

The emergency is political. It is not national security. It is not drugs.

We have a humanitarian crisis at the border—yes, we do—and what is a wall going to do about that?

They come to the border. They stand there and they say: We want to apply for asylum in the United States.

If they come across in a remote area, they hope they come across a Border Patrol agent because they want to surrender at the moment, right there, and get some shelter and get medical care. They are now organizing busloads to come up from Guatemala and Honduras.

We are not dealing with the root problems down there, and we are not dealing with the smugglers who are now hiring very nice, luxury buses as opposed to the old ride on that killer train that people used to take to come up, when there were smugglers who would often rape them, kill them, rob them, whatever else. Now they have converted to: Oh, let's put them in a luxury coach and they will have rest stops and everything else.

This has become big business. Why aren't we doing something about that? The wall will do nothing about that—nothing.

Why, why, why are we going to waste billions of dollars on a medieval fortress that won't work?

I urge my colleagues to vote and override the veto of the President of the United States; restore the integrity of the Congress of the United States and the appropriations process under Article I of the Constitution of the United States.

Madam Speaker, I yield back the balance of my time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 26, 2019.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 26, 2019, at 9:21 a.m.:

That the Senate passed S. 863.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

LYTTON RANCHERIA HOMELANDS ACT OF 2019

Mr. GRIJALVA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1388) to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1388

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 “Lytton Rancheria Homelands Act of 2019”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Lytton Rancheria of California is a federally recognized Indian tribe that lost its homeland after its relationship to the United States was unjustly and unlawfully terminated in 1958. The Tribe was restored to Federal recognition in 1991, but the conditions of its restoration have prevented it from regaining a homeland on its original lands.

(2) Congress needs to take action to reverse historic injustices that befell the Tribe and that have prevented it from regaining a viable homeland for its people.

(3) Prior to European contact there were as many as 350,000 Indians living in what is now the State of California. By the turn of the 19th century, that number had been reduced to approximately 15,000 individuals, many of them homeless and living in scattered bands and communities.

(4) The Lytton Rancheria's original homeland was purchased by the United States in 1926 pursuant to congressional authority designed to remedy the unique tragedy that befell the Indians of California and provide them with reservations called Rancherias to be held in trust by the United States.

(5) After the Lytton Rancheria lands were purchased by the United States, the Tribe settled on the land and sustained itself for several decades by farming and ranching.

(6) By the mid-1950s, Federal Indian policy had shifted back towards a policy of terminating the Federal relationship with Indian tribes. In 1958, Congress enacted the Rancheria Act of 1958 (72 Stat. 619), which slated 41 Rancherias in California, including the Lytton Rancheria, for termination after certain conditions were met.

(7) On August 1, 1961, the Federal Government terminated its relationship with the Lytton Rancheria. This termination was illegal because the conditions for termination under the Rancheria Act had never been met. After termination was implemented, the Tribe lost its lands and was left without any means of supporting itself.

(8) In 1987, the Tribe joined three other tribes in a lawsuit against the United States challenging the illegal termination of their Rancherias. A Stipulated Judgment in the

case, *Scotts Valley Band of Pomo Indians of the Sugar Bowl Rancheria v. United States*, No. C-86-3660 (N.D.Cal. March 22, 1991), restored the Lytton Rancheria to its status as a federally recognized Indian tribe.

(9) The Stipulated Judgment provides that the Lytton Rancheria would have the “individual and collective status and rights” which it had prior to its termination and expressly contemplated the acquisition of trust lands for the Lytton Rancheria.

(10) The Stipulated Judgment contains provisions, included at the request of the local county governments and neighboring landowners, that prohibit the Lytton Rancheria from exercising its full Federal rights on its original homeland in the Alexander Valley.

(11) In 2000, approximately 9.5 acres of land in San Pablo, California, was placed in trust status for the Lytton Rancheria for economic development purposes.

(12) The Tribe has since acquired, from willing sellers at fair market value, property in Sonoma County near the Tribe's historic Rancheria. This property, which the Tribe holds in fee status, is suitable for a new homeland for the Tribe.

(13) On a portion of the land to be taken into trust, which portion totals approximately 124.12 acres, the Tribe plans to build housing for its members and governmental and community facilities.

(14) A portion of the land to be taken into trust is being used for viticulture, and the Tribe intends to develop more of the lands to be taken into trust for viticulture. The Tribe's investment in the ongoing viticulture operation has reinvigorated the vineyards, which are producing high-quality wines. The Tribe is operating its vineyards on a sustainable basis and is working toward certification of sustainability.

(15) No gaming shall be conducted on the lands to be taken into trust by this Act.

(16) No gaming shall be conducted on any lands taken into trust on behalf of the Tribe in Sonoma County after the date of the enactment of this Act.

(17) 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 the Tribe can once again live communally and plan for future generations. This action is necessary to fully restore the Tribe to the status it had before it was wrongfully terminated in 1961.

(18) The Tribe and County of Sonoma have entered into a Memorandum of Agreement as amended in 2018 in which the County agrees to the lands in the County being taken into trust for the benefit of the Tribe in consideration for commitments made by the Tribe.

SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) COUNTY.—The term “County” means Sonoma County, California.

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

(3) TRIBE.—The term “Tribe” means the Lytton Rancheria of California.

SEC. 4. LANDS TO BE TAKEN INTO TRUST.

(a) IN GENERAL.—The land owned by the Tribe and generally depicted on the map titled “Lytton Fee Owned Property to be Taken into Trust” and dated May 1, 2015, is hereby taken into trust for the benefit of the Tribe, subject to valid existing rights, contracts, and management agreements related to easements and rights-of-way.

(b) LANDS TO BE MADE PART OF THE RESERVATION.—Lands taken into trust under subsection (a) shall be part of the Tribe's reservation and shall be administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian tribe.

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 viticulture, 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.

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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