

BILLY FRANK JR. TELL YOUR STORY ACT

NOVEMBER 16, 2015.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 2270]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Billy Frank Jr. Tell Your Story Act”.

**SEC. 2. REDESIGNATION OF THE NISQUALLY NATIONAL WILDLIFE REFUGE.**

(a) REDESIGNATION.—The Nisqually National Wildlife Refuge, located in the State of Washington, is redesignated as the “Billy Frank Jr. Nisqually National Wildlife Refuge”.

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive Order, publication, map, paper, or other document of the United States to the Nisqually National Wildlife Refuge is deemed to refer to the Billy Frank Jr. Nisqually National Wildlife Refuge.

**SEC. 3. MEDICINE CREEK TREATY NATIONAL MEMORIAL, WASHINGTON.**

(a) ESTABLISHMENT.—There is established the Medicine Creek Treaty National Memorial within the Billy Frank Jr. Nisqually National Wildlife Refuge to commemorate the location of the signing of the Medicine Creek Treaty of 1854 between the United States Government and leaders of the Muckleshoot, Nisqually, Puyallup, and Squaxin Island Indian Tribes.

(b) ACREAGE AND ADMINISTRATION.—The Secretary of the Interior shall establish the boundaries of the Medicine Creek Treaty National Memorial and provide for ad-

ministration and interpretation of the memorial by the United States Fish and Wildlife Service.

(c) COORDINATION.—The Secretary of the Interior shall coordinate with representatives of the Muckleshoot, Nisqually, Puyallup, and Squaxin Island Indian Tribes in providing for the interpretation of the Medicine Creek Treaty National Memorial.

Amend the title so as to read: “A bill to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.”.

#### PURPOSE OF THE BILL

The purpose of H.R. 2270, as amended, is to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, and to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge.

#### BACKGROUND AND NEED FOR LEGISLATION

The bill is intended to honor the life and legacy of Billy Frank, Jr., a champion for Native American treaty rights and environmental stewardship in the Puget Sound area in Washington State. Frank grew up fishing on the Nisqually River and successfully brought together tribes, government officials, and others to improve treaty rights, tribal sovereignty, environmental stewardship, and salmon recovery in the area. He campaigned against limits on tribal fishing, and his efforts led to a 1974 federal court decision which reaffirmed certain tribes’ rights to half of the fish harvest in Washington. Frank, who passed away in 2014, was awarded the Albert Schweitzer Prize for Humanitarianism and the Martin Luther King Jr. Distinguished Service Award, and was nominated for the Nobel Peace Prize in 2010.

To honor Billy Frank, Jr., H.R. 2270 would redesignate the wildlife refuge on the Nisqually River Delta in the State of Washington as “The Billy Frank Jr. Nisqually National Wildlife Refuge.” This Refuge was established in 1974 to protect and conserve wildlife in the Nisqually River Delta, which is near Puget Sound. The bill also creates a National Memorial at the location of the signing of the 1854 Medicine Creek Treaty, which established reservation land as well as the right to fish for Puget Sound area tribes. The bill also requires the Secretary of the Interior to involve the Muckleshoot, Nisqually, Puyallup, and Squaxin Island Tribes in the development of educational materials for use at this National Historic Site.

#### COMMITTEE ACTION

H.R. 2270 was introduced on May 12, 2015, by Congressman Denny Heck (D-WA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On July 14, 2015, the Subcommittee held a hearing on the bill. On October 7, 2015, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Don Young (R-AK) offered an amendment in the nature of a substitute; it was adopted by unanimous consent. The bill, as amended, was ordered favorably

reported to the House of Representatives by unanimous consent on October 8, 2015.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

##### *H.R. 2270—Billy Frank Jr. Tell Your Story Act*

H.R. 2270 would designate the wildlife refuge on the Nisqually River Delta in the State of Washington as “The Billy Frank Jr. Nisqually National Wildlife Refuge.”

The bill also would require the Secretary of the Interior, in consultation with local Native American tribes, to establish the Medicine Creek Treaty National Memorial at the location of the signing of the 1854 Medicine Creek Treaty, which established reservation land as well as the right to fish for tribes in the Puget Sound area.

Based on information from the U.S. Fish and Wildlife Service, CBO estimates that implementing the legislation would cost less than \$500,000 over the 2016–2020 period, any such spending would be subject to the availability of appropriated funds. Enacting H.R. 2270 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 2270 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year period beginning in 2026.

H.R. 2270 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Marin Burnett. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. According to the Congressional Budget Office, implementation of the bill would cost less than \$500,000 over the 2016–2020 time period, subject to appropriation.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, and to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.