

Additionally, Congress enacted the Columbia River Treaty Fishing Access Sites project in 1988, which authorized improvements for the existing ancillary fishing facilities and directed the Army Corps of Engineers to acquire new lands to provide unencumbered river access for Tribal members.

Today, there are 31 Tribal fishing sites located along the Columbia River, 27 of which are managed by the BIA. The sites were intended to be used primarily for in-season fishing and some temporary camping.

However, out of both a need for housing and a desire to be closer to traditional fishing areas, many Tribal members now use these areas as permanent residences.

□ 1645

These sites were not designed for and cannot sustain this accommodated use. In fact, many people at these sites are living in extremely distressed, unsafe, and unsanitary conditions as a direct result of decades of unmet obligations by the BIA.

Passage of H.R. 91 will result in vast improvements to the conditions of these sites. As such, I urge the quick adoption of this legislation.

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, even though H.R. 91 is a new bill, we have seen it before. The last time we were here, it was a Senate bill that came over and passed our committee but did not pass the floor itself. We did talk about it as part of a package we did earlier this year, that it could have gone in that. For some reason, it was not allowed to go in there.

It does deal with four of the Columbia River Treaty Tribes and the conditions on their traditional fishing areas that are basically unsanitary and simply unsafe. What this bill does is authorize the Department of the Interior to upgrade these areas, to make them acceptable to safety and sanitary standards, and to do that in consultation with the Tribes.

This bill is, in my estimation, a reasonable approach. I have no objection to passing this measure today.

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

Mr. VAN DREW. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in yielding to me and the presentation that he made outlining the situation, along with Ranking Member BISHOP, under whose leadership this legislation moved forward in the last Congress.

It is long overdue. It is jarring to visit these in-lieu treaty sites. The notion that it is unsanitary and unsafe really understates the case.

Along the Columbia River, I have passed one of these sites for years,

never knowing that what may be a Tiger Woods three-iron shot off the freeway revealed these conditions.

These are sites that have been used by the Tribes for millennia, and sadly, they were a casualty of the Columbia River dam construction. Those dams have produced significant economic prosperity in our region with jobs and agricultural activities, but the Native people have been left behind.

There was a pledge that we would be able to accommodate their sites that were flooded, but that has been observed mainly in the breach. It has reached the point now where we have on each of these sites people who naturally want to gravitate to what is part of their tradition. There is, as was referenced, a need for Tribal housing, but the fishing experience, the proximity to the river, and this being part of their historic heritage draws them there.

In many cases, they do have sites where people are living on a year-round basis in conditions that really should not exist anywhere in America.

It is interesting, when we started this saga two centuries ago, Native people had almost 2 billion acres that was theirs to hunt, to fish, to live, and there was some cultivation. The Federal Government, over a series of years and a series of treaties, narrowed that range. In fact, the Federal Government started giving away Native American people's land before there was even a treaty to White settlers.

The history is checkered and disturbing. There have been acts that can only be described as genocide—disease, attacks on Native people, forced marches. We had our own Trail of Tears in the Pacific Northwest. And, consistently, we have not met our obligations to more recent treaties.

I am pleased that the committee has brought this forward on a bipartisan basis. I am pleased that the administration is aligned with us in, it looks like, being able to move forward to deal with what needs to happen with some of these sites.

Mr. Speaker, I am pleased that we have a partnership in the Senate with my friend and colleague, Senator JEFF MERKLEY, and Senator PATTY MURRAY, who has been deeply involved with this, so that we are positioned to take action that is long overdue, keeping faith with the Tribal people, keeping faith with our commitment through history, being able to make sure that the progress that we have been working on here for 4 years is poised to move forward.

Mr. Speaker, I deeply appreciate the work that has been done with the committee on a bipartisan basis to get us to this position. I look forward to its passage in the House and the Senate and being executed by the executive.

It is going to make a big difference to people who are worthy and deserving of our best efforts.

Mr. BISHOP of Utah. Mr. Speaker, if I could inquire of the gentleman from

New Jersey (Mr. VAN DREW) if he has any more speakers. I don't have any other speakers.

Mr. VAN DREW. Mr. Speaker, I have no further speakers.

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

Mr. VAN DREW. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. BONAMICI. Mr. Speaker, I rise in support of the Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act. This bill takes important steps to address an injustice that four Columbia River Tribes have faced for decades.

