

the Medgar Evers National Monument in the State of Mississippi, and for other purposes. Sincerely,

JEFF SEABOLD,  
Chairman.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from Florida for his very kind yielding of time.

Mr. SOTO. Mr. Speaker, I thank the gentleman from Mississippi for, one, chronicling the legacy and untimely death of Medgar Evers, a favorite son of Mississippi and civil rights hero, and also for his personal remarks on how he inspired him.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate Mr. THOMPSON introducing this bill, and introducing it with his remarks so far. This is an important one to me, too, which is why I am proud to be a cosponsor of this bill.

I remember this gentleman, and I remember the events of his assassination. I think it had an impact on everybody.

Medgar Evers was born in 1925 and served in the military during World War II in both Germany and France and then became one of those who fought to try and integrate a law school in the 1950s.

He was assassinated, as Mr. THOMPSON said, in 1963, and I clearly remember watching that on the news at the time and being impacted by it.

□ 1715

Mr. SOTO probably wasn't even born then, but the rest of us still remember this event going on there.

He tragically died within an hour after that shooting and is now buried in Arlington National Cemetery. The home was donated to Tougaloo University, and it is currently being operated as a museum with period pieces, as well as the memorabilia that talks about the legacy of this icon of the civil rights movement.

I am happy that we are doing this particular bill, because these are the kinds of projects that should be national monuments. These are the historical sites that need to be in the National Park System so that people can go there, they can learn, and, more importantly, so they can remember. Because it is in forgetting in which we sin; in remembering is when we will never forget the legacy of Medgar Evers and what he sacrificed to move this country forward in some particular way.

So I commend Representative THOMPSON for introducing this legislation. I am very proud of the way we are doing it. This is the proper way of creating a national monument: by legislative action and going through the legislative process, during the hearing, during the committee, bringing it to the floor, and then taking it over to the Senate.

I expect this to be passed very quickly. I expect this to become a reality. And I expect this to be an illustration of how Congress should be creating national monuments going forward in the future.

Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

Mr. SOTO. Mr. Speaker, while I was born 15 years after the untimely death of Mr. Medgar Evers, we live in a more just and perfect union as a result of his sacrifices.

So I thank his sacrifices and the gentleman from Mississippi (Mr. THOMPSON) for bringing this bill.

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

Mr. BISHOP of Utah. Mr. Speaker, I will not say the gentleman is just a child.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 4895, as amended.

The question was taken; and (two-thirds being in the affirmative) 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 the Medgar Evers Home National Monument in the State of Mississippi, and for other purposes."

A motion to reconsider was laid on the table.

#### BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (S. 35) to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 35

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Black Hills National Cemetery Boundary Expansion Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) CEMETERY.—The term "Cemetery" means the Black Hills National Cemetery in Sturgis, South Dakota.

(2) FEDERAL LAND.—The term "Federal land" means the approximately 200 acres of Bureau of Land Management land adjacent to the Cemetery, generally depicted as "Proposed National Cemetery Expansion" on the map entitled "Proposed Expansion of Black Hills National Cemetery-South Dakota" and dated June 16, 2016.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR CEMETERY USE.

(a) CONDUCT OF DUE DILIGENCE ACTIVITIES BY THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Before the transfer of administrative jurisdiction and withdrawal of the Federal land under subsections (b) and (c), respectively, and subject to paragraph (2), the Secretary of Veterans Affairs shall complete any appropriate environmental, cultural resource, and other due diligence activities on the Federal land that would enable the Secretary of Veterans Affairs to confirm that the Federal land is suitable for cemetery purposes.

(2) NOTICE; REQUIRED COORDINATION.—The Secretary of Veterans Affairs shall—

(A) before conducting any due diligence activities under paragraph (1), notify the Secretary of the activities to be conducted;

(B) as the Secretary of Veterans Affairs determines to be necessary in the conduct of the due diligence activities under paragraph (1), coordinate the activities with the Secretary; and

(C) if the Secretary of Veterans Affairs determines, on completion of the due diligence activities under paragraph (1), that the Federal land is suitable for cemetery purposes, submit written notice of the determination to the Secretary.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) TRANSFER.—

(A) IN GENERAL.—On receipt by the Secretary of written notice of a determination that the Federal land is suitable for cemetery purposes under subsection (a)(2)(C), except as provided in subparagraph (B), and subject to valid existing rights, administrative jurisdiction over the Federal land is transferred from the Secretary to the Secretary of Veterans Affairs for use as a national cemetery in accordance with chapter 24 of title 38, United States Code.

(B) EXCLUSION.—The transfer of administrative jurisdiction over the Federal land under subparagraph (A) shall not include the land located within 100 feet of the center of the Centennial Trail, as generally depicted on the map entitled "Proposed Expansion of Black Hills National Cemetery-South Dakota" and dated June 16, 2016.

(2) LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice containing a legal description of the Federal land.

(B) EFFECT.—A legal description published under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical and typographical errors in the legal description.

(C) AVAILABILITY.—Copies of the legal description published under subparagraph (A) shall be available for public inspection in the appropriate offices of—

(i) the Bureau of Land Management; and

(ii) the National Cemetery Administration.

