

continuing this fight for recognition. I urge adoption of the measure.

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

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

Mr. Speaker, Federal recognition of Native American Tribes is critical to protecting their Tribal sovereignty and restoring the 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.

Introduced by Representative GIANFORTE, H.R. 3764 will extend Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana. The Little Shell Tribe has resided in Montana for well over a century and has long been recognized as a Tribe by the State.

The Tribe is a political successor to the signatories of the Pembina Treaty of 1863, under which a large area of 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 Tribe has repeatedly petitioned the Federal Government for Federal recognition—first in the 1930s and '40s under the Indian Reorganization Act, and later, starting in 1978, through the Department of Interior's so-called Part 83 process. However, despite their long and well-documented history, each time they were deprived of their rightful Federal recognition.

H.R. 3764 finally extends recognition to the Little Shell Tribe, making all Federal laws and regulations of general applicability to Indians and Indian Tribes applicable as well to Little Shell and its members.

Federal recognition of the 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 for the Little Shell is long overdue, and I urge my colleagues to vote "yes" on this legislation.

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

Mr. GIANFORTE. 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 Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 3764, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

WALNUT GROVE LAND EXCHANGE ACT

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

bill (H.R. 5923) to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5923

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 "Walnut Grove Land Exchange Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) *CHURCH.*—The term "Church" means the Walnut Grove Church in Garland County, Arkansas.

(2) *OFFERED TRACT.*—The term "Offered Tract" means all right, title, and interest of the Church in and to approximately 6.3 acres of non-Federal land identified as "Offered Tract 5742" on the Detail Map of the Walnut Grove Exchange, Ouachita National Forest map (printed date May 11, 2017).

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

(4) *SELECTED TRACT.*—The term "Selected Tract" means all right, title, and interest of the United States in and to approximately 4 acres identified as "Selected Tract 5743" on the Detail Map of the Walnut Grove Exchange, Ouachita National Forest map (printed date May 11, 2017), subject to the reservation of a road easement by the Secretary.

SEC. 3. EXCHANGE OF LAND; EQUALIZATION OF VALUE.

(a) *EXCHANGE AUTHORIZED.*—Subject to the provisions of this Act, not later than 2 years after the date of the enactment of this Act, if the Church offers to convey the Offered Tract to the United States, the Secretary shall—

(1) convey to the Church all right, title, and interest of the United States in and to the Selected Tract; and

(2) accept from the Church a conveyance of all right, title, and interest of the Church in and to the Offered Tract.

(b) *REQUIREMENTS.*—The exchange under subsection (a) shall be—

(1) subject to valid existing rights;

(2) conditioned on an equalization payment made by the Church in accordance with subsection (c); and

(3) conditioned on the payment of the costs described in subsection (g).

(c) *EQUAL VALUE AND CASH EQUALIZATION.*—

(1) *IN GENERAL.*—Except as provided in paragraph (2), the exchange under subsection (a) shall be for equal value or the values shall be equalized by a cash payment.

(2) *EXCEPTION.*—If the value of the Offered Tract exceeds the Selected Tract, an equalization payment shall not be required.

(d) *APPRAISALS.*—

(1) *IN GENERAL.*—The value of the land to be exchanged under this Act shall be determined by appraisals conducted by one or more independent and qualified appraisers.

(2) *APPRAISAL STANDARDS.*—The Secretary shall complete an appraisal of the land to be exchanged under this Act in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(e) *FORMAT.*—Title and valuation to the land to be exchanged under this Act shall be in a format acceptable to the Secretary and the Church.

(f) *MAP AND LEGAL DESCRIPTIONS.*—

(1) *IN GENERAL.*—As soon as practicable after the date of the enactment of this Act, the Secretary shall finalize a map and legal descriptions of all land to be conveyed under this Act.

(2) *CORRECTIONS.*—The Secretary may correct any minor errors in the map or in the legal descriptions.

