

Today's vote will recognize the patriotism of the people of Guam, who risked their lives to save a U.S. serviceman.

I urge all my colleagues to vote in favor of H.R. 1595.

#### DEMOCRATS TO COMPLETE BUDGET PROCESS THAT CONTINUES TO TAKE NATION IN NEW DIRECTION

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

Mr. COHEN. Mr. Speaker, this month the Democratic Congress will approve a final budget plan that, unlike the President's budget, will actually be balanced over the next 5 years, and we do it without raising taxes. Now the President likes to claim that his budget proposal achieves balance by 2012 and does not increase taxes, but that's simply not true. According to the non-partisan Congressional Budget Office, the President's budget will still be running a \$9 billion deficit 5 years from now.

The President's broken promises don't stop there. His budget would also cost middle-class families \$247 billion in tax increases over the next 5 years under the alternative minimum tax, and \$500 billion in taxes on employer-provided health insurance.

Fortunately, Democrats rejected the President's budget. Instead, we restore fiscal integrity to our Nation, protect middle-income families from tax increases and actually reach balance by the year 2012. The American people asked us to take this Nation in a new direction, and our budget answers their call.

And by the way, Mr. Speaker, give peace a chance.

#### SENDING IRAQ SUPPLEMENTAL BILL TO PRESIDENT'S DESK—BUSH WAS WRONG TO VETO

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

Mr. YARMUTH. Mr. Speaker, 4 years ago, President Bush declared that major combat operations in Iraq were over. To that point, we had lost 139 soldiers. Over the last 4 years, due to the administration's incompetence and lack of planning, thousands more U.S. troops have been killed and wounded, hundreds of billions of dollars of U.S. taxpayer money has been spent, and now Iraq is consumed by a civil war that the President is asking our troops to referee.

It was way too soon for the President to declare mission accomplished, but 4 years later, the President seems content to tell our soldiers that their mission is not going to be accomplished any time soon.

By vetoing the Iraq supplemental last week, the President ignored the voices of the American people, his own military generals and this Congress. He

can no longer afford to be that stubborn. The President must work with the Congress to come up with an agreement on how to move forward. He can't believe that this Congress is going to roll over and rubber-stamp his failed policies like past Republican Congresses have done.

Mr. Speaker, Democrats refuse to allow the status quo to continue. It is time we accomplish our mission in Iraq.

#### NEW DEMOCRATIC CONGRESS PRODUCING POSITIVE RESULTS FOR ALL AMERICANS

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

Mr. RODRIGUEZ. Mr. Speaker, for the last 4 months, we have taken control of the House, and we have headed in the right direction, bringing back necessary oversight of this administration and producing positive results for the American people, especially as it dealt with the special interest groups.

We got off on a quick start, passing six bills during our first 100 hours that will make college and prescription drugs more affordable and will expand economic opportunities for millions of Americans who have not received a pay raise in the last 9 years. Mr. Speaker, I rise today to indicate to you that we will continue to do that.

We also passed the budget for 2007 that should have been done last year, striking out all earmarks and adding additional money for our veterans, \$3.6 billion.

I am pleased to also announce that we passed a supplemental that added additional money for our veterans, an additional \$1.8 billion for our war veterans. Unfortunately, the President has vetoed this piece of legislation.

We are going to continue to push forward in making sure that we have oversight over these committees.

#### ANNOUNCEMENT BY CHAIRMAN OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE REGARDING AVAILABILITY OF CLASSIFIED ANNEX

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

Mr. REYES. Mr. Speaker, today I wish to inform my colleagues that the classified annex to H.R. 2082, the Intelligence Authorization Act for fiscal year 2008, will be available during regular committee business hours to Members only. Personal staff are requested to call ahead to extension 5-7690 to schedule a viewing for their Member of Congress. Members will be required to fill out the appropriate security paperwork to view the classified documents.

