

I believe it is high time that the Congress address this particular problem. The difficulty my area is a case of a tribe which does not live in the area in which it is seeking to have land placed in trust for it in a community that welcomes it because they think that there will be economic development. But, in fact, it is going to have serious impact on areas in my district and on surrounding communities.

Obviously, it is going to be a high-traffic area, with a need for new roads, and of course the casinos do not pay any tax. There will be no tax on the land, and this results in a good deal of problems that the local communities and state will not have the funds to take care of.

I believe it is very important to put a limitation on off-reservation gambling and on cases where a tribe moves into an area which is nowhere near its home and claims that to be an area where they can have land placed in trust, and they then build casinos and other facilities.

It creates particular problems, for example, for merchants who may be running a supermarket or a gas station, and suddenly there is somebody new in town who is offering the same services, but does not have to pay taxes. This is a totally unfair proposition for the local businesses that are there. In that sense, I support the effort to put some regulation on this.

I am not rising in support of the amendment. I have been involved in discussions with the previous speakers, and they have much the same problems we do, but I have also discussed it with the gentleman from California (Mr. POMBO) who chairs the Committee on Resources, and he has assured me and the rest of us that he has a bill that will deal with this problem and that will provide free and open debate on the House floor.

Rather than deal with it in an appropriations bill, it is my preference that we not consider these amendments at this point, but defer to the gentleman from California (Chairman POMBO) and await the chairman's bill which he has said that he will attempt to get out of committee and onto the floor before the August recess.

We have to recognize this is a serious problem for many communities across the country. I have only addressed one aspect of it, but there are many other aspects that have to be addressed and understood. When the Pombo bill comes up, we will have time for a full debate and discussion of all of the other tangential issues as well, including what ability the States have to regulate the location of these facilities, and what ability the States have to negotiate compacts so that the actual costs to the State and local communities are met by these facilities that are moved into an area where the sponsoring individuals have never lived.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment proposed by my colleague from Oregon. I only wish I had known in advance the gentleman was going to offer this amendment because it is specifically targeted toward my district, a tribe in my district, that is seeking to gain approval of a compact and take land into trust.

Warm Springs Tribe is not a family of five that has gone out shopping somewhere in some other State for land. There are 4,400 tribal members who are suffering on the reservation. They have worked diligently with the communities involved. They have land in the Scenic Columbia River Gorge that is in trust and was in trust prior to the passage of IGRA, and it is on a hillside where they have plans where they could build, and they could do that today.

But that land would scar the beauty of the Scenic Columbia River Gorge, which is my home and has been my home all of my life. This tribe, instead, looked to another area, and my colleague from Oregon suggests that the area they looked at is the crown jewel of the gorge.

Mr. Chairman, this is port property zoned for industrial use, leveled out with dredge tailings from the construction of the second lock at Bonneville Dam, all right, as opposed to an area up on a side hill that is timbered and beautiful where they already have land. So they worked with the local community which supports them locating there. They reached a compact with the Democratic Governor in a long and protracted discussion. That compact is now before the Secretary.

My colleague has on more than one occasion mentioned an acid rain study. We have looked at that, and he should know because we know it was done over a 4-month period one with readings at a little town in Wishram, Washington, during the winter when it is foggy in the gorge. So there is much more to that story that I will not get into today, but I suggest the gentleman take another look at that study.

I grew up in the gorge. We are the wind-surfing, kite-boarding capital of the world. And in the summer, if you want to come and find where the wind blows, come to the gorge and enjoy the great recreational opportunities, and it blows from the west. The west is where the great urban center of our wonderful State is, where there are traffic problems and industrial problems; and I tell Members that because if there is a problem with pollution in the gorge, it is not coming from the east, it is coming from the west.

So I urge Members to oppose this amendment. I think the chairman of our Committee on Resources has a much more prudent approach, to look at this issue on a broader scale, to see what is the best policy for this Nation to follow when it comes to dealing with these issues of tribal casinos on or off reservation.

But to move an amendment like this with very little notice, if any, on an appropriations bill, I would dare say, is not appropriate.

POINT OF ORDER

Mr. TAYLOR of North Carolina. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI. The rule states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law." The amendment imposes additional duties.

