

the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 4352.

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. GOSAR. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### AGUA CALIENTE LAND EXCHANGE FEE TO TRUST CONFIRMATION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 897) to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla 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. 897

*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 “Agua Caliente Land Exchange Fee to Trust Confirmation Act”.

#### SEC. 2. LANDS TO BE TAKEN INTO TRUST.

(a) IN GENERAL.—The approximately 2,560 acres of land owned by the Agua Caliente Band of Cahuilla Indians generally depicted as “Lands to be Taken into Trust” on the map entitled “Agua Caliente Band of Cahuilla Indians Land to be Taken into Trust” and dated November 17, 2021, is hereby taken into trust by the United States for the benefit of the Agua Caliente Band of Cahuilla Indians.

(b) LANDS PART OF RESERVATION.—Lands taken into trust by this section 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.

(c) GAMING PROHIBITED.—Lands taken into trust by this section for the benefit of the Agua Caliente Band of Cahuilla Indians shall not be eligible for gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

#### GENERAL LEAVE

Ms. LEGER FERNANDEZ. 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 gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 897 will take approximately 2,560 acres of specified lands in California into trust for the Agua Caliente Band of Cahuilla Indians and make these lands part of the Agua Caliente Indian Reservation.

The Agua Caliente Band of Cahuilla Indians is indigenous to the desert and canyons of what we now call the Coachella Valley. I was just there, Madam Speaker, and it is beautiful, and the manner in which the Agua Caliente Band takes care of the land and works with their community is superb. They should be recognized for their ability to have that government-to-government relationship with their neighbors.

The Agua Caliente Indian Reservation was established in 1876, with their ancestral lands located in the greater Palm Springs area. Over the centuries, the lands traditionally held by the Agua Caliente were divided by parcels owned by the Tribe, the Federal Government, and private entities. The divided plots of land led to a checkerboard formation of ownership.

The Tribe has been involved in land transfers with the Federal Government to consolidate the traditional land and reclaim certain culturally significant areas throughout the years. In 1999, the Tribe assisted in preserving the cultural resources surrounding the Santa Rosa and San Jacinto Mountains National Monument and supported legislation for its recognition.

The national monument legislation included a land exchange of remote wilderness located within the national monument. Although the legislation establishing the national monument passed, it did not expressly state the status of any land transferred to the Tribe through the land exchange.

The lack of explicit language about the status of land led to the Bureau of Land Management and the Tribe working for at least 17 years to finalize a binding exchange agreement for the 2,560 acres addressed in this bill.

This bill improves land management by the Tribe and the Bureau of Land Management by consolidating the checkerboard land ownership around the Tribe’s reservation by placing these lands into trust.

Concerns regarding public access to trails have been addressed. The Tribe has a long history of maintaining public trails within the monument boundary. I urge anybody who is in the area to go take a hike on the trails. They are beautiful.

The land is within a remote wilderness area and will be managed similarly to how the Bureau of Land Management oversaw the land.

In a good faith effort to support the conservation efforts of the binding exchange agreement, the Tribe included a gaming prohibition for the lands in H.R. 897.

I thank Dr. RAUL RUIZ for his sponsorship of this bill and his hard work getting it to this point.

Madam Speaker, I urge swift adoption of H.R. 897, and I reserve the balance of my time.

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

Madam Speaker, H.R. 897, the Agua Caliente Land Exchange Fee to Trust Confirmation Act, would place approximately 2,560 acres of land owned by the Agua Caliente Tribe within the reservation into trust.

And I will agree with the gentlewoman from New Mexico. I have visited this area, and it is a beautiful area.

The Agua Caliente Band of Cahuilla Indians’ reservation is located approximately 100 miles southeast of Los Angeles in and around Palm Springs, California, with nearly 11,000 acres of the reservation within the city limits of Palm Springs.

Originally established in 1876 by President Grant, the Tribe’s reservation only encompassed 1½ acres. Today, the reservation is approximately 31,000 acres.

The lands in question were acquired through a land exchange with the Bureau of Land Management in 2018 pursuant to the Santa Rosa and San Jacinto Mountains National Monument Act of 2000. H.R. 897 would allow the Bureau of Land Management exchange lands owned by the Tribe to be taken into trust and made part of the Tribe’s reservation. Gaming pursuant to the Indian Gaming Regulatory Act would be prohibited. The Tribe intends to use the land for conservation purposes. According to the Tribe, the Santa Rosa and San Jacinto Mountains hold strong cultural and historical value to the Tribe.

I appreciate the work of the Tribe and the bill’s sponsor to advance this legislation.

Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam 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 gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 897, 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. PERRY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

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# INDIAN BUFFALO MANAGEMENT ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2074) to assist Tribal governments in the management of buffalo and buffalo habitat and for the reestablishment of buffalo on Indian lands, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2074

*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 “Indian Buffalo Management Act”.

## SEC. 2. FINDINGS; PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) buffalo sustained a majority of Indian Tribes in North America for many centuries before buffalo were nearly exterminated by non-Indian hunters in the mid-1800s;

(2) the historical, cultural, and spiritual connection between buffalo and Indian Tribes has not diminished over time;

(3) Indian Tribes have long desired the reestablishment of buffalo throughout Indian country for cultural, spiritual, and subsistence purposes; and

(4) the successful restoration of buffalo would allow an Indian Tribe to benefit from—

(A) the reintroduction of buffalo into the diets of the members of the Indian Tribe;

(B) the rekindling of the spiritual and cultural relationship between buffalo and the Indian Tribe; and

(C) the use of buffalo for economic development, in the case of an Indian Tribe that chooses to use buffalo for economic development.

