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(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

# H. R.

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To take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. HUFFMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, 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 “Lytton Rancheria  
5 Homelands Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) The Lytton Rancheria of California is a fed-  
2           erally recognized Indian tribe that lost its homeland  
3           after it was unjustly and unlawfully terminated in  
4           1958. The Tribe was restored to Federal recognition  
5           in 1991, but the conditions of its restoration have  
6           prevented it from regaining a homeland on its origi-  
7           nal lands.

8           (2) Congress needs to take action to reverse  
9           historic injustices that befell the Tribe and have pre-  
10          vented it from regaining a viable homeland for its  
11          people.

12          (3) Prior to European contact there were as  
13          many as 350,000 Indians living in what is now the  
14          State of California. By the turn of the 19th century,  
15          that number had been reduced to approximately  
16          15,000 individuals, many of them homeless and liv-  
17          ing in scattered bands and communities.

18          (4) The Lytton Rancheria's original homeland  
19          was purchased by the United States in 1926 pursu-  
20          ant to congressional authority designed to remedy  
21          the unique tragedy that befell the Indians of Cali-  
22          fornia and provide them with reservations called  
23          Rancherias to be held in trust by the United States.

24          (5) After the Lytton Rancheria lands were pur-  
25          chased by the United States, the Tribe settled on

1 the land and sustained itself for several decades by  
2 farming and ranching.

3 (6) By the mid-1950s, Federal Indian policy  
4 had shifted back towards a policy of terminating In-  
5 dian tribes. In 1958, Congress enacted the  
6 Rancheria Act of 1958 (72 Stat. 619), which slated  
7 41 Rancherias in California, including the Lytton  
8 Rancheria, for termination after certain conditions  
9 were met.

10 (7) On August 1, 1961, the Lytton Rancheria  
11 was terminated by the Federal Government. This  
12 termination was illegal because the conditions for  
13 termination under the Rancheria Act had never been  
14 met. After termination was implemented, the Tribe  
15 lost its lands and was left without any means of sup-  
16 porting itself.

17 (8) In 1987, the Tribe joined three other tribes  
18 in a lawsuit against the United States challenging  
19 the illegal termination of their Rancherias. A Stipu-  
20 lated Judgment in the case, *Scotts Valley Band of*  
21 *Pomo Indians of the Sugar Bowl Rancheria v. United*  
22 *States*, No.C-86-3660 (N.D.Cal. March 22, 1991),  
23 restored the Lytton Rancheria to its status as a fed-  
24 erally recognized Indian tribe.

1           (9) The Stipulated Judgment agreed that the  
2 Lytton Rancheria would have the “individual and  
3 collective status and rights” which it had prior to its  
4 termination and expressly contemplated the acqui-  
5 sition of trust lands for the Lytton Rancheria.

6           (10) The Stipulated Judgment contains provi-  
7 sions, included at the request of the local county  
8 governments and neighboring landowners, that pro-  
9 hibit the Lytton Rancheria from exercising its full  
10 Federal rights on its original homeland in the Alex-  
11 ander Valley.

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

16           (12) The Tribe has since acquired, from willing  
17 sellers at fair market value, property in Sonoma  
18 County near the Tribe’s historic Rancheria. This  
19 property, which the Tribe holds in fee status, is suit-  
20 able for a new homeland for the Tribe.

21           (13) On a portion of the land to be taken into  
22 trust, which portion totals approximately 124.12  
23 acres, the Tribe plans to build housing for its mem-  
24 bers and governmental and community facilities.

1           (14) A portion of the land to be taken into  
2 trust is being used for viticulture, and the Tribe in-  
3 tends to develop more of the lands to be taken into  
4 trust for viticulture. The Tribe's investment in the  
5 ongoing viticulture operation has reinvigorated the  
6 vineyards, which are producing high-quality wines.  
7 The Tribe is operating its vineyards on a sustainable  
8 basis and is working toward certification of sustain-  
9 ability.

10           (15) No gaming will be conducted on the lands  
11 to be taken into trust.

12           (16) By directing that these lands be taken into  
13 trust, the United State will ensure that the Lytton  
14 Rancheria will finally have a permanently protected  
15 homeland on which they can once again live  
16 communally and plan for future generations. This  
17 action is necessary to fully restore the Tribe to the  
18 status it had before it was wrongfully terminated in  
19 1961.

20           (17) The Tribe and County of Sonoma have en-  
21 tered into a Memorandum of Agreement in which  
22 the County agrees to the lands in the County being  
23 taken into trust for the benefit of the Tribe in con-  
24 sideration for commitments made by the Tribe.

1 **SEC. 3. DEFINITIONS.**

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

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

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

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

10 **SEC. 4. LANDS TO BE TAKEN INTO TRUST.**

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

17 (b) LANDS TO BE MADE PART OF THE RESERVA-  
18 TION.—Lands taken into trust under subsection (a) shall  
19 be part of the Tribe’s reservation and shall be adminis-  
20 tered in accordance with the laws and regulations gen-  
21 erally applicable to property held in trust by the United  
22 States for an Indian tribe.

23 **SEC. 5. GAMING PROHIBITION.**

24 Land taken into trust for the benefit of the Tribe  
25 under this Act shall not be used for gaming under the  
26 Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

**1 SEC. 6. APPLICABILITY OF CERTAIN LAW.**

2 Notwithstanding any other provision of law, the  
3 Memorandum of Agreement entered into by the Tribe and  
4 the County concerning taking land in the County into  
5 trust for the benefit of the Tribe, which was approved by  
6 the County Board of Supervisors on March 10, 2015, is  
7 not subject to review or approval of the Secretary in order  
8 to be effective, including review or approval under section  
9 2103 of the Revised Statutes (25 U.S.C. 81).