(3) *MAP ON FILE.*—The map and legal descriptions shall be on file and available for public inspection in appropriate offices of the United States Forest Service.

(g) *COSTS OF CONVEYANCE.*—As a condition of conveyance, any costs related to the conveyance under this section shall be paid by the Church.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Montana (Mr. GIANFORTE) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 20 minutes.

The Chair recognizes the gentleman from Montana.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, for over 20 years, the Walnut Grove Community Church in Jessieville, Arkansas, has sought to gain title to the 4 acres of land on which their church and historic cemetery are located. They have offered 6 acres of land within the Ouachita National Forest to the U.S. Forest Service in exchange. The cemetery and congregation both predate the Forest Service.

Since 1938, the church has operated under special-use permits and has had to renew its permit annually since 2002. This situation has left the congregation uncertain about their future on the land they have worshipped on for decades.

Furthermore, like any structure built 80 years ago, the church requires maintenance. Unfortunately, its operation under a permit limits the congregation's ability to maintain and improve their church building.

Congressman WESTERMAN has introduced a commonsense land exchange that will greatly benefit the community of Jessieville at no cost to the American taxpayer. He should be commended for his work.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

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

Mr. Speaker, this bill authorizes a long overdue land exchange between the Forest Service and the Walnut Grove Church in Garland County, Arkansas. The church was built on Forest Service land, and the exchange will simplify ownership claims and facilitate access and improvements to the property.

The land exchange authorized by this bill includes commonsense safeguards that ensure fair compensation for the value of public lands, and I am happy to support its adoption and I urge my colleagues to vote "yes."

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

Mr. GIANFORTE. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I thank the gentleman from Montana (Mr. GIANFORTE) and the gentlewoman from Massachusetts for her support of the bill.

Mr. Speaker, the Walnut Grove Land Exchange Act should not need to exist. It is a simple bill which swaps 4 acres of public property, which currently houses a community, cemetery, and church with 6 acres of private timberland. And as was mentioned, this church and cemetery was established decades before the Forest Service.

To those who hear this and think, 10 acres? Why on Earth would it take an act of Congress to exchange a total of 10 acres? Rest assured that I had the same initial reaction. Not that this bill or the church itself are unimportant. On the contrary, the Walnut County Community Church is vital to the rural residents of Garland County.

The church is not only a place of worship. It has held countless community meetings and more. Its cemetery is the final resting place for many of Garland County's servicemen and -women, and the church itself has served as a search-and-rescue command post in the past.

However, under the current law, the church does not own the land on which it worships or buries its dead. As such, the Forest Service has the authority to raise the church's use fee each year and has done so over the past decade. Worse yet, any improvement or restoration to the church must be done with the explicit permission of the Federal Government. As a result, the Walnut Grove congregation has not been able to modify or upgrade their 80-year-old building, despite the need to expand to match the growing demands of the community.

Members of the congregation have tried for decades to resolve this issue with the Forest Service. They have called, written, and petitioned both the local and regional offices to purchase or exchange the land. They have willingly taken on maintenance of the property and have graciously accepted higher and higher usage fees under the guise that an exchange was coming. An exchange never came.

Mr. Speaker, it is time we stop this 20-year merry-go-round. This bill is vitally important to this congregation, and it is past time that we help them resolve their issue.

My bill has wide bipartisan and bicameral support, having passed the committee unanimously and having a companion measure in the Senate. I urge swift passage of this bill.

□ 1600

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

Mr. GIANFORTE. 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 Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 5923, 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. GIANFORTE. 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.

RURAL BROADBAND PERMITTING EFFICIENCY ACT OF 2018

Mr. GIANFORTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4824) to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4824

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 "Rural Broadband Permitting Efficiency Act of 2018".

SEC. 2. DEFINITIONS.

In this Act:

(1) **BROADBAND PROJECT.**—The term "broadband project" means an installation by a broadband provider of wireless or broadband infrastructure, including but not limited to, copper lines, fiber optic lines, communications towers, buildings, or other improvements on Federal land.