#### PROVIDING FOR CONSIDERATION OF H.R. 1294, THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT OF 2007

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 377 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 377

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1294) to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendments printed in the report of the Committee on Rules to accompany this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 1294 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. For purposes of debate only, I yield the customary 30 minutes to the gentleman, my good friend from Washington, Representative HASTINGS. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume, and I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 377.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, as the Clerk just read, this rule provides for consideration of H.R. 1294, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2007. The rule provides for 1 hour of general debate in the House, equally divided and controlled by the chairperson and ranking minority member of the Committee on Natural Resources.

Mr. Speaker, this legislation provides something that has been long overdue to six Native American Tribes in Virginia.

After literally centuries of injustice, some 3,175 members of these great tribes will finally gain Federal recognition under this bill. Just like the great Seminole and Micosukee Tribes in south Florida that I am privileged to represent, these six tribes now have the chance to finally receive the proper recognition and respect they rightfully deserve.

Just like the other 562 Federally recognized American Indian tribes in the United States, these tribes will finally have access to basic services, such as child welfare services, adult care and community development, services every one of us in this body take for granted.

Each of these six American Indian tribes descended from the historic tribes that occupied the Virginia coastline in 1607. Their rich history and tradition forever ties them to this land. Over the centuries, they have survived racial hostility and State-sanctioned attempts to stamp out their heritage and cultural identity.

Notwithstanding their ancient bonds to this soil, they continue to walk oppressed among us. The reason for such injustice? Because in the early part of the 19th century, Virginia officials intentionally destroyed the majority of their historical records and artifacts that affirmed the existence of Native Americans in Virginia. Virginia finally recognized them in the 1980s, and it is appropriate and long overdue that Congress is finally following suit.

Unfortunately, Mr. Speaker, Native American tribes, whose land was forcibly taken from them centuries ago, are still struggling for their basic rights and freedoms to this day. I ask, does this story of repression, refusal and repudiation not ring true for so many generations of Americans? Now, it takes acts of Congress to give them the recognition they have long deserved.

Legislation providing Federal recognition for these six tribes, the Chickahominy, the Eastern Chickahominy, the Monacan, the Rappahannock and the Mattaponi is today what we seek and what for too long has been denied. I ask again how we reconcile this kind of repression and repudiation.

The Queen of England is in the United States today. Last week, she visited the coastline of Virginia, Jamestown, where many of these people that we seek to get designation for and recognition for today came from, and yet she would not have had an opportunity to see them in their cultural array for the reason that they are not recognized.

Legislation providing Federal recognition for these six tribes has been introduced in both the House and the Senate in every Congress since the 106th, without action. To deny them recognition once more is to perpetuate the tyranny.

The underlying legislation would be a small step in rectifying our Nation's history of suppressing these great peo-

ple. I am proud to support this rule and the underlying legislation, and I urge my colleagues to do the same.

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

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my friend from Florida and namesake, Mr. HASTINGS, for yielding me the customary 30 minutes. I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in strong opposition to this closed rule. This closed rule provides for consideration of a bill to Federally recognize six new Indian tribes in the State of Virginia. This bill marks the first time in over 20 years that the House of Representatives has considered legislation to extend Federal recognition to a tribe.

While I will acknowledge Congress can grant Federal recognition to individual tribes, the Department of Interior's Bureau of Indian Affairs has the administrative process by which a group may establish itself as an Indian tribe and become eligible for services and benefits extended to other tribes under Federal law.

□ 1245

While each of these six tribes have separately submitted a petition for recognition to the Bureau of Indian Affairs, none of the petitions are complete. Rather than wait for these petitions to go through the administrative process, the Democrat majority has decided to bring this legislation to the floor under a completely closed rule, which allows no input or improvements to be made to this legislation.

Mr. Speaker, despite commitments made by the Democrats for a new era of openness, the Rules Committee has only approved one truly open rule that allowed Members of Congress to come to the floor and offer amendments during consideration of a bill. House Resolution 377 is the 18th closed rule brought forth by the Democrat majority, which means that this is the 18th time the Democrat majority has shut Members of Congress out of the deliberative process. So I urge my colleagues to vote against this closed rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 7 minutes to our distinguished colleague, the gentleman from Virginia (Mr. MORAN), a member of the Appropriations Committee and a leader in this fight in each of the Congresses that we have spoken of.

