

But, Mr. Speaker, to those who might misinterpret abroad, to those who perhaps fail to understand our tradition of vigorous debate and honest disagreement, Mr. Speaker, at this time in this place in the well of the people's House, let us reaffirm as a Nation our resolve to do, in the words of my constituents from the Fifth Congressional District of Arizona, "whatever it takes" to protect our homeland and to ensure that the American Nation not only survives but thrives.

Good people can disagree; but on this point there should be no disagreement. There are those who are tempted to strike the homeland; severe consequences will follow those actions.

#### THE RIGHT PRESCRIPTION

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

Mr. McDERMOTT. Mr. Speaker, I am a doctor and I have seen some prescriptions in my time that were the wrong medicine for the right illness. I am here to tell you that is exactly what the Republicans did with their prescription drug bill. The big drug companies got the overwhelming benefit, and the seniors get the underwhelming Republican rhetoric.

Well, there is a doctor in the House and Democrats are doing something about a Republican drug bill that needs steroids to help seniors and the disabled. Democrats are circulating what is called a "discharge petition."

I urge every citizen, Mr. Speaker, to write, call, cajole, pester, or otherwise demand that your elected representatives go on it.

This petition would require, require, the Federal Government to use its substantial clout and purchasing power to negotiate real discounts for seniors and disabled on prescription drugs. This is the right medicine for the right illness.

I am a doctor, and I do not play one on TV. Sign the petition. Give the seniors something they deserve: real benefits.

#### 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 is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### ALLOWING BINDING ARBITRATION CLAUSES TO BE INCLUDED IN CONTRACTS AFFECTING LAND WITHIN SALT RIVER PIMA-MARI- COPA INDIAN RESERVATION

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 4115) to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation.

The Clerk read as follows:

H.R. 4115

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

#### SECTION 1. BINDING ARBITRATION FOR SALT RIVER PIMA-MARICOPA INDIAN RESERVATION CONTRACTS.

(a) IN GENERAL.—Section 2(c) of the Act of November 2, 1966 (25 U.S.C. 416a(c)), is amended—

(1) in the first sentence—

(A) by striking "Any lease" and all that follows through "affecting land" and inserting "Any contract, including a lease, affecting land"; and

(B) by striking "such lease or contract" and inserting "such contract"; and

(2) in the second sentence, by striking "Such leases or contracts entered into pursuant to such Acts" and inserting "Such contracts".

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the Indian Tribal Economic Development and Contract Encouragement Act of 2000 (Public Law 106-179).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. HAYWORTH) and the gentleman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. HAYWORTH).

#### GENERAL LEAVE

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4115.

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

There was no objection.

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

Mr. Speaker, H.R. 4115 is a bill I have sponsored along with my friend and colleague, the gentleman from the State of Arizona (Mr. FLAKE), to resolve a problem affecting an Indian tribe in my district.

It is basically a technical correction to a provision in existing law pertaining to leases and contracts on the Salt River Pima-Maricopa Reservation which is located in the Phoenix metropolitan area.

The Committee on Resources ordered the bill reported by unanimous consent on May 19, 2004.

The need for this bill originates in the Act of November 2, 1966, and in subsequent amendments to related leasing laws affecting Indian lands. The Act of November 2, 1966, authorizes the Salt River Pima-Maricopa Indian community to put binding arbitration clauses into leases and contracts for business development on its reservation.

Without such binding arbitration clauses, many investors would not be

interested in doing business with the tribe because there would be no means of enforcing contracts. Unfortunately, an amendment to a related provision of law has made it unclear whether the tribe may put the binding arbitration clauses into all of its contracts and leases. This bill clarifies that the tribe may include binding arbitration clauses in all contracts for business developments on its reservation.

There are sometimes concerns expressed over passing bills that affect tribal land rights without securing the consent of the affected tribe. In this case, H.R. 4115 was specifically requested by the Salt River Pima-Maricopa Indian community which has informed me and my colleagues who join me on the Committee on Resources that it stands to lose major economic development opportunities on its reservation unless this bill is enacted. According to the tribe's attorneys, the language of the bill will solve the tribe's problem.