(2) **BROADBAND PROVIDER.**—The term "broadband provider" means a provider of wireless or broadband infrastructure that enables a user to originate and receive high-quality voice, data, graphics, and video telecommunications.

(3) **INDIAN LANDS.**—The term "Indian Lands" means—

(A) any land owned by an Indian Tribe, located within the boundaries of an Indian reservation, pueblo, or rancharia; or

(B) any land located within the boundaries of an Indian reservation, pueblo, or rancharia, the title to which is held—

(i) in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

(ii) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

(iii) by a dependent Indian community.

(4) **INDIAN TRIBE.**—The term "Indian Tribe" means a federally recognized Indian Tribe.

(5) **OPERATIONAL RIGHT-OF-WAY.**—The term "operational right-of-way" means all real property interests (including easements) acquired for the construction or operation of a project, including the locations of the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, copper and fiber optic lines, utility shelters, and broadband infrastructure as installed by broadband providers, and any rest areas with direct access to a controlled access highway or the National Highway System.

(6) **SECRETARY CONCERNED.**—The term "Secretary concerned" means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Department of the Interior (including land held in trust for an Indian Tribe).

SEC. 3. STATE OR TRIBAL PERMITTING AUTHORITY.

(a) **IN GENERAL.**—The Secretary concerned shall establish (or in the case where both Department of the Interior and National Forest System land would be affected, shall jointly establish) a voluntary program under which any State or Indian Tribe may offer, and the Secretary concerned may agree, to enter into a memorandum of understanding to allow for the State or Indian Tribe to prepare environmental analyses required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the permitting of broadband projects within an operational right-of-way on National Forest System land, land managed by the Department of the Interior, and Indian Lands. Under such a memorandum of understanding, an Indian Tribe or State may volunteer to cooperate with the signatories to the memorandum in the preparation of the analyses required under the National Environmental Policy Act of 1969.

(b) **ASSUMPTION OF RESPONSIBILITIES.**—

(1) **IN GENERAL.**—In entering into a memorandum of understanding under this section, the Secretary concerned may assign to the State or Indian Tribe, and the State or Indian Tribe may agree to assume, all or part of the responsibilities of the Secretary concerned for environmental analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) **STATE OR INDIAN TRIBE RESPONSIBILITY.**—

(A) **IN GENERAL.**—A State or Indian Tribe that assumes any responsibility under paragraph (1) shall be subject to the same procedural and substantive requirements as would apply if the responsibility were carried out by the Secretary concerned.

(B) **EFFECT OF ASSUMPTION OF RESPONSIBILITY.**—A State or Indian Tribe that assumes any responsibility, including financial responsibility, under paragraph (1) shall be solely responsible and solely liable for carrying out, in lieu of the Secretary concerned, the responsibilities assumed under that paragraph until the date on which the program is terminated under subsection (g).

(C) **ENVIRONMENTAL REVIEW.**—A State or Indian Tribe that assumes any responsibility under paragraph (1) shall comply with the environmental review procedures under parts 1500–1508 of title 40, Code of Federal Regulations (or successor regulations), and the regulations of the Secretary concerned.

(3) **FEDERAL RESPONSIBILITY.**—Any responsibility of the Secretary concerned described in paragraph (1) that is not explicitly assumed by the State or Indian Tribe in the memorandum of understanding shall remain the responsibility of the Secretary concerned.

(c) **OFFER AND NOTIFICATION.**—A State or Indian Tribe that intends to offer to enter into a memorandum of understanding under this section shall provide to the Secretary concerned notice of the intent of the State or Indian Tribe not later than 90 days before the date on which the State or Indian Tribe submits a formal written offer to the Secretary concerned.

(d) **TRIBAL CONSULTATION.**—Within 90 days of entering into any memorandum of understanding with a State, the Secretary concerned shall initiate consultation with relevant Indian Tribes.