislation (H.R. 5494) to block any construction of a gambling operation on Indian burial lands in Wetumpka, Alabama, which is located in my district.

When the Creek Indians took possession of the burial lands in 1980, they did so with federal funds as part of an agreement with the federal government that the site would not be developed. In direct violation of the agreement, the Poarch Band of the Creek Indians now want to build a full-fledged casino on the property. H.R. 5494 would both block the establishment of a casino on the tribal grounds as well as order the Alabama Attorney General to pursue legal action in federal court against the Creeks if they go forward with the construction project.

In closing, let me say I understand why communities are concerned about such activities going on in their backyard. Moral objections to casino gambling notwithstanding, such gaming activities place untold burdens on local police, fire, rescue, and other public services, not to mention the stress on local utilities and infrastructure.

Mr. UDALL of Colorado. Mr. Speaker, I have no more requests for time, and I yield back the balance of my time.

Mr. GILCHREST. Mr. Speaker, I have no more requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST) that the House suspend the rules and pass the bill, H.R. 5477, as amended.

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

The title of the bill was amended so as to read:

"A bill to establish a moratorium on approval by the Secretary of the Interior of relinquishment of a lease of certain tribal lands in California."

A motion to reconsider was laid on the table.

#### FSC REPEAL AND EXTRATERRITORIAL INCOME EXCLUSION ACT OF 2000

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the bill, H.R. 4986.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. ARCHER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4986, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 316, nays 72, answered "present" 1, not voting 43, as follows:

|              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Fowler         | Meeks (NY)    |
| Aderholt     | Frank (MA)     | Metcalfe      |
| Allen        | Franks (NJ)    | Mica          |
| Archer       | Frelinghuysen  | Miller (FL)   |
| Armey        | Frost          | Miller, Gary  |
| Baca         | Gallegly       | Minge         |
| Bachus       | Gekas          | Mink          |
| Baird        | Gephardt       | Mollohan      |
| Baker        | Gibbons        | Moore         |
| Barcia       | Gilchrest      | Moran (KS)    |
| Barr         | Gillmor        | Moran (VA)    |
| Barrett (NE) | Gilman         | Morella       |
| Barrett (WI) | Gonzalez       | Murtha        |
| Bartlett     | Goode          | Myrick        |
| Barton       | Goodling       | Napolitano    |
| Bass         | Gordon         | Neal          |
| Bentsen      | Goss           | Nethercutt    |
| Bereuter     | Graham         | Ney           |
| Berkley      | Granger        | Northup       |
| Berman       | Green (TX)     | Norwood       |
| Berry        | Green (WI)     | Nussle        |
| Biggert      | Greenwood      | Ortiz         |
| Bilbray      | Gutknecht      | Ose           |
| Billirakis   | Hall (OH)      | Owens         |
| Bishop       | Hall (TX)      | Oxley         |
| Blagojevich  | Hansen         | Packard       |
| Bliley       | Hastings (FL)  | Pastor        |
| Blumenauer   | Hastings (WA)  | Pease         |
| Blunt        | Hayes          | Pelosi        |
| Boehler      | Hayworth       | Petri         |
| Boehner      | Herger         | Phelps        |
| Bonilla      | Hill (IN)      | Pickering     |
| Bono         | Hill (MT)      | Pickett       |
| Borski       | Hilleary       | Pitts         |
| Boswell      | Hilliard       | Pombo         |
| Boucher      | Hinojosa       | Pomerooy      |
| Boyd         | Hobson         | Portman       |
| Brady (TX)   | Hoeffel        | Price (NC)    |
| Bryant       | Hoekstra       | Pryce (OH)    |
| Burton       | Hooley         | Quinn         |
| Buyer        | Horn           | Radanovich    |
| Callahan     | Houghton       | Ramstad       |
| Calvert      | Hoyer          | Rangel        |
| Camp         | Hunter         | Regula        |
| Campbell     | Hutchinson     | Reyes         |
| Cannon       | Hyde           | Reynolds      |
| Capps        | Inslee         | Rodriguez     |
| Cardin       | Isakson        | Roemer        |
| Castle       | Istook         | Rogan         |
| Chambliss    | Jackson-Lee    | Rogers        |
| Clay         | (TX)           | Rohrabacher   |
| Clayton      | Jenkins        | Ros-Lehtinen  |
| Clement      | John           | Roukema       |
| Clyburn      | Johnson (CT)   | Royce         |
| Coble        | Johnson, E. B. | Ryan (WI)     |
| Collins      | Johnson, Sam   | Ryun (KS)     |
| Combest      | Jones (NC)     | Sabo          |
| Cooksey      | Kanjorski      | Salmon        |
| Cox          | Kelly          | Sanchez       |
| Cramer       | Kildee         | Sandlin       |
| Crane        | Kind (WI)      | Sanford       |
| Crowley      | King (NY)      | Sawyer        |
| Cubin        | Kingston       | Scarborough   |
| Cummings     | Knollenberg    | Schaffer      |
| Cunningham   | Kolbe          | Scott         |
| Davis (FL)   | Kuykendall     | Sensenbrenner |
| Davis (VA)   | LaHood         | Sessions      |
| Deal         | Lampson        | Shadegg       |
| Delahunt     | Lantos         | Shaw          |
| DeLauro      | Larson         | Shays         |
| DeLay        | Latham         | Sherman       |
| DeMint       | LaTourette     | Sherwood      |
| Deutsch      | Lazio          | Shimkus       |
| Diaz-Balart  | Leach          | Shuster       |
| Dicks        | Levin          | Simpson       |
| Dixon        | Lewis (CA)     | Sisisky       |
| Dooley       | Lewis (KY)     | Skeen         |
| Doolittle    | Linder         | Skelton       |
| Doyle        | Lofgren        | Smith (MI)    |
| Dreier       | Lowey          | Smith (NJ)    |
| Duncan       | Lucas (KY)     | Smith (TX)    |
| Dunn         | Lucas (OK)     | Smith (WA)    |
| Edwards      | Manzullo       | Snyder        |
| Ehlers       | Martinez       | Souder        |
| Ehrlich      | Mascara        | Spence        |
| Emerson      | Matsui         | Spratt        |
| Engel        | McCarthy (MO)  | Stabenow      |
| English      | McCollum       | Stearns       |
| Eshoo        | McCrery        | Stump         |
| Etheridge    | McDermott      | Sununu        |
| Everett      | McHugh         | Sweeney       |
| Ewing        | McInnis        | Tancredto     |
| Fletcher     | McIntyre       | Tanner        |
| Foley        | McKeon         | Tauscher      |
| Ford         | McNulty        | Tauzin        |
| Fossella     | Meek (FL)      | Terry         |