The Salt River Pima-Maricopa Indian community should be applauded for its aggressive pursuits of economic development and diversification. It is taking advantage of its location in a major metropolitan area to attract investors and create jobs and prosperity for the tribe, its members, and also for the surrounding communities.

Enacting H.R. 4115 enables the tribe to execute leasing contracts that will benefit the tribe and its members far into the future.

Mr. Speaker, this legislation may seem like just a minor fix to a technical leasing issue, but in fact there is much at stake for the tribe's economic future in the passage of the bill. I urge adoption of the bill.

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

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, H.R. 4115 would allow binding arbitration clauses to be included in all contracts that affect the lands within the Salt River Pima-Maricopa Indian Reservation.

The idea behind this legislation is to provide a comfort level to those wanting to enter into business agreements with this particular tribe. Should a conflict arise in any business contract, this legislation would allow both the tribe and the business partner to avoid the normal channel of the tribal court system.

Mr. Speaker, I support adoption of H.R. 4115 by the House today.

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

Mr. HAYWORTH. Mr. Speaker, I have no further 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 Arizona (Mr.

HAYWORTH) that the House suspend the rules and pass the bill, H.R. 4115.

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

A motion to reconsider was laid on the table.

□ 1415

#### EXTENDING AUTHORIZATION FOR CERTAIN NATIONAL HERITAGE AREAS

Mr. HAYWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4492) to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4492

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

#### TITLE I—EXTENSIONS

##### SECTION 101. AUTHORIZATION AND APPROPRIATION EXTENSIONS.

Division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 16 U.S.C. 461 note) is amended—

(1) in each of sections 107, 208, 408, 507, 811, and 910, by striking “September 30, 2012” and inserting “September 30, 2027”;

(2) in each of sections 108(a), 209(a), 409(a), 508(a), 812(a), and 909(c), by striking “\$10,000,000” and inserting “\$20,000,000”; and

(3) in title VIII, by striking “Canal National Heritage Corridor” each place it appears in the section headings and text and inserting “National Heritage Canalway”.

##### TITLE II—NATIONAL AVIATION HERITAGE AREA

##### SEC. 201. SHORT TITLE.

This title may be cited as the “National Aviation Heritage Area Act”.

##### SEC. 202. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Few technological advances have transformed the world or our Nation’s economy, society, culture, and national character as the development of powered flight.

(2) The industrial, cultural, and natural heritage legacies of the aviation and aerospace industry in the State of Ohio are nationally significant.

(3) Dayton, Ohio, and other defined areas where the development of the airplane and aerospace technology established our Nation’s leadership in both civil and military aeronautics and astronautics set the foundation for the 20th Century to be an American Century.

(4) Wright-Patterson Air Force Base in Dayton, Ohio, is the birthplace, the home, and an integral part of the future of aerospace.

(5) The economic strength of our Nation is connected integrally to the vitality of the aviation and aerospace industry, which is responsible for an estimated 11,200,000 American jobs.

(6) The industrial and cultural heritage of the aviation and aerospace industry in the State of Ohio includes the social history and living cultural traditions of several generations.

(7) The Department of the Interior is responsible for protecting and interpreting the Nation’s cultural and historic resources, and

there are significant examples of these resources within Ohio to merit the involvement of the Federal Government to develop programs and projects in cooperation with the Aviation Heritage Foundation, Incorporated, the State of Ohio, and other local and governmental entities to adequately conserve, protect, and interpret this heritage for the educational and recreational benefit of this and future generations of Americans, while providing opportunities for education and revitalization.

(8) Since the enactment of the Dayton Aviation Heritage Preservation Act of 1992 (Public Law 102-419), partnerships among the Federal, State, and local governments and the private sector have greatly assisted the development and preservation of the historic aviation resources in the Miami Valley.

(9) An aviation heritage area centered in Southwest Ohio is a suitable and feasible management option to increase collaboration, promote heritage tourism, and build on the established partnerships among Ohio’s historic aviation resources and related sites.

(10) A critical level of collaboration among the historic aviation resources in Southwest Ohio cannot be achieved without a congressionally established national heritage area and the support of the National Park Service and other Federal agencies which own significant historic aviation-related sites in Ohio.