Beginning in the 1930s, the construction of the Bonneville, John Day, and Dalles dams on the lower Columbia River flooded many homes and traditional fishing sites. The flooding displaced members of the Confederated Tribes of the Warm Springs Indian Reservation, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, and the Confederated Tribes and Bands of the Yakama Nation. The Army Corps of Engineers designed 31 Columbia River Treaty Fishing Access Sites and "in-lieu" sites along the banks of the Columbia River to be used primarily for in-season fishing and temporary camping, but conditions have been extremely unsafe and unsanitary.

This bill would authorize the Secretary of the Interior to assess and update electricity, water, and sewer infrastructure at existing Bureau of Indian Affairs facilities that were constructed to provide treaty Tribes access to traditional fishing grounds. These Tribes have treaty rights to fishing access sites on the Columbia River and we must uphold our obligations to provide safe and sanitary housing and infrastructure. I thank Congressman BLUMENAUER and Senator MERKLEY for their leadership, and I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. VAN DREW) that the House suspend the rules and pass the bill, H.R. 91.

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. VAN DREW. 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.

SANTA YNEZ BAND OF CHUMASH INDIANS LAND AFFIRMATION ACT OF 2019

Mr. VAN DREW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 317) to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 317

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 “Santa Ynez Band of Chumash Indians Land Affirmation Act of 2019”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On October 13, 2017, the General Council of the Santa Ynez Band of Chumash Indians voted to approve the Memorandum of Agreement between the County of Santa Barbara and the Santa Ynez Band of Chumash Indians regarding the approximately 1,427.28 acres of land, commonly known as Camp 4, and authorized the Tribal Chairman to sign the Memorandum of Agreement.

(2) On October 31, 2017, the Board of Supervisors for the County of Santa Barbara approved the Memorandum of Agreement on Camp 4 and authorized the Chair to sign the Memorandum of Agreement.

(3) The Secretary of the Interior approved the Memorandum of Agreement pursuant to section 2103 of the Revised Statutes (25 U.S.C. 81).

SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.

(a) RATIFICATION OF TRUST STATUS.—The action taken by the Secretary on January 20, 2017, to place approximately 1,427.28 acres of land located in Santa Barbara County, California, into trust for the benefit of the Santa Ynez Band of Chumash Indians is hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.

(b) RATIFICATION OF ACTIONS OF THE SECRETARY.—The actions taken by the Secretary to assume jurisdiction over the appeals relating to the fee-to-trust acquisition of approximately 1,427.28 acres in Santa Barbara County, California, on January 30, 2015, is hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.

(c) RATIFICATION OF ACTIONS OF THE SECRETARY.—The actions taken by the Secretary to dismiss the appeals relating to the fee-to-trust acquisition of approximately 1,427.28 acres in Santa Barbara County, California, on January 19, 2017, is hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.

(d) ADMINISTRATION.—

(1) ADMINISTRATION.—The land placed into trust for the benefit of the Santa Ynez Band of Chumash Indians by the Secretary of the Interior on January 20, 2017, shall be a part of the Santa Ynez Indian Reservation and administered in accordance with the laws and regulations generally applicable to the land held in trust by the United States for an Indian tribe.

(2) EFFECT.—For purposes of certain California State laws (including the California Land Conservation Act of 1965, Government Code Section 51200, et seq.), placing the land described in subsection (b) into trust shall remove any restrictions on the property pursuant to California Government Code Section 51295 or any other provision of such Act.

(e) LEGAL DESCRIPTION OF LANDS TRANSFERRED.—The lands to be transferred pursuant to this Act are described as follows:

Legal Land Description/Site Location: Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows: PARCEL 1: (APN: 141-121-51 AND PORTION OF APN 141-140-10) LOTS 9 THROUGH 18, INCLUSIVE, OF TRACT 18, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS

SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 5, 2001 AS INSTRUMENT NO. 01-105580 OF OFFICIAL RECORDS. PARCEL 2: (PORTION OF APN: 141-140-10) LOTS 1 THROUGH 12, INCLUSIVE, OF TRACT 24, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 5, 2001 AS INSTRUMENT NO. 01-105581 OF OFFICIAL RECORDS. PARCEL 3: (PORTIONS OF APNS: 141-230-23 AND 141-140-10) LOTS 19 AND 20 OF TRACT 18 AND THAT PORTION OF LOTS 1, 2, 7, 8, 9, 10, AND 15 THROUGH 20, INCLUSIVE, OF TRACT 16, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THAT LIES NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THE LAND GRANTED TO THE STATE OF CALIFORNIA BY AN EXECUTOR'S DEED RECORDED APRIL 2, 1968 IN BOOK 2227, PAGE 136 OF OFFICIAL RECORDS OF SAID COUNTY. THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 5, 2001 AS INSTRUMENT NO. 01-105582 OF OFFICIAL RECORDS. PARCEL 4: (APN: 141-240-02 AND PORTION OF APN: 141-140-10) LOTS 1 THROUGH 12, INCLUSIVE, OF TRACT 25, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 5, 2001 AS INSTRUMENT NO. 01-105583 OF OFFICIAL RECORDS. PARCEL 5: (PORTION OF APN: 141-230-23) THAT PORTION OF LOTS 3 AND 6 OF TRACT 16, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP SHOWING THE SUBDIVISIONS OF THE CANADA DE LOS PINOS OR COLLEGE RANCHO, FILED IN RACK 3, AS MAP 4 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THAT LIES NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THE LAND GRANTED TO THE STATE OF CALIFORNIA BY AN EXECUTOR'S DEED RECORDED APRIL 2, 1968 IN BOOK 2227, PAGE 136 OF OFFICIAL RECORDS OF SAID COUNTY. THIS LEGAL IS MADE PURSUANT TO THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 5, 2001 AS INSTRUMENT NO. 01-105584 OF OFFICIAL RECORDS.

(f) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Tribe to any land or interest in land that is in existence before the date of the enactment of this Act;

(2) affect any water right of the Tribe in existence before the date of the enactment of this Act; or

(3) terminate or limit any access in any way to any right-of-way or right-of-use issued, granted, or permitted before the date of the enactment of this Act.

(g) RESTRICTED USE OF TRANSFERRED LANDS.—The Tribe may not conduct, on the land described in subsection (b) taken into trust for the Tribe pursuant to this Act, gaming activities—

(1) as a matter of claimed inherent authority; or

(2) under any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and regulations promulgated by the Secretary or the National Indian Gaming Commission under that Act.

(h) DEFINITIONS.—For the purposes of this section:

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

(2) TRIBE.—The term “Tribe” means the Santa Ynez Band of Chumash Mission Indians.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. VAN DREW) and the gentleman from Utah (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. VAN DREW. Mr. 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 New Jersey?

There was no objection.

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

Mr. Speaker, H.R. 317 will reaffirm the action of the Secretary of the Interior to take certain lands into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians in California.

The current Chumash reservation is just under 100 acres, but only 40 of those acres are able to be utilized for government offices, economic development, and a few Tribal homes.

It is obvious that there is not enough Tribal land for housing needs. Only 17 percent of Tribal members and lineal descendants are able to live in Tribal housing.

In 2010, the Tribe purchased approximately 1,400 acres of ancestral land in an effort to provide suitable housing for the Tribe's members and their descendants. Even though this land was taken into trust administratively, a number of parties continue to file lawsuits appealing the decision.

The Chumash leadership has been forthcoming in their desire to acquire this land only for additional Tribal housing, and they have attempted to be a good neighbor by engaging local elected officials and groups to mitigate any concerns.

It is a shame that it has taken almost a decade for this issue to be resolved, but now we are at the point where we can finally put an end to this process.

Passage of H.R. 317 will reaffirm the Secretarial decision that put the land

in trust, clearing the way for the Chumash to finally provide additional Tribal housing for their members. The bill will also incorporate a memorandum of agreement between the Chumash Tribe and the Santa Barbara County Board of Supervisors in relation to the land.

Mr. Speaker, I congratulate the Chumash leadership for their work and for their persistence on this issue, and I encourage adoption of this legislation.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. LAMALFA), the sponsor of this particular piece of legislation.

Mr. LAMALFA. Mr. Speaker, I thank Mr. BISHOP and Mr. VAN DREW for their work on this effort here tonight.

I am very excited about the support for this bill, and of course, I rise tonight in support of H.R. 317, which is the Santa Ynez Band of Chumash Indians Land Affirmation Act.

It has always been a bipartisan effort to affirm the Department of the Interior to take land into trust for the benefit of the Chumash Tribe, codifying agreements reached between the Tribe and the county of Santa Barbara after much work.

I am very proud of the good faith, bipartisan effort that has gone into this bill both in Congress and in the local community.

For the several years I have been involved with this legislation, I have seen the Chumash Indians and the local government work together to build trust and act as good neighbors to forge an agreement that works for everyone.

