

118TH CONGRESS
1ST SESSION

H. R. 6859

To extend the Federal recognition to the Gabrielino/Tongva Nation, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2023

Ms. KAMLAGER-DOVE introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To extend the Federal recognition to the Gabrielino/Tongva
Nation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gabrielino/Tongva Na-
5 tion Recognition Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) MEMBER.—The term “member” means an
9 individual who is a citizen of the Tribe pursuant to
10 the Tribe’s Constitution, enacted February 17,

1 2007, and who is enrolled in the Tribe pursuant to
2 section 7 of this Act.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (3) TRIBE.—The term “Tribe” means the
6 Gabrielino/Tongva Nation, also known as Gabrielino-
7 Tongva Indian Tribe and the Gabrielino-Tongva
8 Tribe.

9 **SEC. 3. FINDINGS.**

10 Congress finds the following:

11 (1) The traditional homelands of the
12 Gabrielino/Tongva Nation are the Los Angeles Basin
13 and the islands of Santa Catalina, San Nicholas,
14 San Clemente, and Santa Barbara, from Topanga
15 Canyon to Laguna Beach, from the San Gabriel
16 Mountains to the sea. Over 2,000 archaeological
17 sites in the in the Los Angeles County Basin attest
18 to the longevity of Gabrielino/Tongva presence in
19 their homelands.

20 (2) In 1891, in response to the impoverished
21 conditions experienced by Indian Tribes sent to the
22 California missions, Congress passed the Act of Jan-
23 uary 12, 1891 (26 Stat. 711) commonly known as
24 the Mission Indian Relief Act, which created a spe-
25 cial Indian agency with trust responsibilities over

1 “Mission Indians” in California, including the
2 Gabrielino/Tongva.

3 (3) In 1928, members of the Gabrielino/Tongva
4 community, many of whom were then living in their
5 traditional homelands in the Los Angeles Basin, en-
6 rolled during the California Indian census taken pur-
7 suant to the Act of May 18, 1928 (45 Stat. 602),
8 which identified them as “Mission San Gabriel” or
9 “Gabrielino” Indians and under the Federal jurisdic-
10 tion of the Mission Indian Agency in Riverside, Cali-
11 fornia.

12 (4) In 1952, a congressional report named the
13 Gabrielino/Tongva, known at that time as
14 “Gabrieleño or San Gabriel Indians,” as one of the
15 Indian Tribes or bands identified in dealings with
16 the Bureau of Indian Affairs (82d Cong., 2d sess.,
17 House, Report No. 2503).

18 (5) In 1972, Gabrielino/Tongva people received
19 settlement funds from the judgment of the Indian
20 Claims Commission in Docket 80 and 80–D under
21 the Act of September 21, 1968 (Public Law 90–507;
22 82 Stat. 860).

23 (6) In 1994, the State of California recognized
24 the Tongva in Assembly Joint Resolution 96,
25 chaptered by the California Secretary of State as

1 Resolution chapter 146, Statutes of 1994. The Joint
2 Resolution states that the State of California “rec-
3 ognizes the Gabrielinos as the aboriginal tribe of the
4 Los Angeles Basin and takes great pride in recog-
5 nizing the Indian inhabitation of the Los Angeles
6 Basin and the continued existence of the Indian
7 community”.

8 (7) In 1999, the Coastal Gabrielino-Diegueno
9 Band of Mission Indians, the legal predecessor to
10 the Gabrielino/Tongva Nation, filed evidence of its
11 members’ Gabrielino ancestry with the Bureau of In-
12 dian Affairs, using certificates of degree of Indian
13 blood prepared by the Act of September 21, 1968.

14 (8) In 2001, the Coastal Gabrielino-Diegueno
15 Band of Mission Indians reorganized, ultimately
16 changing its name to the Gabrielino/Tongva Nation,
17 and opening enrollment to individuals with
18 Gabrielino ancestry certified by the Bureau of In-
19 dian Affairs.

20 (9) In 2013, the Los Angeles City Council, in
21 Resolution 13-1285, declared its support of the
22 Gabrielino/Tongva Nation in its efforts to restore a
23 government-to-government relationship with the
24 United States.

1 (10) In 2019, the Superior Court for the Coun-
2 ty of Los Angeles found that the Gabrielino/Tongva
3 Nation was the legal successor in interest to the
4 Coastal Gabrielino-Diegueno Band of Mission Indi-
5 ans.