I ask for a ruling from the Chair.

The Acting CHAIRMAN (Mr. SHIMKUS). Does any Member wish to be heard on the point of order?

Mr. WU. Mr. Chairman, I would inquire of the chairman as to whether the chairman would permit the gentleman from Oregon (Mr. WALDEN) and me to engage in a discussion of the merits of the amendment.

The Acting CHAIRMAN. At this point debate is on the point of order. The gentleman from Oregon may not yield to another for discussion on the point of order. The Chair will hear each Member on his own time in debate on the point of order.

PARLIAMENTARY INQUIRY

Mr. WU. Parliamentary inquiry.

The Acting CHAIRMAN. The gentleman may state his parliamentary inquiry.

Mr. WU. What is the scope of discussion permitted in this segment of the debate?

The Acting CHAIRMAN. Argument relevant to the point of order raised against the amendment.

Mr. WU. I concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained. The amendment is out of order.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. SHIMKUS, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 2361 in the Committee of the Whole pursuant to House Resolution

287, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member on the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 3, 6, 8, 11, 13, and 17;

Amendments printed in the RECORD and numbered 1, 4, 5, and 14, which shall be debatable for 20 minutes;

An amendment by the gentleman from Florida (Mr. HASTINGS) regarding environmental justice, which shall be debatable for 20 minutes;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$500 million increase in Clean Water State Revolving Fund and tax matters;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$100 million increase in Clean Water State Revolving Fund, which shall be debatable for 20 minutes;

An amendment by the gentleman from Ohio (Mr. GILLMOR) regarding State and Tribal Assistance Grants;

An amendment by the gentleman from Ohio (Mr. CHABOT) or the gentleman from New Jersey (Mr. ANDREWS) regarding the Tongass National Forest, which shall be debatable for 20 minutes;

An amendment by the gentleman from California (Mr. POMBO) regarding making spending on certain accounts subject to authorization;

An amendment by the gentlewoman from California (Ms. SOLIS) regarding intentional dosing;

An amendment by the gentleman from Wisconsin (Mr. OBEY) to amendment No. 5;

An amendment by the gentleman from California (Mr. COSTA) regarding concession sales;

An amendment by the gentleman from California (Mr. DOOLITTLE) or the gentleman from California (Mr. THOMPSON) regarding Lower Klamath and Tule Lake; and

An amendment by the gentleman from North Carolina (Mr. TAYLOR) regarding funding levels.

Each such amendment may be offered only by the Member named in this request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment, except as specified, and except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Interior, Environment, and Related Agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and opponent. An amendment shall be considered to

fit the description stated in this request if it addresses in whole or in part the object described.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. OBEY. Mr. Speaker, reserving the right to object, I am trying to stall for time while we clear up a controversy that has arisen.

□ 1500

I certainly am in support of the intention of the gentleman's request, but it is my understanding that there may be a problem with one of the amendments. I am hoping that by the time I am done filibustering here the gentleman's staff will have worked it out with the Parliamentarian and we will be able to proceed.

The SPEAKER pro tempore (Mr. TERRY). The Chair will inquire of the gentleman from North Carolina, does the request include a possible modified form of amendment No. 1?

Mr. TAYLOR of North Carolina. Yes, Mr. Speaker.

Mr. OBEY. Mr. Speaker, with that understanding, I withdraw my reservation of objection.

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

There was no objection.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanoa Evans, one of his secretaries.

#### DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2361.

□ 1502

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. SHIMKUS (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the bill had been read through page 53, line 17.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of

the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 3, 6, 8, 11, 13, and 17;

Amendments printed in the RECORD and numbered 1 subject to a modification to the amendment as printed in the RECORD, 4, 5, and 14, which shall be debatable for 20 minutes;

An amendment by the gentleman from Florida (Mr. HASTINGS) regarding environmental justice, which shall be debatable for 20 minutes;

An amendment by the gentleman from Wisconsin (Mr. OBEY) regarding a \$500 million increase in Clean Water State Revolving Fund and tax matters;

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Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The Clerk will read.  
The Clerk read as follows:  
Sec. 105. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural