

Calendar No. 400

116TH CONGRESS
2D SESSION

H. R. 317

[Report No. 116–191]

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2019

Received; read twice and referred to the Committee on Indian Affairs

JANUARY 6, 2020

Reported by Mr. HOEVEN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Santa Ynez Band of
5 Chumash Indians Land Affirmation Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

9 (2) On October 31, 2017, the Board of Super-
 10 visors for the County of Santa Barbara approved the
 11 Memorandum of Agreement on Camp 4 and author-
 12 ized the Chair to sign the Memorandum of Agree-
 13 ment.

14 (3) The Secretary of the Interior approved the
 15 Memorandum of Agreement pursuant to section
 16 2103 of the Revised Statutes (25 U.S.C. 81).

17 **SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.**

18 (a) RATHIFICATION OF TRUST STATUS.—The action
 19 taken by the Secretary on January 20, 2017, to place ap-
 20 proximately 1,427.28 acres of land located in Santa Bar-
 21 bara County, California, into trust for the benefit of the
 22 Santa Ynez Band of Chumash Indians is hereby ratified
 23 and confirmed as if that action had been taken under a
 24 Federal law specifically authorizing or directing that ac-
 25 tion.

1 (b) RATHIFICATION OF ACTIONS OF THE SEC-
2 RETARY.—The actions taken by the Secretary to assume
3 jurisdiction over the appeals relating to the fee-to-trust ac-
4 quisition of approximately 1,427.28 acres in Santa Bar-
5 bara County, California, on January 30, 2015, is hereby
6 ratified and confirmed as if that action had been taken
7 under a Federal law specifically authorizing or directing
8 that action.

9 (c) RATHIFICATION OF ACTIONS OF THE SEC-
10 RETARY.—The actions taken by the Secretary to dismiss
11 the appeals relating to the fee-to-trust acquisition of ap-
12 proximately 1,427.28 acres in Santa Barbara County,
13 California, on January 19, 2017, is hereby ratified and
14 confirmed as if that action had been taken under a Fed-
15 eral law specifically authorizing or directing that action.

16 (d) ADMINISTRATION.—

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

1 (2) EFFECT.—For purposes of certain Cali-
 2 fornia State laws (including the California Land
 3 Conservation Act of 1965, Government Code Section
 4 51200, et seq.), placing the land described in sub-
 5 section (e) into trust shall remove any restrictions
 6 on the property pursuant to California Government
 7 Code Section 51295 or any other provision of such
 8 Act.

9 (c) LEGAL DESCRIPTION OF LANDS TRANS-
 10 FERRED.—The lands to be transferred pursuant to this
 11 Act are described as follows:

12 Legal Land Description/Site Location: Real
 13 property in the unincorporated area of the County of
 14 Santa Barbara, State of California, described as fol-
 15 lows: PARCEL 1: (APN: 141-121-51 AND POR-
 16 TION OF APN 141-140-10) LOTS 9 THROUGH
 17 18, INCLUSIVE, OF TRACT 18, IN THE COUN-
 18 TY OF SANTA BARBARA, STATE OF CALI-
 19 FORNIA, AS SHOWN ON THE MAP SHOWING
 20 THE SUBDIVISIONS OF THE CANADA DE
 21 LOS PINOS OR COLLEGE RANCHO, FILED IN
 22 RACK 3, AS MAP 4 IN THE OFFICE OF THE
 23 COUNTY RECORDER OF SAID COUNTY. THIS
 24 LEGAL IS MADE PURSUANT TO THAT CER-
 25 TAIN CERTIFICATE OF COMPLIANCE RE-