Mr. MORAN of Virginia. Mr. Speaker, I thank my good friend from Florida for yielding me the time.

I would also like to address my good friend from Washington, also Mr. HASTINGS, as well as my friend from Connecticut sitting behind Mr. HASTINGS, because I heard his state-

ment earlier which reflected the statement of the gentleman representing the minority on the Rules Committee.

Mr. Speaker, I would like to address these concerns, legitimate concerns, that have been raised, and explain why I think you would agree that what we are doing today is not only appropriate and proper, but well-justified.

There was a white-tie dinner at the White House last night. The country, particularly Virginia, is celebrating the 400th anniversary of the Jamestown settlement. But these six Indian Tribes are the reason why those English settlers were able to survive. They showed them how to survive. They sheltered them. They taught them how to grow the plants that were native to North America. They took care of them. Subsequently, when the English settlers got on their feet, they displaced these Indians, took their land and treated them pretty badly.

Finally, in 1677 there was a treaty signed with King Charles II. There was no American government at the time. It was the only government that could sign a treaty. It is the oldest Indian treaty in existence today. It continued, that treaty, but the implementation of it did not. The English government, in other words, its settlers here, violated that treaty at every opportunity, diminished these tribes and took their land.

Then, to compound this situation, and to understand why this is a unique situation beyond the 400th anniversary, in 1924 the Commonwealth of Virginia passed what was called the Racial Integrity Act. It was sponsored by a white supremacist who had alliances with the Nazi government in Germany, we understand. It was a very bad time in American history.

This law allowed the Commonwealth of Virginia to destroy the documents that proved the existence of these Native American families. They legally went into the courthouses and destroyed the birth records, they destroyed everything that identified them as Native Americans, and that is why there is a unique situation here. They don't have the documentation that they would need to present to the Bureau of Indian Affairs.

This is compounded, of course, by the fact that this recognition process is almost impossible. We wouldn't want to wish it on our worst enemy, to have to go through what Native American tribes now have to go through. It is demeaning and deliberately frustrating. And they were told, well, you might get recognition, but certainly not in your lifetime. These Native Americans have been mistreated by this country.

Now we have compromised. You could say we have unfairly treated them again, but it is the only way to get this recognition through in time for the celebration of the Jamestown settlement.

We said, we are not going to treat you like other Native American tribes. You are not going to be able to have

gambling, to have casinos, to even play bingo. We are going to prohibit it in this legislation, just to reassure people who are concerned about gambling, and understandably, given all of the corruption that has occurred, Jack Abramoff and so on. I don't have to get into all that. We made the compromise, and they reluctantly agreed to it.

Then, even though they have 500 acres that everyone agrees is theirs that should be put into trust, we are going to hold back and require all of the environmental processes and so on to be gone through by the Department of Interior. Whatever that administrative process is, they have to wait and go through all of that in order just to have their own land put into trust. Another compromise.

We have compromised in every way we could. That is the reason for the closed rule. We have talked to everyone that appeared to have any opposition.

Mr. WOLF had legitimate concern about gambling. We tried to bring this to the floor before. He has blocked it. I can understand his concern. But this is a unique situation. We have addressed it. We have addressed that issue on gambling. Mr. WOLF now supports the bill, he has told me.

Mr. YOUNG supports the bill, because he has looked at it extensively. I don't believe my good friend from Connecticut is on the Natural Resources Committee and may not have participated in those discussions, all of those compromises that have led us to this point.

But I think if you look at the justice of this situation, if you look back at the truth of what has occurred to these Indians, you have to come to the conclusion that this is a unique situation. This is justified. In fact, this is urgent.

There are some representatives of the tribes here today. They have been so frustrated, cynical even, disappointed that the Congress won't understand what they understand and what they would like to be able to pass on to their children.

The only people that would ever educate them and their ancestors were Christian missionaries. They were forbidden to go to public schools. They were forbidden to have jobs. They couldn't get their children out of hospitals if they called them an American Indian because they would be subject to a year in prison.

I don't want to go into all of this, because I would like to put this behind us, because it is a very sad chapter of American history. Hopefully that chapter is about to end and a new chapter will begin with this legislation.

