

SEC. 5. GAMING.

(a) LANDS TAKEN INTO TRUST UNDER THIS ACT.—Lands taken into trust for the benefit of the Tribe under section 4 shall not be eligible for gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

(b) OTHER LANDS TAKEN INTO TRUST.—Lands taken into trust for the benefit of the Tribe in Sonoma County after the date of the enactment of this Act shall not be eligible for gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2710 et seq.).

SEC. 6. APPLICABILITY OF CERTAIN LAW.

Notwithstanding any other provision of law, the Memorandum of Agreement entered into by the Tribe and the County concerning taking land in the County into trust for the benefit of the Tribe, which was approved by the County Board of Supervisors on March 10, 2015, and any addenda and supplement or amendment thereto, is not subject to review or approval of the Secretary in order to be effective, including review or approval under section 2103 of the Revised Statutes (25 U.S.C. 81).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from California (Mr. COOK) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Along with dozens of other California Tribes, the Lytton Band of Pomo Indians had its relationship with the Federal Government terminated in 1958, resulting in the loss of its Federal status and all of its Tribal lands.

The Tribe's federally recognized status was eventually restored, but its reservation lands were not. As a result, with the exception of a small parcel of land that Congress provided for gaming in San Pablo, the Tribe has been left essentially landless and without a reservation since it was terminated.

H.R. 1388 will address that issue by taking approximately 511 acres in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria. On 124 acres of the land, the Tribe plans to build housing for its members, as well as governmental and community facilities. Another portion of the land is currently being used for viniculture, and the Tribe intends to develop more of the lands for the same purpose.

In response to local concerns, the Tribe has agreed that the lands will not be used for gaming. This is provided in the text of the legislation as well as in a binding memorandum of agreement with the Sonoma County Board of Supervisors.

In addition to the memorandum of agreement with the County of Sonoma,

the Tribe has also entered into agreements with the local school district and the local fire department. Additionally, the Tribe is working with the city of Windsor to ensure appropriate water and sewer hookup.

□ 1330

By directing that these lands be taken into trust, the United States will ensure that the Lytton Rancheria will finally have a permanently protected homeland on which they can once again live as a community and plan for the future.

An identical bill passed the House last Congress by voice vote, and I urge quick adoption of this legislation as well.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, H.R. 1388 will provide for the acquisition of a number of acres of noncontiguous land in trust for the benefit of Lytton Rancheria. The lands, located in Sonoma County next to the town of Windsor, are the subject of a fee-to-trust application filed by the Tribe with the Department of the Interior in 2009.

Neither the Obama nor Trump administration has provided a reason why the Tribe's application has not been approved in the last 10 years.

The Tribe has testified that it intends to use a portion of the land for tribal housing, while the rest would support a diverse range of economic development, including plans for a future resort and winery.

I notice everyone paid attention to that last word.

An identical measure passed the House in the previous Congress, and it has been reported twice by the Committee on Natural Resources, though not in the current Congress.

Madam Speaker, I urge adoption of the measure, and I yield back the balance of my time.

Mr. GRIJALVA. Madam Speaker, 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. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 1388.

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. GRIJALVA. Madam 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.

LITTLE SHELL TRIBE OF CHIPPEWA INDIANS RESTORATION ACT OF 2019

Mr. GRIJALVA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 297) to extend the Federal

recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 297

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 “Little Shell Tribe of Chippewa Indians Restoration Act of 2019”.

SEC. 2. DEFINITIONS.

In this Act:

(1) MEMBER.—The term ‘‘member’’ means an individual who is enrolled in the Tribe pursuant to section 6.

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

(3) TRIBE.—The term “Tribe” means the Little Shell Tribe of Chippewa Indians of Montana.

SEC. 3. FEDERAL RECOGNITION.

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

(b) EFFECT OF FEDERAL LAWS.—Except as otherwise provided in this Act, all Federal laws (including regulations) of general application to Indians and Indian tribes, including the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (commonly known as the “Indian Reorganization Act”), shall apply to the Tribe and members.

SEC. 4. FEDERAL SERVICES AND BENEFITS.

(a) IN GENERAL.—Beginning on the date of enactment of this Act, the Tribe and each member shall be eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes, without regard to—

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

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

(b) SERVICE AREA.—For purposes of the delivery of services and benefits to members, the service area of the Tribe shall be considered to be the area comprised of Blaine, Cascade, Glacier, and Hill Counties in the State of Montana.

SEC. 5. REAFFIRMATION OF RIGHTS.

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

(b) CLAIMS OF TRIBE.—Except as otherwise provided in this Act, nothing in this Act alters or affects any legal or equitable claim of the Tribe to enforce any right or privilege reserved by, or granted to, the Tribe that was wrongfully denied to, or taken from, the Tribe before the date of enactment of this Act.

SEC. 6. MEMBERSHIP ROLL.

(a) IN GENERAL.—As a condition of receiving recognition, services, and benefits pursuant to this Act, the Tribe shall submit to the Secretary, by not later than 18 months after the date of enactment of this Act, a membership roll consisting of the name of each individual enrolled as a member of the Tribe.

(b) DETERMINATION OF MEMBERSHIP.—The qualifications for inclusion on the membership roll of the Tribe shall be determined in accordance with sections 1 through 3 of article 5 of the constitution of the Tribe dated September 10, 1977 (including amendments to the constitution).

(c) MAINTENANCE OF ROLL.—The Tribe shall maintain the membership roll under this section.

SEC. 7. TRANSFER OF LAND.

(a) HOMELAND.—The Secretary shall acquire, for the benefit of the Tribe, trust title

to 200 acres of land within the service area of the Tribe to be used for a tribal land base.