1 CORDED DECEMBER 5, 2001 AS INSTRU-
2 MENT NO. 01-105580 OF OFFICIAL RECORDS.
3 PARCEL 2: (PORTION OF APN: 141-140-10)
4 LOTS 1 THROUGH 12, INCLUSIVE, OF TRACT
5 24, IN THE COUNTY OF SANTA BARBARA,
6 STATE OF CALIFORNIA, AS SHOWN ON THE
7 MAP SHOWING THE SUBDIVISIONS OF THE
8 CANADA DE LOS PINOS OR COLLEGE RAN-
9 CHO, FILED IN RACK 3, AS MAP 4 IN THE
10 OFFICE OF THE COUNTY RECORDER OF
11 SAID COUNTY. THIS LEGAL IS MADE PURSU-
12 ANT TO THAT CERTAIN CERTIFICATE OF
13 COMPLIANCE RECORDED DECEMBER 5,
14 2001 AS INSTRUMENT NO. 01-105581 OF OF-
15 FICIAL RECORDS. PARCEL 3: (PORTIONS OF
16 APNS: 141-230-23 AND 141-140-10) LOTS 19
17 AND 20 OF TRACT 18 AND THAT PORTION
18 OF LOTS 1, 2, 7, 8, 9, 10, AND 15 THROUGH
19 20, INCLUSIVE, OF TRACT 16, IN THE COUN-
20 TY OF SANTA BARBARA, STATE OF CALI-
21 FORNIA, AS SHOWN ON THE MAP SHOWING
22 THE SUBDIVISIONS OF THE CANADA DE
23 LOS PINOS OR COLLEGE RANCHO, FILED IN
24 RACK 3, AS MAP 4 IN THE OFFICE OF THE
25 COUNTY RECORDER OF SAID COUNTY,

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

1 16, IN THE COUNTY OF SANTA BARBARA,
 2 STATE OF CALIFORNIA, AS SHOWN ON THE
 3 MAP SHOWING THE SUBDIVISIONS OF THE
 4 CANADA DE LOS PINOS OR COLLEGE RAN-
 5 CHO, FILED IN RACK 3, AS MAP 4 IN THE
 6 OFFICE OF THE COUNTY RECORDER OF
 7 SAID COUNTY, THAT LIES NORTHEAST-
 8 ERLY OF THE NORTHEASTERLY LINE OF
 9 THE LAND GRANTED TO THE STATE OF
 10 CALIFORNIA BY AN EXECUTOR'S DEED RE-
 11 CORDED APRIL 2, 1968 IN BOOK 2227, PAGE
 12 136 OF OFFICIAL RECORDS OF SAID COUN-
 13 TY. THIS LEGAL IS MADE PURSUANT TO
 14 THAT CERTAIN CERTIFICATE OF COMPLI-
 15 ANCE RECORDED DECEMBER 5, 2001 AS IN-
 16 STRUMENT NO. 01-105584 OF OFFICIAL
 17 RECORDS.

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

20 (1) enlarge, impair, or otherwise affect any
 21 right or claim of the Tribe to any land or interest
 22 in land that is in existence before the date of the en-
 23 actment of this Act;

1 (2) affect any water right of the Tribe in exist-
 2 ence before the date of the enactment of this Act;
 3 or

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

8 (g) RESTRICTED USE OF TRANSFERRED LANDS.—

9 The Tribe may not conduct, on the land described in sub-
 10 section (e) taken into trust for the Tribe pursuant to this
 11 Act, gaming activities—

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

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

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

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

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

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Santa Ynez Band of*
3 *Chumash Indians Land Affirmation Act of 2019”.*

4 **SEC. 2. FINDINGS.**

5 *Congress finds the following:*

6 *(1) On October 13, 2017, the General Council of*
7 *the Santa Ynez Band of Chumash Indians voted to*
8 *approve the Memorandum of Agreement between the*
9 *County of Santa Barbara and the Santa Ynez Band*
10 *of Chumash Indians regarding the approximately*
11 *1,427.28 acres of land, commonly known as Camp 4,*
12 *and authorized the Tribal Chairman to sign the*
13 *Memorandum of Agreement.*

14 *(2) On October 31, 2017, the Board of Super-*
15 *visors for the County of Santa Barbara approved the*
16 *Memorandum of Agreement on Camp 4 and author-*
17 *ized the Chair to sign the Memorandum of Agreement.*

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

21 **SEC. 3. LAND TO BE TAKEN INTO TRUST.**

22 *(a) IN GENERAL.—The approximately 1,427.28 acres*
23 *of land located in Santa Barbara County, California and*
24 *described more particularly in subsection (c) is hereby*
25 *taken into trust for the benefit of the Tribe, subject to valid*

1 *existing rights, contracts, and management agreements re-*
 2 *lating to easements and rights-of-way.*

3 *(b) ADMINISTRATION.—*

4 *(1) ADMINISTRATION.—The land taken into trust*
 5 *under subsection (a) shall be a part of the Santa Ynez*
 6 *Indian Reservation and administered in accordance*
 7 *with the laws and regulations generally applicable to*
 8 *the land held in trust by the United States for an In-*
 9 *dian tribe.*

10 *(2) EFFECT.—For purposes of certain California*
 11 *State laws (including the California Land Conserva-*
 12 *tion Act of 1965, Government Code Section 51200, et*
 13 *seq.), taking the land into trust under subsection (a)*
 14 *shall remove any restrictions on the property pursu-*
 15 *ant to California Government Code Section 51295 or*
 16 *any other provision of such Act.*

17 *(c) LEGAL DESCRIPTION OF LAND TAKEN INTO*
 18 *TRUST.—The land taken into trust under subsection (a) is*
 19 *described as follows:*

20 *Legal Land Description/Site Location: Real*
 21 *property in the unincorporated area of the County of*
 22 *Santa Barbara, State of California, described as fol-*
 23 *lows: PARCEL 1: (APN: 141-121-51 AND PORTION*
 24 *OF APN 141-140-10) LOTS 9 THROUGH 18, IN-*
 25 *CLUSIVE, OF TRACT 18, IN THE COUNTY OF*

1 *SANTA BARBARA, STATE OF CALIFORNIA, AS*
2 *SHOWN ON THE MAP SHOWING THE SUB-*
3 *DIVISIONS OF THE CANADA DE LOS PINOS*
4 *OR COLLEGE RANCHO, FILED IN RACK 3, AS*
5 *MAP 4 IN THE OFFICE OF THE COUNTY RE-*
6 *CORDER OF SAID COUNTY. THIS LEGAL IS*
7 *MADE PURSUANT TO THAT CERTAIN CER-*
8 *TIFICATE OF COMPLIANCE RECORDED DE-*
9 *CEMBER 5, 2001 AS INSTRUMENT NO. 01-*
10 *105580 OF OFFICIAL RECORDS. PARCEL 2:*
11 *(PORTION OF APN: 141-140-10) LOTS 1*
12 *THROUGH 12, INCLUSIVE, OF TRACT 24, IN*
13 *THE COUNTY OF SANTA BARBARA, STATE OF*
14 *CALIFORNIA, AS SHOWN ON THE MAP SHOW-*
15 *ING THE SUBDIVISIONS OF THE CANADA DE*
16 *LOS PINOS OR COLLEGE RANCHO, FILED IN*
17 *RACK 3, AS MAP 4 IN THE OFFICE OF THE*
18 *COUNTY RECORDER OF SAID COUNTY. THIS*
19 *LEGAL IS MADE PURSUANT TO THAT CER-*
20 *TAIN CERTIFICATE OF COMPLIANCE RE-*
21 *CORDED DECEMBER 5, 2001 AS INSTRUMENT*
22 *NO. 01-105581 OF OFFICIAL RECORDS. PARCEL*
23 *3: (PORTIONS OF APNS: 141-230-23 AND 141-140-*
24 *10) LOTS 19 AND 20 OF TRACT 18 AND THAT*
25 *PORTION OF LOTS 1, 2, 7, 8, 9, 10, AND 15*

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

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18 *SAID COUNTY. THIS LEGAL IS MADE PURSU-*
19 *ANT TO THAT CERTAIN CERTIFICATE OF*
20 *COMPLIANCE RECORDED DECEMBER 5, 2001*
21 *AS INSTRUMENT NO. 01-105584 OF OFFICIAL*
22 *RECORDS.*

23 *(d) EFFECT.—Nothing in this Act shall—*

24 *(1) enlarge, impair, or otherwise affect any right*
25 *or claim of the Tribe to any land or interest in land*

1 *that is in existence before the date of the enactment*
 2 *of this Act;*

3 (2) *affect any water right of the Tribe in exist-*
 4 *ence before the date of the enactment of this Act; or*

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

8 (e) *RESTRICTED USE OF LAND TAKEN INTO TRUST.—*

9 *The Tribe may not conduct on the land taken into trust*
 10 *under subsection (a) gaming activities—*

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

12 (2) *under any Federal law, including the Indian*
 13 *Gaming Regulatory Act (25 U.S.C. 2701 et seq.) (in-*
 14 *cluding regulations promulgated by the Secretary or*
 15 *the National Indian Gaming Commission under that*
 16 *Act).*

17 (f) *DEFINITIONS.—In this section:*

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

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

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[Report No. 116–191]

AN ACT

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.

JANUARY 6, 2020

Reported with an amendment