[Roll No. 597]

YEAS—316

|               |             |            |
|---------------|-------------|------------|
| Thomas        | Upton       | Wexler     |
| Thompson (CA) | Vitter      | Whitfield  |
| Thompson (MS) | Walden      | Wicker     |
| Thornberry    | Walsh       | Wilson     |
| Thune         | Wamp        | Wolf       |
| Tiahrt        | Watkins     | Wu         |
| Toomey        | Watts (OK)  | Wynn       |
| Towns         | Weldon (FL) | Young (AK) |
| Trafficant    | Weldon (PA) | Young (FL) |
| Turner        | Weller      |            |

NAYS—72

|                |                |               |
|----------------|----------------|---------------|
| Andrews        | Jackson (IL)   | Rivers        |
| Baldacci       | Jones (OH)     | Rothman       |
| Baldwin        | Kilpatrick     | Roybal-Allard |
| Bonior         | Kucinich       | Rush          |
| Brady (PA)     | LaFalce        | Sanders       |
| Brown (OH)     | Lee            | Saxton        |
| Capuano        | Lewis (GA)     | Schakowsky    |
| Carson         | Lipinski       | Serrano       |
| Chabot         | LoBiondo       | Shows         |
| Chenoweth-Hage | Luther         | Slaughter     |
| Condit         | Maloney (CT)   | Stark         |
| Conyers        | Markey         | Strickland    |
| Cook           | McGovern       | Stupak        |
| Costello       | McKinney       | Taylor (MS)   |
| Davis (IL)     | Menendez       | Thurman       |
| DeFazio        | Miller, George | Tierney       |
| DeGette        | Nadler         | Udall (CO)    |
| Dingell        | Oberstar       | Udall (NM)    |
| Doggett        | Obey           | Velazquez     |
| Evans          | Olver          | Visclosky     |
| Gutierrez      | Pallone        | Waters        |
| Hinchey        | Payne          | Watt (NC)     |
| Holt           | Peterson (MN)  | Waxman        |
| Hostettler     | Rahall         | Woolsey       |