That is why I would ask my colleagues, approve this legislation. Do the right thing. Do it in time, so we can honestly celebrate with the people in Jamestown and with these tribes.

These tribes deserve recognition. They deserve to be able to have the kind of pride that they have merited

through their persistence. They are extraordinarily patriotic, loyal to this country, honest and obedient. They are good people. Let's pass this legislation.

Mr. HASTINGS of Washington. Mr. Speaker, I appreciate my friend from Virginia laying out his remarks on this and his arguments on this, but it seems to me if there is this much work done with it, we certainly should have an open process because of all the compromises made, rather than a closed process.

With that, Mr. Speaker, I yield such time as he may consume to my friend from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I just want to say to Mr. MORAN, I totally trust and understand his sincerity, but everything he said there are significant answers to. And all he has done is raised even more questions. He is basically saying to pass this bill and rush it through the Senate real quickly so we can have this be part of the celebration.

How clever were these six tribes to decide that this is the way they would get it through and bypass the Bureau of Indian Affairs process. With this legislation we are going to create six independent nations within our Nation, and we are now going to go back to bypassing a process and just deciding here in this Chamber.

I have no way of knowing if each of these are a legitimate tribe. There is no way for us in this Chamber to know it. We did that before Republicans were elected, and we stopped the process because we saw bypassing the Bureau of Indian Affairs process was corrupting. It was corrupting because it meant that if you had the influence, even if you didn't meet the standards of the Bureau of Indian Affairs, you could become a tribe.

The fact is that my colleague has said he has dealt with one of the objections. What you have done is dealt with the objection so the bill can pass. But gambling will be alive and well. First the prohibition will be tested in the courts, and the mere fact that my colleague said we are not treating them fairly by taking it out is his next argument to say we have to treat them fairly once they are tribes.

The bottom line is gambling is a license to print money, and the financial instincts and pressures will be so great that to say they will not have gambling is patently laughable. They will have it, if they are a tribe.

The bottom line to me is this: We have a process. We started to go around that process and we started to bring bills forward, and now every State is going to ask the same thing that Mr. MORAN did. The process is too long.

Well, if we don't like the process, fix the process. But we are not capable to decide what tribe should become independent nations within the confines of the United States. We don't have that capability. We have given that process to the Bureau of Indian Affairs, and we

need to document it. The fact that these six tribes can't document that they have an historic economic, social and political continuity is significant. It is very significant. They don't even have reservations, a place where they were meeting.

So I can't say how strongly I oppose this legislation. I fear that, however well intended my colleague from Virginia is, he has become the point of the spear that will result in a huge, huge pressure. The tribes in Connecticut, the tribes in Massachusetts, the tribes in New York, those that can't prove that they meet the Federal standard, like these tribes, will come to Congress and say they want the same thing. And our argument disappears, because when this passes, and I think it will, more than 50 percent of our Members will have voted for it, they will not be able to go and say to any tribe, follow the process. They will, in my judgment, have corrupted the process of the Bureau of Indian Affairs and now have no standing to say follow it.

Mr. Speaker, I just urge my colleagues, if you have a tribe, and I speak to all of my colleagues, those that are in this Chamber and those who are not, if you have a tribe that you think is trying to get around the Bureau of Indian Affairs and you vote for this legislation, you will have no standing whatsoever to oppose them. You will now have to be part of corrupting that process, going around and passing a bill on the floor, when we have no capability whatsoever to determine if they are a legitimate Federal tribe, not State tribe, a Federal tribe, proving social, political and economic continuity through historic times.

Mr. Speaker, I urge my colleagues to vote against this bill. I know this: I sure will.

□ 1300

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

Mr. MORAN of Virginia. I would ask my friend from Connecticut to listen to my response to the points that he just made because I know he is a fair man. And when he considers the fact that, first of all, the Narragansett Tribe was recognized in the 1990s with a similar prohibition, and they don't gamble.

This particular tribe, they were raised by Christian missionaries. They believe gambling is a sin. They could be operating bingo parlors down the street today. They don't because they believe it is wrong to do so. They don't want to gamble.