(11) The Aviation Heritage Foundation, Incorporated, would be an appropriate management entity to oversee the development of the National Aviation Heritage Area.

(12) Five National Park Service and Dayton Aviation Heritage Commission studies and planning documents: “Study of Alternatives: Dayton’s Aviation Heritage”, “Dayton Aviation Heritage National Historical Park Suitability/Feasibility Study”, “Dayton Aviation Heritage General Management Plan”, “Dayton Historic Resources Preservation and Development Plan”, and Heritage Area Concept Study, demonstrated that sufficient historical resources exist to establish the National Aviation Heritage Area.

(13) With the advent of the 100th anniversary of the first powered flight in 2003, it is recognized that the preservation of properties nationally significant in the history of aviation is an important goal for the future education of Americans.

(14) Local governments, the State of Ohio, and private sector interests have embraced the heritage area concept and desire to enter into a partnership with the Federal government to preserve, protect, and develop the Heritage Area for public benefit.

(15) The National Aviation Heritage Area would complement and enhance the aviation-related resources within the National Park Service, especially the Dayton Aviation Heritage National Historical Park, Ohio.

(b) PURPOSE.—The purpose of this title is to establish the Heritage Area to—

(1) encourage and facilitate collaboration among the facilities, sites, organizations, governmental entities, and educational institutions within the Heritage Area to promote heritage tourism and to develop educational and cultural programs for the public;

(2) preserve and interpret for the educational and inspirational benefit of present and future generations the unique and significant contributions to our national heritage of certain historic and cultural lands, structures, facilities, and sites within the National Aviation Heritage Area;

(3) encourage within the National Aviation Heritage Area a broad range of economic opportunities enhancing the quality of life for present and future generations;

(4) provide a management framework to assist the State of Ohio, its political subdivisions, other areas, and private organizations, or combinations thereof, in preparing and implementing an integrated Management Plan to conserve their aviation heritage and in developing policies and programs that will preserve, enhance, and interpret the cultural, historical, natural, recreation, and scenic resources of the Heritage Area; and

(5) authorize the Secretary to provide financial and technical assistance to the State of Ohio, its political subdivisions, and private organizations, or combinations thereof, in preparing and implementing the private Management Plan.

##### SEC. 203. DEFINITIONS.

For purposes of this title:

(1) BOARD.—The term “Board” means the Board of Directors of the Foundation.

(2) FINANCIAL ASSISTANCE.—The term “financial assistance” means funds appropriated by Congress and made available to the management entity for the purpose of preparing and implementing the Management Plan.

(3) HERITAGE AREA.—The term “Heritage Area” means the National Aviation Heritage Area established by section 104 to receive, distribute, and account for Federal funds appropriated for the purpose of this title.

(4) MANAGEMENT PLAN.—The term “Management Plan” means the management plan for the Heritage Area developed under section 106.

(5) MANAGEMENT ENTITY.—The term “management entity” means the Aviation Heritage Foundation, Incorporated (a nonprofit corporation established under the laws of the State of Ohio).

(6) PARTNER.—The term “partner” means a Federal, State, or local governmental entity, organization, private industry, educational institution, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(8) TECHNICAL ASSISTANCE.—The term “technical assistance” means any guidance, advice, help, or aid, other than financial assistance, provided by the Secretary.

##### SEC. 204. NATIONAL AVIATION HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the States of Ohio and Indiana, the National Aviation Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include the following:

(1) A core area consisting of resources in Montgomery, Greene, Warren, Miami, Clark, Champaign, Shelby, and Auglaize Counties in Ohio.

(2) Space Museum, Wapakoneta, Ohio.

(3) Sites, buildings, and districts within the core area recommended by the Management Plan.

(c) MAP.—A map of the Heritage Area shall be included in the Management Plan. The map shall be on file in the appropriate offices of the National Park Service, Department of the Interior.

(d) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Aviation Heritage Foundation.

##### SEC. 205. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of implementing the Management Plan, the management entity may use Federal funds made available through this title to—

(1) make grants to, and enter into cooperative agreements with, the State of Ohio and political subdivisions of that State, private organizations, or any person;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.