ANSWERED "PRESENT"—1

Paul

NOT VOTING—43

|            |               |               |
|------------|---------------|---------------|
| Ackerman   | Gejdenson     | Meehan        |
| Ballenger  | Goodlatte     | Millender-    |
| Becerra    | Hefley        | McDonald      |
| Brown (FL) | Holden        | Moakley       |
| Burr       | Hulshof       | Pascrell      |
| Canady     | Jefferson     | Peterson (PA) |
| Coburn     | Kaptur        | Porter        |
| Coyne      | Kasich        | Riley         |
| Danner     | Kennedy       | Stenholm      |
| Dickey     | Kleczka       | Talent        |
| Farr       | Klink         | Taylor (NC)   |
| Fattah     | Largent       | Weiner        |
| Filner     | Maloney (NY)  | Weygand       |
| Forbes     | McCarthy (NY) | Wise          |
| Ganske     | McIntosh      |               |

□ 1122

Messrs. SAXTON, COSTELLO, COOK and RUSH, Ms. VELAZQUEZ, Mr. VIS-CLOSKY, Mr. BRADY of Pennsylvania and Ms. SLAUGHTER changed their vote from "yea" to "nay."

Messrs. HALL of Ohio, FORD, CUMMINGS and ENGEL changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RILEY. Mr. Speaker, I was unavoidably detained for rollcall No. 597, H.R. 4986, the Foreign Sales Corporation (FCS) Repeal and Extraterritorial Income Extension Act. Had I been present I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 597, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

PROVIDING FOR CONDITIONAL ADJOURNMENT OF THE HOUSE AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 442) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 442

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Tuesday, November 14, 2000, or Wednesday, November 15, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, December 4, 2000, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Tuesday, November 14, 2000, or Wednesday, November 15, 2000, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, December 5, 2000, or until such time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 25 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1735

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 5 o'clock and 35 minutes p.m.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the bill (H.R. 5633) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for

other purposes, to the end that the bill be hereby passed; and that a motion to reconsider be hereby laid on the table.

The Clerk read the title of the bill.

The text of H.R. 5633 is as follows:

H.R. 5633

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2001, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a nationwide program to be administered by the Mayor for District of Columbia resident tuition support, \$17,000,000, to remain available until expended: *Provided*, That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions for higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106-113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: "For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, \$5,000,000: *Provided*, That such funds shall remain available until September 30, 2002, and shall be used to carry out all of the provisions of title 38, except for section 3808, of the Fiscal Year 2001 Budget Support Act of 2000, D.C. Bill 13-679, enrolled June 12, 2000."

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$1,250,000, of which \$250,000 shall be for payment to a mentoring program and for hotline services; \$250,000 shall be for payment to a youth development program with a character building curriculum; \$250,000 shall be for payment to a basic values training program; and \$500,000, to remain available until expended, shall be for the design, construction, and maintenance of a trash rack system to be installed at the Hickey Run stormwater outfall.

FEDERAL PAYMENT FOR COMMERCIAL REVITALIZATION PROGRAM

For a Federal payment to the District of Columbia, \$1,500,000, to remain available until expended, for the Mayor, in consultation with the Council of the District of Columbia, to provide offsets against local taxes for a commercial revitalization program, such program to provide financial inducements, including loans, grants, offsets to local taxes and other instruments that promote commercial revitalization in Enterprise Zones and low and moderate income areas in the District of Columbia: *Provided*, That in carrying out such a program, the Mayor shall use Federal commercial revitalization proposals introduced in Congress as a guideline: *Provided further*, That not later than 180 days after the date of the enactment of this Act, the Mayor shall report to the