But they are unique, and I would say to my friend, in 1912 through 1946, the Bureau of Vital Statistics in Virginia systematically erased all reference to Indians in all public records. That is unique. That hasn't happened in other States. The Governor of Virginia recognizes these tribes. They have been recognized for hundreds of years.

And the fact is, we are not bringing this legislation up all of a sudden now.

This legislation we have been trying for 8 years to get through; 8 years I have sponsored it. But these Indian tribes didn't have any money to influence the process.

The Racial Integrity Act of 1924, and I go back to this, as embarrassed as I am about the fact that it passed the legislature of Virginia, required all persons to register as "white" or "colored" in the language of those days, and it made it a criminal offense for Indians not to so register. That is why they were eliminated in the State. It is what a historian called a paper genocide. That is why this is a very unique situation. It is not all of a sudden. For 8 years, we have been trying to pass this legislation. The Governor recognizes they exist, and it is not about gambling.

It is understandable you would assume it is about gambling. It is not, and we have examples of other tribes that are not gambling today that have similar prohibitions. So I would say to the gentleman, please do the right thing. Read the bill carefully, and I trust you will support it as a result.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Could I ask the gentleman, he mentioned one tribe that he referred to as a Christian tribe, are we recognizing one tribe or six tribes?

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. In this case, we are recognizing six. There was one tribe in the 1990s, the Narragansett Tribe, a similar prohibition against gambling was instituted. They don't gamble.

This is about recognition.

Mr. SHAYS. So your reference that one tribe would clearly not want gambling, it is a fact that these tribes did want gambling and the only way you could get this bill through the Chamber was to take it out, and you said on the floor, I think I heard you correctly, that it was an outrage to take it out and it took away their rights and so on.

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. I didn't use the term "outrage," but I do I think it is unfair. If I were a Native American member of any of these six tribes, I would feel badly that I wasn't treated the way other Native American tribes have been treated. It is a matter of pride and sovereignty, so you can choose not to gamble, not to have Congress say, we don't trust you; we are going to prohibit you from gambling. But it is not their intent to gamble.

Mr. SHAYS. I would just point out to my colleague that a number of tribes said they didn't want gambling, and then when they had the opportunity, they seized it in spite of the fact that they said they didn't want to.

The precedent can be turned over by the court, and it can be changed simply by inserting language in some major appropriation that the tribe can have gambling, and it may not even see the light of day.

The fact that the tribe has sought for years to bypass the Bureau of Indian Affairs only says that they have tried to bypass the Bureau of Indian Affairs. The fact that you have introduced this bill continually only tells me that you have tried to bypass the process.

If the process is not working, change the process.

Mr. MORAN of Virginia. If the gentleman would continue to yield, I again thank my friend and thank you for being able to communicate in this fashion.

The fact is that they have tried for 8 years to get recognition. But when you say that they are bypassing the process, the reason the process doesn't work is, in this case, the Commonwealth of Virginia made it legal to destroy all of the documentation that would have proved their existence. It was legal under the Racial Integrity Act. They went in and destroyed every reference to them.

Mr. SHAYS. Reclaiming my time, as we keep talking about it, more warnings go off to me.

The fact that they would have only tried for the last 8 years to go through this process, it strikes me as extraordinarily arrogant that this tribe, that has only tried for 8 years, should bypass tribes that have tried for much longer than that. And the fact that they are trying now as opposed to in the past tells me that they saw the kind of revenues that existed and said, hey, let's be part of this gravy train. That concerns me as well.

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Virginia.

Mr. MORAN of Virginia. First of all, it is six tribes. The Governor of Virginia recognizes them, and the Commonwealth of Virginia has recognized them since it did away with the Racial Integrity Act. Senator Allen when he was Governor recognized them because they do exist.

Mr. SHAYS. Let me just point out that States do recognize. But if you establish as a precedent that all tribes recognized by States will get Federal recognition, then you have just included a whole number of Connecticut tribes that will have State recognition. State recognition is different than Federal. Federal has to prove that there is a socioeconomic and political continuity through historical times.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself 1 minute in order to respond to the gentleman.