(D) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary for the costs incurred by the Secretary in carrying out this paragraph, including the costs of any surveys and other reasonable costs.

(c) WITHDRAWAL.—On receipt by the Secretary of written notice of a determination that the Federal land is suitable for cemetery purposes under subsection (a)(2)(C) and subject to valid existing rights, the Federal land—

(1) is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws; and

(2) shall be treated as property as defined under section 102(9) of title 40, United States Code.

(d) BOUNDARY MODIFICATION.—The boundary of the Cemetery is modified to include the Federal land.

(e) MODIFICATION OF PUBLIC LAND ORDER.—Public Land Order 2112, dated June 6, 1960 (25 Fed. Reg. 5243), is modified to exclude the Federal land.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Florida (Mr. SOTO) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as she may consume to the gentlewoman from South Dakota (Mrs. NOEM), who is the House sponsor of this particular bill and who has done so much work on this. I allow her to introduce this piece of legislation that is so significant to her State.

Mrs. NOEM. Mr. Speaker, I want to thank the chairman as well for all of his help getting this bill done.

I rise today in support of the Black Hills National Cemetery Boundary Expansion Act, and I urge my colleagues to vote for it.

This morning, I was up at 4 a.m. and got to the Sioux Falls Airport by 5 a.m. to greet a group of veterans who were taking an Honor Flight. They were getting on a plane and heading to Washington, D.C. to see their monuments and to spend some time with family and guardians reminiscing about their service to this country. I was reminded about the sacrifices that they have made to defend our liberty and our freedoms in this country. They were looking forward to it.

As I listened to their stories and heard about their time overseas and in-country, but also on ships and field, it was overwhelming to me what all they had done and what they had experienced in service to this country.

In fact, one of the men was in his eighties, and it was going to be the first time today that he actually flew on an airplane. When he was in the Navy, he took a train to the coast and got on a ship. He was excited about this, not only being an opportunity to honor his service, but also to have new experiences along the way.

As I thought about them all day traveling out to D.C. and doing our work here, and the fact that this bill was going to be on the floor today, I was reminded again and again that South Dakota has a long and honorable history of service. In fact, we have one of the highest service rates in the Nation in

our State. It is a small State, but they are highly patriotic, and they love this country.

The fact that the Black Hills National Cemetery needs room to grow is a testament to the sheer number of patriotic South Dakotans who have answered their country's call to serve.

I am honored to have championed this legislation in Congress for several years, and I am proud to say that the House has passed it twice already. Today is going to be different though. Today, with all of your support, we can finally do right by our veterans and send this bill to President Trump for his signature.

Allowing the Black Hills National Cemetery to expand is the very least that we can do to honor these great patriots who have served our Nation.

Mr. Speaker, I urge my colleagues to support the bill.

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

Mr. Speaker, S. 35 transfers jurisdiction of approximately 200 acres of public land from the Bureau of Land Management to the National Cemetery Administration to extend the Black Hills National Cemetery.

Burial in a national cemetery is open to all members of the Armed Forces who have met a minimum of Active Duty service requirement and were discharged under certain conditions. BLM offered their general support for this bill when it was considered during a Senate hearing.

Mr. Speaker, this is a good bill that honors our Nation's fallen heroes who fought to protect the freedoms we enjoy today, and I urge my colleagues to join me in supporting passage of this bill.

Mr. Speaker, I congratulate the gentlewoman from South Dakota on her hard work on this bill, and I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This is talking about 200 acres of public property that needs to be used by a national cemetery that was created back in 1948 as the final resting place of people who gave their last and gave their all for the defense of this country. It includes the final resting place of Medal of Honor Recipient Sergeant Charles Winthrop. A memorial to Korean war veterans is there. And 16 years ago, it was made part of the National Cemetery System.

It is significant that we are doing this particular process right now. I think it is important that both the Bureau of Land Management and the Veterans Affairs Department are both in support of this transfer, because this illustrates not only the significance of this cemetery and what it allows people to do, to honor those who have given their all for this Nation, but it allows us to have the proper use of public lands.

Here are now 200 acres of public land that is going to be used for a public

purpose, and that is the reason you have public lands in the first place. If this 200 acres were simply to sit there with nothing to do, then there is no reason for anybody to own it in the first place. But having public lands now used for a public purpose that elevates, enlightens, and ennobles us is how you are supposed to be using public lands.

So I am appreciative of Representative NOEM for introducing this bill on several occasions. The last time it actually came to this floor, we voted on it. It was a tough vote; it was 407-0. I am grateful it finally has a Senate sponsor and the Senate has actually done something to send us this bill back so we can allow Representative NOEM to do what she does best in pushing things forward for the State of South Dakota in a positive and selfless way, and I am looking forward to the vote on this one.

Mr. Speaker, I urge adoption of this measure. I have no other speakers, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, April 5, 2018.

Hon. ROB BISHOP,  
Chairman, Committee on Natural Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning S. 35, the Black Hills National Cemetery Boundary Expansion Act. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Veterans' Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of this committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on S. 35 and into the Congressional Record during consideration of the measure on the House floor. Thank you.