(b) PURPOSES.—The purposes of this Act are—

(1) to fulfill the government-to-government relationship between Tribal governments and the United States in the management of buffalo and buffalo habitat;

(2) to promote and develop the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(3) to protect, conserve, and enhance buffalo, which are important to the subsistence, culture, and economic development of many Indian Tribes;

(4) to promote the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations, through management of buffalo and buffalo habitats in accordance with integrated resource management plans developed by Indian Tribes and Tribal organizations;

(5) to develop buffalo herds and increase production of buffalo in order to meet Tribal subsistence, health, cultural, and economic development needs; and

(6) to promote the inclusion of Indian Tribes and Tribal organizations in Department of the Interior, local, regional, national, or international—

(A) decision-making processes; and

(B) forums.

## SEC. 3. DEFINITIONS.

In this Act:

(1) **BUFFALO.**—The term “buffalo” means an animal of the subspecies *Bison bison*.

(2) **BUFFALO HABITAT.**—The term “buffalo habitat” means Indian land, as defined in paragraph (4) of this section, that is managed for buffalo.

(3) **DEPARTMENT.**—The term “Department” means the Department of the Interior.

(4) **INDIAN LAND.**—The term “Indian land” has the meaning given the term in paragraph (2) of section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501), except that, in that paragraph, the term “Indian reservation” shall be considered to have the meaning given the term “Indian reservation” in paragraph (3) of that section, without regard to the date specified in paragraph (3) of that section.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

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

(7) **TRIBAL ORGANIZATION.**—The term “Tribal organization” means any legally established organization of Indians that—

(A) is chartered under section 17 of the Act of June 18, 1934, (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5124), which is recognized by the governing body of any Indian Tribe or Tribes; or

(B) is a Tribal corporation federally chartered under section 3 of the Oklahoma Indian Welfare Act (25 U.S.C. 5203); and

(C) has demonstrable experience in the restoration of buffalo and buffalo habitat on Indian land.

## SEC. 4. BUFFALO RESOURCE MANAGEMENT.

(a) **PROGRAM ESTABLISHED.**—The Secretary shall establish a permanent program within the Department of the Interior for the purposes of—

(1) promoting and developing the capacity of Indian Tribes and Tribal organizations to manage buffalo and buffalo habitat;

(2) promoting the ability of Indian Tribes and Tribal organizations to protect, conserve, and enhance populations of buffalo that are owned by Indian Tribes or Tribal organizations;

(3) promoting the development and use of buffalo and buffalo habitat for the maximum practicable benefit of Indian Tribes and Tribal organizations; and

(4) promoting the inclusion of Indian Tribes and Tribal organizations in Department, international, national, regional, and local decision-making and forums regarding buffalo and buffalo habitat.

(b) **CONTRACTS AND GRANTS AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary shall enter into contracts and cooperative agreements with, and award grants to, Indian Tribes and Tribal organizations to enable the Indian Tribes and Tribal organizations—

(A) to plan, conduct, or implement a buffalo restoration or management program;

(B) to plan and execute commercial activities related to buffalo or buffalo products; or

(C) to carry out other activities relating to buffalo restoration and management.

(2) **NO DIMINISHMENT OF LAWS AND REGULATIONS.**—Nothing in this subsection diminishes any Federal or State law (including regulations) regarding diseased buffalo or buffalo that escape from Indian land.

(c) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance to an Indian Tribe or Tribal organization that enters into a contract or cooperative agreement or receives a grant under this section to assist an Indian Tribe or Tribal organization in—

(1) carrying out the activities of a buffalo or buffalo habitat restoration or management program; and

(2) implementing the activities described in subparagraphs (A) through (C) of subsection (b)(1).

## SEC. 5. CONSULTATION; COORDINATION.

(a) **CONSULTATION.**—Not later than 1 year after the date of enactment of this Act, and on an ongoing basis thereafter, the Secretary

shall consult with Indian Tribes and Tribal organizations on initiatives of the Department that affect buffalo or buffalo habitat, including efforts of the Department to contain or eradicate diseased buffalo.

(b) **COORDINATION.**—The Secretary shall develop a policy relating to buffalo and buffalo habitat management activities on Indian land, in accordance with—

(1) the goals and objectives described in buffalo management programs approved by Indian Tribes; and

(2) Tribal laws and ordinances.

## SEC. 6. PROTECTION OF INFORMATION.

Notwithstanding any other provision of law, the Secretary shall not disclose or cause to be disclosed any information provided to the Secretary by an Indian Tribe or Tribal organization that is identified by the Indian Tribe or Tribal organization as culturally sensitive, proprietary, or otherwise confidential.

## SEC. 7. BUFFALO FROM FEDERAL LAND.

(a) **IN GENERAL.**—The Secretary may enter into an agreement with an Indian Tribe or Tribal organization to dispose of surplus buffalo on Federal land administered by the Department, as applicable, by transporting such buffalo onto Indian land.

(b) **APPLICATION.**—An Indian Tribe or Tribal organization may submit to the Secretary an application to receive buffalo described in subsection (a) at such time, in such manner, and containing such information as the Secretary may require.

(c) **WAIVER OF CHARGES.**—The Secretary may waive any charges for the buffalo described in subsection (a), including any deposit or payment for services as described in section 10.2 of title 36, Code of Federal Regulations (or any successor regulation).

## SEC. 8. TREATY RIGHTS RETAINED.

Nothing in this Act alters, modifies, diminishes, or extinguishes the treaty rights of any Indian Tribe.

## SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary to carry out this Act \$14,000,000 for fiscal year 2022 and each fiscal year thereafter.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. 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 gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2074, the Indian Buffalo Management Act is sponsored by the dean of the House, Representative DON YOUNG from Alaska, and I am proud to be a cosponsor of this bill.

This bill will establish a permanent program within the Department of the Interior to develop and promote Tribal ownership and management of buffalo and buffalo habitat on Indian lands.