And what would be wrong with that? I am reminded of the comedian Flip Wilson who said that when Christopher Columbus discovered America, the Native Americans must have been running down to the shoreline saying, "Discover me."

Enough already. We have abused these people continuously. We put them on reservations, and now we would stand here in this body and argue that they are not entitled to designation? This particular set of tribes, all six of them, have gone to the Bureau of Indian Affairs and sought recognition there. And since the 106th Congress, we have introduced measures here, whether or not they gamble or didn't gamble.

They gamble in Connecticut, and they gamble in Florida. And this crazy Nation is going to gamble its brains out, but it ain't the Indians' fault. And if it is their fault, then they ought to have that right from what we took from them.

Mr. HASTINGS of Washington. I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. This is an important dialogue to have, and I appreciate the candor of the gentleman. What he has basically said is: What's wrong with that?

What is wrong with all of the State-recognized tribes getting Federal recognition in my State, for instance?

I would like all of my State legislators and my senators and my State representatives to hear what you just said because that is what concerns us. There is a lot wrong with that because some of the State-recognized tribes don't meet the standard that we say of a social, political and economic continuity. There were times when they didn't even exist for awhile, but we recognize them on the State level.

I can't emphasize enough that what you are doing is you are opening a huge Pandora's box; and however well intended you are, you have heard the basic argument. Every Member of Congress who has a State-recognized tribe but not a federally recognized tribe, be well aware of what this new Congress is coming from: What's wrong with that? There is a lot wrong with that.

Go through the process. And if the process is not working, change the process. Don't start overriding the Bureau of Indian Affairs and doing it just for a select few.

I want to point out to my colleague, I am not impressed that it was from the 106th Congress. That is just a few years ago. There are others that are going through the process fairly, working hard, and now they are going to say we have been trying since the 103rd and the 105th and 99th.

Mr. HASTINGS of Florida. Mr. Speaker, I would inquire of the gentleman from Washington through the Chair if he has any remaining speakers. I'm the last speaker for this side and I'm prepared to reserve until the gentleman has closed.

Mr. HASTINGS of Washington. I have no more requests for time, so I'll close.

Mr. Speaker, I would just suggest that the exchange that we have had here back and forth between the gentleman from Virginia and the gentleman from Connecticut and the gentleman from Florida begs to a process

that should be much more open. Clearly there are some issues that were raised.

My friend from Connecticut talked about the process and the fact that this may be bypassing the process. Maybe an open process would have allowed us to pursue that, but we don't have that opportunity. We have a closed rule dealing only with six tribes. I think that is significant.

So, Mr. Speaker, as a majority member of the House Rules Committee in the last Congress, I just want to point out that nearly 16 percent of the rules by that committee in the last Congress were open rules and 84 percent were restrictive or closed.

Thus far in this Congress, the 110th Congress, only 2.5 percent of the rules brought forth by the new Democrat majority on the Rules Committee have been open, while a staggering 97.5 percent have been restricted or closed.

So, Mr. Speaker, I hope that the trend we see before us today with yet another closed rule denying Members an opportunity to try to improve legislation does not continue for much longer. However, I must comment that I am more disbelieving with each restrictive and closed rule brought to the floor.

With that, Mr. Speaker, I urge my colleagues to vote against this closed rule.

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

Mr. HASTINGS of Florida. I would remind my good friend, I have served with him on the Rules Committee in the minority and in the majority, and he is obviously in his statistics not taking into consideration the preprinting requirements that have been offered.

I would also remind you that no one came to the Rules Committee with reference to any amendment as it pertains to this particular matter that was noticed last week that it was going to be up.

And now I yield to my friend.

Mr. HASTINGS of Washington. I appreciate my friend for yielding.

First of all, if there is a preprinting requirement, that means that once that deadline is done and debate starts on the floor, no one can come down and amend the rule. Therefore, it's a closed rule.

Secondly, I can't say for certain, but the exchange that we had down here, a very good exchange, may have brought forward some idea by a Member wanting to come down and at least discuss an amendment. We don't have that opportunity. That is simply the point that I am making. This is a closed rule.