Sincerely,

DAVID P. ROE, M.D.,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
Washington, DC, April 10, 2018.

Hon. DAVID P. ROE,  
Chairman, Committee on Veterans' Affairs,  
Washington, DC.

DEAR MR. CHAIRMAN: S. 35, the Black Hills National Cemetery Boundary Expansion Act, was ordered favorably reported on March 14, 2018, by unanimous consent. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Veterans' Affairs.

I thank you for allowing the Committee on Veterans' Affairs to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support having the Committee on Veterans' Affairs represented

on the conference committee. Finally, to memorialize our understanding, I would be pleased to include your letter and this response in the Congressional Record when the bill is considered by the House.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,  
*Chairman.*

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

Mr. BISHOP of Utah. Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, S. 35.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### OREGON TRIBAL ECONOMIC DEVELOPMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1285) to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes to lease or transfer certain lands.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1285

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Oregon Tribal Economic Development Act".

#### SEC. 2. APPROVAL NOT REQUIRED TO VALIDATE LAND TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, without further approval, ratification, or authorization by the United States, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes may lease, sell, convey, warrant, or otherwise transfer all or any part of its interests in any real property that is not held in trust by the United States for the benefit of such tribe.

(b) TRUST LAND NOT AFFECTED.—Nothing in this section shall—

(1) authorize the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians,

the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes to lease, sell, convey, warrant, or otherwise transfer all or any part of an interest in any real property that is held in trust by the United States for the benefit of such tribe; or (2) affect the operation of any law governing leasing, selling, conveying, warranting, or otherwise transferring any interest in such trust land.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Florida (Mr. SOTO) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is my pleasure to speak to this particular piece of legislation.

This bill will clarify that five recognized tribes in the State of Oregon may buy, sell, lease, or otherwise convey land that they own in fee without approval from the Federal Government.

Some of the earliest laws passed by Congress after the ratification of the Constitution reserves to the United States the exclusive right to acquire Indian lands. These laws are commonly called the Trade and Intercourse Acts.

The acts were meant to protect Indian tribes by preventing the loss of their lands, except by treaty. It does so by preventing the transfer, sale, lease, or other conveyance of land owned by an Indian tribe to third parties without Federal approval.

This bill, S. 1285, would clarify that the five tribes named in this bill may do this job without Federal review or approval.

The bill benefits other tribes in a similar fashion were also considered by the Natural Resources Committee and enacted into law during the 106th, 113th, and 114th Congresses as well. This particular bill, which passed by unanimous consent in December, truly shows that despite what some Members are quoted as saying in the press, the Natural Resources Committee is, in fact, still a productive committee after all.

In fact, we have been the most active House committee next to the Rules Committee. We have already marked up 147 bills and reported out 114 of these bills. No other committee has reached the 100 mark. I guess that is a plus. If it is, then we did it. The House

has passed 92 of these bills, and 23 have been signed into law. We hope to change that to 93 and 24 respectively.

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

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

First, I want to congratulate the chairman on having a productive committee. I appreciate that one of those bills was from our own office. We will keep them coming, hopefully.

Back to the bill at hand. Almost 200 years ago, the Indian Nonintercourse Act was enacted with the intention of protecting Indian tribes by preventing the loss of their lands. It does so by preventing the transfer, sale, lease, or other conveyance of any land owned by an Indian tribe to third parties without Federal approval. This prohibition applies to both trust and tribally owned fee lands.

Although a number of laws have been passed over the centuries that effectively supersede the Nonintercourse Act, the actual act has never been repealed. Therefore, relief from the act is sometimes necessary so that a tribe may manage their fee lands efficiently and put them to productive use.

This is what S. 1285 would do. It clarifies that these seven Oregon tribes have the authority to lease, sell, convey, warrant, or otherwise transfer their tribally owned fee lands without approval from the Federal Government. The bill also clarifies that this authority does not apply to trust lands. Congress has previously enacted similar laws for other Indian tribes, so this measure is not unprecedented.

In closing, I want to thank our colleague from Oregon, Congressman PETER DEFAZIO, for his sponsorship of the House version of this bill and his leadership on this issue.

Mr. Speaker, I urge my colleagues to join me in supporting this bill. I have no other speakers, and I yield back the balance of my time.

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

Mr. DeFAZIO. Mr. Speaker, I rise in support of S. 1285, the Senate companion to my bipartisan bill, H.R. 3225, the Oregon Tribal Economic Development Act.

Last year a federally-recognized tribe in my District, the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw, alerted me that it was unable to obtain a commercial mortgage to purchase a storage unit facility.

A local financial institution was concerned that under the arcane Indian Non-Intercourse Act (INIA), it was afraid it would not be able to repossess the property should the tribe be unable to make mortgage payments.

Many of my colleagues are not familiar with the INIA, with good reason. The law is over 180 years old, and prohibits a tribe from buying, selling or leasing land. Under the law, Congress, not the Bureau of Indian Affairs, is required to approve every potential transaction.

Typically, the INIA has not prevented tribes from buying, selling or leasing land. However, some financial institutions, as in the case in my District, have interpreted it to mean that Congress act.