6 (11) The Gabrielino/Tongva Nation presently
7 has a membership of more than 700 Tribal citizens,
8 all of whom descend from a bona fide Gabrielino/
9 Tongva ancestor enumerated on a California Indian
10 Roll prepared by Bureau of Indian Affairs pursuant
11 to the Act of May 18, 1928, Act of May 24, 1950
12 (64 Stat. 189), and Act of September 21, 1968, and
13 whose ancestors have received Indian services, in-
14 cluding education or health care, based upon their
15 status as Indians.

16 **SEC. 4. FEDERAL RECOGNITION.**

17 (a) IN GENERAL.—Federal recognition is extended to
18 the Tribe.

19 (b) EFFECT OF FEDERAL LAWS.—Except as other-
20 wise provided in this Act, all Federal laws (including regu-
21 lations) of general application to Indians and Indian
22 Tribes, including the Act of June 18, 1934 (25 U.S.C.
23 5101 et seq.) (commonly known as the “Indian Reorga-
24 nization Act”), shall apply to the Tribe and each member.

1 **SEC. 5. FEDERAL SERVICES AND BENEFITS.**

2 (a) IN GENERAL.—Beginning on the date of enact-
3 ment of this Act, the Tribe and each member shall be eligi-
4 ble for all services and benefits provided by the United
5 States to Indians and federally recognized Indian Tribes,
6 without regard to—

7 (1) the existence of a reservation for the Tribe;

8 or

9 (2) the location of the residence of any member
10 on or near an Indian reservation.

11 (b) SERVICE AREA.—For purposes of the delivery of
12 services and benefits to members, and in regard to land
13 and the transfer of land as set forth in section 8 of this
14 Act, the service area of the Tribe shall be considered to
15 be the area comprised of Los Angeles County, in the State
16 of California. Such services and benefits shall be provided
17 notwithstanding the establishment of a reservation or ac-
18 quisition of additional land after the date of enactment
19 of this Act.

20 **SEC. 6. REAFFIRMATION OF RIGHTS.**

21 (a) IN GENERAL.—Nothing in this Act diminishes
22 any right or privilege of the Tribe or any member that
23 existed before the date of enactment of this Act.

24 (b) CLAIMS OF TRIBE.—Except as otherwise pro-
25 vided in this Act, nothing in this Act alters or affects any
26 legal or equitable claim of the Tribe to enforce any right

1 or privilege reserved by, or granted to, the Tribe that was
2 wrongfully denied to, or taken from, the Tribe before the
3 date of enactment of this Act.

4 **SEC. 7. MEMBERSHIP ROLL.**

5 (a) IN GENERAL.—The Tribe shall submit to the Sec-
6 retary within thirty days after the date of enactment of
7 this Act, a membership roll consisting of the name of each
8 individual enrolled as a member of the Tribe.

9 (b) DETERMINATION OF MEMBERSHIP.—The quali-
10 fications for inclusion on the membership roll of the Tribe
11 shall be determined in accordance with the Tribe's Con-
12 stitution, enacted February 17, 2007, any amendments or
13 changes to the Constitution, or Tribal laws pertaining to
14 membership. Upon receipt of the roll, the Secretary shall
15 immediately publish notice of such in the Federal Reg-
16 ister.

17 (c) MAINTENANCE OF ROLL.—The Tribe shall have
18 the sole authority and responsibility to maintain the mem-
19 bership roll of the Tribe.

20 **SEC. 8. TRANSFER OF LAND.**

21 (a) INITIAL RESEVATION.—Within ninety days from
22 the date of enactment of this Act, and notwithstanding
23 any other provision of law, the Secretary shall acquire and
24 take into trust for the benefit of the Tribe title to land

1 identified by the Tribe that is located within the service
2 area of the Tribe, not to exceed 300 acres.

3 (b) ELIGIBILITY.—Lands taken into trust will be
4 deemed part of the restoration of lands for an Indian
5 Tribe that is restored to Federal recognition pursuant to
6 section 20(b)(1)(B)(iii) of the Indian Gaming Regulatory
7 Act (25 U.S.C. 2719(b)(1)(B)(iii)).

8 (c) ADDITIONAL LANDS.—The Secretary may acquire
9 additional land for the benefit of the Tribe pursuant to
10 section 5 of the Act of June 18, 1934 (25 U.S.C. 5108)
11 (commonly known as the “Indian Reorganization Act”).

12 (d) TRIBAL FEE LANDS.—Notwithstanding any
13 other provision of law, without further approval, ratifica-
14 tion, or authorization by the United States, the Tribe may
15 lease, sell, convey, warrant, or otherwise transfer all or
16 any part its interest in any real property that is (1) not
17 located within the exterior boundaries of the Reservation,
18 and (2) not held in trust by the United States for the
19 benefit of the Tribe.

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