Mr. HASTINGS of Florida. Reclaiming my time, in closing now, on behalf of the six tribes that I believe we have a great opportunity today to finally bringing closure to their injustice. Indeed, in my view, Congress has a duty to end the suppression and provide these six Native American Indian tribes with recognition long overdue.

Number one, they were not recognized by the Federal Government. And if they didn't exist for a very long time, it was because of the Federal Government. And then when they tried to come back and say that we are going to meet all of these exacting requirements under the petition, who had destroyed their records, the Virginia government had destroyed their record.

What part of that don't you all understand, that these people can't make something out of whole cloth in a situation where their records have been destroyed?

How vicious can one situation be when you destroy the records of individuals and then ask them to corroborate and prove they exist? That is a virtual impossibility.

In this particular case, if there is one group of Native Americans that deserve an exception, and I might add they would be all six of these in light of the fact that systematically at every courthouse in Virginia every one of their records were burned or destroyed, and that was under the aegis of the authority of the Virginia government.

Give these people a break, if no one else. Now they have made it very clear that they do not intend, they forgo the right to gamble. And all things considered, I don't see my colleague from Connecticut and I don't see any colleagues from California and Nevada and me and others from Florida around turning the revenue back that is being produced. The State of Florida, for example, is about the business of trying to come up with better formulas so they can get more of the revenue that is coming into the Seminole and Miccosukee tribes. I suggest to you that Connecticut probably would be near bankrupt if it hadn't been for the Indian tribes and the revenue that comes into that State.

Somewhere along the line when you have taken from people, you ought to at least give them an opportunity to have the playing field level. And we are talking about in this case only 3,175 members, 562 Federal tribes have already been recognized. And yes, Mr. SHAYS, I think every other one of them ought to be recognized, including my ancestors that are Creek Indians.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on adopting House Res-

olution 377 will be followed by a 5-minute vote on adopting House Resolution 370.

The vote was taken by electronic device, and there were—yeas 228, nays 186, not voting 18, as follows:

[Roll No. 305]

YEAS—228

Abercrombie	Green, Gene	Neal (MA)
Ackerman	Grijalva	Oberstar
Aderholt	Gutierrez	Obey
Allen	Hall (NY)	Olver
Altmire	Hare	Ortiz
Andrews	Hastings (FL)	Pallone
Arcuri	Herseht Sandlin	Pascarell
Baca	Higgins	Pastor
Baird	Hill	Payne
Baldwin	Hinchev	Perlmutter
Barrow	Hinojosa	Peterson (MN)
Bean	Hirono	Pomeroy
Becerra	Hodes	Price (NC)
Berkley	Holden	Rahall
Berman	Holt	Rangel
Berry	Honda	Reyes
Bishop (GA)	Hoolley	Rodriguez
Bishop (NY)	Hoyer	Ross
Blumenauer	Inslee	Rothman
Boren	Israel	Royal-Allard
Boswell	Jackson (IL)	Ruppersberger
Boucher	Jackson-Lee	Rush
Boyd (FL)	(TX)	Ryan (OH)
Boyda (KS)	Jefferson	Salazar
Brady (PA)	Johnson (GA)	Sánchez, Linda
Bralley (IA)	Jones (OH)	T.
Butterfield	Kagen	Sanchez, Loretta
Capps	Kanjorski	Sarbanes
Capuano	Kaptur	Schakowsky
Cardoza	Kennedy	Schiff
Carnahan	Kildee	Schwartz
Carney	Kilpatrick	Scott (GA)
Carson	Kind	Scott (VA)
Castor	Klein (FL)	Serrano
Chandler	Kucinich	Sestak
Clarke	Lampson	Shea-Porter
Clay	Langevin	Sherman
Cleaver	Lantos	Sires
Clyburn	Larsen (WA)	Skelton
Cohen	Larson (CT)	Slaughter
Conyers	Lee	Smith (WA)
Cooper	Levin	Snyder
Costa	Lewis (GA)	Solis
Costello	Lipinski	Space
Courtney	Loeb sack	Spratt
Cramer	Lofgren, Zoe	Stark
Crowley	Lowey	Stupak
Cuellar	Lynch	Sutton
Cummings	Mahoney (FL)	Tanner
Davis (AL)	Maloney (NY)	Tauscher
Davis (CA)	Marshall	Taylor
Davis (IL)	Matheson	Thompson (CA)
Davis, Jo Ann	Matsui	Thompson (MS)
Davis, Lincoln	McCarthy (NY)	Tierney
Davis, Tom	McCollum (MN)	Towns
DeFazio	McDermott	Udall (CO)
DeGette	McGovern	Udall (NM)
Delahunt	McIntyre	Van Hollen
DeLauro	McNerney	Velázquez
Dicks	McNulty	Visclosky
Dingell	Meehan	Walz (MN)
Doggett	Meek (FL)	Wasserman
Donnelly	Meeks (NY)	Schultz
Edwards	Melancon	Waters
Ellison	Michaud	Watson
Ellsworth	Miller (NC)	Watt
Emanuel	Miller, George	Waxman
Eshoo	Mitchell	Weiner
Etheridge	Mollohan	Welch (VT)
Farr	Moore (KS)	Weldon (FL)
Filner	Moore (WI)	Wexler
Frank (MA)	Moran (VA)	Wilson (OH)
Giffords	Murphy (CT)	Woolsey
Gillibrand	Murphy, Patrick	Wu
Gonzalez	Murtha	Wynn
Gordon	Nadler	Yarmuth
Green, Al	Napolitano	Young (AK)