(b) ADDITIONAL LAND.—The Secretary may acquire additional land for the benefit of the Tribe pursuant to section 5 of the Act of June 18, 1934 (25 U.S.C. 5108) (commonly known as the ‘Indian Reorganization Act’).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from California (Mr. COOK) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

Mr. GRIJALVA. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, H.R. 297 will extend Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana.

Federal recognition of Native American Tribes is critical to protecting their tribal sovereignty and restoring a tribe’s ability to control its land, its water, and its resources, as well as the ability to govern and to protect the health, safety, and welfare of its members.

The Little Shell Tribe has resided in Montana for well over a century and has long been recognized as a tribe by the State of Montana.

The Little Shell Tribe is a political successor to the signatories of the Pembina Treaty of 1863, under which a large area of the land in the State of North Dakota was ceded to the United States. While the Federal Government has federally recognized the two other Tribes that are successors to the signatories of the treaty, the Little Shell have inexplicably been left in limbo.

The Little Shell Tribe has repeatedly petitioned the Federal Government for Federal recognition, first in the 1930s and 1940s under the Indian Reorganization Act, and later, starting in 1978, through the Department of the Interior’s recognition process. However, despite their long and well-documented history, they were deprived of their rightful Federal recognition each time.

H.R. 297 finally extends recognition to the Little Shell Tribe, making all Federal laws and regulations of general applicability to Indians and Indian Tribes applicable to Little Shell and its members.

Federal recognition of the Little Shell Tribe enjoys broad support in Montana, including support from the Governor’s office, the Montana State Legislature, the surrounding counties and cities, and from all the other federally recognized Montana Tribes.

Recognition of the Little Shell is long overdue.

Madam Speaker, I urge my colleagues to vote “yes” on H.R. 297, and I reserve the balance of my time.

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

Madam Speaker, H.R. 297, sponsored by Congressman GIANFORTE, would extend Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana.

With Federal recognition, the Little Shell Tribe and its members would be eligible for all services and benefits provided by the Federal Government to Indians because of their status as Indians.

A previous version of this bill passed without opposition in the last Congress, thanks in large part to the gentleman from Montana (Mr. GIANFORTE), who has been a tireless advocate of recognizing the Little Shell Tribe and whose work has been instrumental to bring this legislation closer to the finish line.

Madam Speaker, I yield 2 minutes to the gentleman from Montana (Mr. GIANFORTE).

Mr. GIANFORTE. Madam Speaker, I thank the gentleman for the time.

Madam Speaker, I rise today to once again provide the Little Shell Tribe of Chippewa Indians of Montana with the overdue Federal recognition that they deserve.

The Little Shell Tribe began petitioning the Federal Government for recognition in the 1930s, over 80 years ago.

Last year, the Little Shell Tribe of Chippewa Indians Restoration Act passed this Chamber unanimously. It was the first time that a bill providing Federal recognition to the Little Shell Tribe passed either the House or the Senate. Following the passage in the House, however, the uncontroversial bill hit a roadblock in the Senate.

Today, we again take up their worthy cause as we pass this bill.

Madam Speaker, I thank Chairman GRIJALVA and Ranking Member BISHOP for their continued support.

This Congress should provide the Little Shell Tribe with the Federal recognition it deserves, particularly after its eight decades of dedicated efforts. Hopefully, my colleagues in the Senate will recognize the importance of this legislation.

Madam Speaker, I urge a “yes” vote on the bill.

Mr. GRIJALVA. Madam Speaker, I have no further requests for time, and I want to extend our appreciation for his work to the sponsor of the legislation. It passed unanimously, as he indicated, and there is no reason why we can’t do that again today.

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

Mr. COOK. Madam Speaker, 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. GRIJALVA) that the House suspend the rules and pass the bill, H.R. 297.

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. GRIJALVA. Madam 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Question on passage of H.J. Res. 46, the objections of the President to the contrary notwithstanding;

Motion to suspend the rules and pass H.R. 1388; and

Motion to suspend the rules and pass H.R. 297.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

TERMINATION OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question of whether the House, on reconsideration, will pass the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019, the objections of the President to the contrary notwithstanding.

In accord with the Constitution, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 248, nays 181, not voting 3, as follows:

[Roll No. 127]

YEAS—248

| | | |
|-----------------|-----------------|----------------|
| Adams | Cisneros | Dingell |
| Aguilar | Clark (MA) | Doggett |
| Allred | Clarke (NY) | Doyle, Michael |
| Amash | Clay | F. |
| Axne | Cleaver | Engel |
| Barragán | Clyburn | Escobar |
| Bass | Cohen | Eshoo |
| Beatty | Connolly | Espaiplat |
| Bera | Cooper | Evans |
| Beyer | Correa | Finkenauer |
| Bishop (GA) | Costa | Fitzpatrick |
| Blumenauer | Courtney | Fletcher |
| Blunt Rochester | Cox (CA) | Foster |
| Bonamici | Craig | Frankel |
| Boyle, Brendan | Crist | Fudge |
| F. | Crow | Gabbard |
| Brindisi | Cuellar | Gallagher |
| Brown (MD) | Cummings | Gallego |
| Brownley (CA) | Cunningham | Garamendi |
| Bustos | Davids (KS) | Garcia (IL) |
| Butterfield | Davis (CA) | Garcia (TX) |
| Carbajal | Davis, Danny K. | Golden |
| Cárdenas | Dean | Gomez |
| Carson (IN) | DeFazio | Gonzalez (TX) |
| Cartwright | DeGette | Gottheimer |
| Case | DeLauro | Green (TX) |
| Casten (IL) | DelBene | Grijalva |
| Castor (FL) | Delgado | Haaland |
| Castro (TX) | Demings | Harder (CA) |
| Chu, Judy | DeSaulnier | Hastings |
| Cicilline | Deutch | Hayes |