

Committee on Natural Resources

Rob Bishop, Chairman
Markup Memorandum

October 5, 2015

To: All Natural Resources Committee Members

From: Majority Committee Staff, Spencer Kimball, Federal Lands Subcommittee Staff, (x6-7736)

Markup: Markup of H.R. 2270 (Rep. Denny Heck), 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.
October 7 and 8, 2015

H.R. 2270 (Rep. Denny Heck), “Billy Frank Jr. Tell Your Story Act”

Bill Summary

H.R. 2270, introduced by Congressman Denny Heck (D-WA) – and co-sponsored by all ten Members of the Washington delegation – would redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the “Billy Frank Jr. Nisqually National Wildlife Refuge,” establish a new National Historic Site within the wildlife refuge, and require the Secretary of the Interior to involve local tribes in the development of educational materials for that National Historic Site.

Co-Sponsors

Rep. Matt Cartwright (D-PA-17), Rep. Tom Cole (R-OK-4), Rep. Peter DeFazio (D-OR-4), Rep. Suzan DelBene (D-WA-1), Rep. Raul Grijalva (D-AZ-3), Rep. Jaime Herrera Beutler (R-WA-3), Rep. Michael Honda (D-CA-17), Rep. Jared Huffman (D-CA-2), Rep. Derek Kilmer (D-WA-6), Rep. Rick Larsen (D-WA-2), Rep. Ben Ray Lujan (D-NM-3), Rep. Betty McCollum (D-MN-4), Rep. Jim McDermott (D-WA-7), Rep. Cathy McMorris Rodgers (R-WA-5), Rep. Dan Newhouse (R-WA-4), Rep. David Reichert (R-WA-8), Rep. Raul Ruiz (D-CA-36), Rep. Adam Smith (D-WA-9), Rep. Don Young (R-AK)

Background

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. Frank Jr. grew up fishing on the Nisqually River and dedicated his life to bringing 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; his efforts led to a

1974 federal court decision which reaffirmed certain Tribes' rights to half of the fish harvest in Washington.¹ Frank Jr., 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.

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." This refuge was established in 1974 to protect and conserve wildlife in the Nisqually River Delta, which is near the Puget Sound. The bill also creates a National Historic Site 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. It also requires the Secretary of the Interior to involve the Nisqually, Muckleshoot, Puyallup, and Squaxin Island Tribes in the development of educational materials for use at this National Historic Site.

Support for the Legislation

The bill is supported by the Northwest Indian Fish Commission, Affiliated Tribes of Northwest Indians, and the National Congress of American Indians.

Major Provisions of the Bill

Section 2 redesignates the Nisqually National Wildlife Refuge as the 'Billy Frank Jr. Nisqually National Wildlife Refuge'.

Section 3 establishes as a unit of the National Park System the Medicine Creek Treaty National Historic Site within the refuge to commemorate the location of the signing of the Medicine Creek Treaty of 1854; requires the Secretary of the Interior to establish boundaries of the National Historic Site and provide for administration and interpretation of the site; requires the Secretary to coordinate with the Muckleshoot, Nisqually, Puyallup and Squaxin Island Indian Tribes in providing for the interpretation of the National Historic Site.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

Unknown at this time.

Effect on Current Law

H.R. 2270 does not affect current law.

¹ 384 F. Supp. 312; 1974 U.S. Dist. LEXIS 12291.

Anticipated Amendments

Rep. Don Young (R-AK) will offer an Amendment in the Nature of a Substitute (ANS) that designates a National Memorial, to be managed by the FWS, to commemorate the signing of the 1854 Medicine Creek Treaty and remove language from the bill designating a National Historic Site as part of a new unit of the National Park System at the site of treaty signing. This will improve the administration of the site and prevent the need of having two different federal agencies managing land within the wildlife refuge.