NAYS—186

Akin	Bilbray	Boustany
Alexander	Bilirakis	Brady (TX)
Bachmann	Bishop (UT)	Brown (SC)
Bachus	Blackburn	Brown-Waite,
Baker	Blunt	Ginny
Barrett (SC)	Boehner	Buchanan
Bartlett (MD)	Bonner	Burgess
Barton (TX)	Bono	Burton (IN)
Biggert	Boozman	Buyer

Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Carter  
Castle  
Chabot  
Coble  
Cole (OK)  
Conaway  
Crenshaw  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gillmor  
Gingrey  
Gohmert  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Hastings (WA)  
Hayes  
Heller  
Hensarling

NOT VOTING—18

Brown, Corrine  
Doyle  
Engel  
Fattah  
Gilchrist  
Goode  
Harman

□ 1338

Mr. WELLER of Illinois and Mr. HALL of Texas changed their vote from “yea” to “nay.”

Ms. HOOLEY, Mr. YOUNG of Alaska and Mr. WELDON of Florida changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. CON. RES. 21, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 370, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 197, not voting 14, as follows:

[Roll No. 306]

YEAS—221

Abercrombie  
Ackerman  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Boucher  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Castor  
Chandler  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Edwards  
Ellison  
Ellsworth  
Emanuel  
Eshoo  
Etheridge  
Farr  
Filner  
Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Gordon  
Green, Al  
Green, Gene  
Grijalva

NAYS—197

Aderholt  
Akin  
Alexander  
Bachmann  
Bachus  
Baker  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggart  
Bilbray  
Bilirakis  
Bishop (UT)  
Blackburn  
Blunt

Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Donnelly  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hill  
Hobson  
Hoekstra  
Hunter  
Inglis (SC)  
Issa  
Jindal  
Johnson, Sam  
Jones (NC)  
Jordan  
Keller  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kuhl (NY)  
LaHood  
Lamborn  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCrary  
McHenry  
McHugh  
McKeon  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy, Tim  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Paul  
Pearce  
Pence  
Peterson (PA)  
Petri  
Pickering  
Pitts

NOT VOTING—14

Brown, Corrine  
Doyle  
Engel  
Fattah  
Gilchrist

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1348

Mr. BILBRAY changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Speaker, unfortunately today, May 8, 2007, I was unable to cast my votes on H. Res. 377 and H. Res. 370.

Had I been present for rollcall No. 305 on passage of H. Res. 377, Providing for the consideration of H.R. 1294, Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act, I would have voted “nay.”

Had I been present for rollcall No. 306 on passage of H. Res. 370, Providing for consideration of the concurrent resolution (S. Con. Res. 21) setting forth the congressional budget for the United States Government for fiscal