There is nothing controversial about this bill. It simply ensures the Tribe has the ability to provide housing for its members. I can't think of anyone who really should take issue with that effort.

In fact, last Congress, this bill was passed both out of the Natural Resources Committee and on this House floor with unanimous consent.

Mr. Speaker, I thank, in the committee, Chairman GRIJALVA and Ranking Member BISHOP for their hard work in support of this legislation through the whole way.

Mr. Speaker, I also thank my colleague Congressman SALUD CARBAJAL from the Chumash homeland area who has been the region's representative and an original cosponsor of this bill. He has played a key role in facilitating these discussions at the local level, and I appreciate it.

Located in Santa Barbara, the recorded history of the Chumash reaches back to the earliest arrival of Europeans in California when the Spanish explorer Cabrillo recorded his encounters with the Chumash in 1542.

The Chumash have a strong and unbroken connection to the Camp 4 parcel, which is what this is known as, Camp 4, which is located close to their current reservation.

Starting in the early 1800s, the Chumash became wards of the Spanish mission in Santa Ynez, which included Camp 4. Later, lands were granted to them that included Camp 4 as well. A commission recognized that the Tribe continued to reside in the Camp 4 area, though only 99 acres were ultimately taken into trust at that time.

Mr. Speaker, I thank Mr. VAN DREW for pointing out that the Chumash face a significant housing crisis. Fewer than 17 percent of the Chumash members and lineal descendants are able to reside on the Tribe's existing reservations, which consists largely of hill-sides, wetlands, and streambeds unsuitable for housing, and areas that they want to preserve.

To address this shortage, the Chumash used their own resources to purchase the Camp 4 parcel, the 1,400 acres, with the intent of construction of homes on a small part of it.

The Tribe applied to take Camp 4 into trust administratively. After the formal BIA process, the Department of the Interior completed the fee-to-trust process in January 2017.

That same year, the county ratified an agreement with the Chumash, ensuring that any impacts of Camp 4 housing on local infrastructure and other resources would be addressed. The Department of the Interior approved this agreement that same day.

In order to enable the Chumash to address their housing crisis and ensure any impacts to local governments are addressed, H.R. 317 affirms and ratifies the action of the Department of the Interior to take the land into trust and codifies the agreement ratified between the county and the Tribe addressing local impacts.

At the request of the Tribe, it also prohibits the operation of gaming facilities on this parcel, which is a key element the people would have been concerned about, and it protects and respects the rights-of-way held by local stakeholders.

The bill represents, again, the culmination of years of good faith negotiations by all parties and should be considered a model for maintaining positive working relationships between Tribal governments and local governments.

Mr. Speaker, I urge my colleagues to support the measure. I thank everybody who has helped with this in a bipartisan effort.

□ 1700

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

Mr. Speaker, this entire day we should have had Yogi Berra come in here and say it is like *deja vu* all over again because, once again, this particular piece of legislation we saw last year when it passed out of committee—sponsored by Mr. LAMALFA then—at the same time, passed the floor at the same time, and now we are bringing it back here to see if we can get it all the way through to the finish line.

The bill is one that we have talked about for quite awhile, but it also has, I think, three significant things it accomplishes, why it has to be in bill form and can't simply be administratively negotiated in some way.

The first one, obviously, is it nullifies certain restrictions that were imposed by the State of California's conservation law. Even if that restriction to the land title were not a problem, it also solves the problem that was created because the Obama administration BIA appointees, in their haste trying to approve a fee-to-trust land acquisition, cut some legal corners—they cut a lot of legal corners—which added to a lot of appeals and litigation, all of which cost everyone a whole lot of money.

The second specific thing it does is prohibit gaming in this Camp 4 area, as was said, which is a concern of the county of Santa Barbara that will obviously, when this passes, lose a great deal of jurisdiction over the land in that area.

And, finally, one thing this bill does, I think, that is very important is it references the memorandum of understanding between the Tribe and the county of Santa Barbara that they negotiated. This MOU addresses the concerns that they had, puts them in perspective, and will actually solve a lot of problems and efforts that have gone on in the past.

This is a good bill, used to get people working together, solving certain situations and certain problems. And, I guess, most importantly, the last bill we passed is going to cost us \$11 billion; this one has no significant costs associated with it, so Mr. LAMALFA can maintain his status as a true fiscal conservative in the bills he brings here to the floor.

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

Mr. VAN DREW. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. VAN DREW) that the House suspend the rules and pass the bill, H.R. 317, as amended.

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. VAN DREW. 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. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair