

CALIFORNIA INDIAN LAND TRANSFER ACT

SEPTEMBER 4, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3642]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3642) to provide for the transfer of public lands to certain California Indian Tribes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3642 is to provide for the transfer of public lands to certain California Indian Tribes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 3642 would transfer into trust 1,144.23 acres of excess Bureau of Land Management land, to be subsequently transferred by the Secretary of the Interior to the following tribes:

- (1) 560 acres to the Pit River Tribe;
- (2) 40 acres to the Bridgeport Paiute Indian Colony;
- (3) 240 acres to the Utu Utu Gwaitu Paiute Tribe;
- (4) 200 acres to the Fort Independence Community of Paiute Indians;
- (5) 5.03 acres to the Barona Group of Capitan Grande Band of Mission Indians;
- (6) 40 acres to the Morongo Band of Mission Indians; and
- (7) 59.2 acres to the Pala Band of Mission Indians.

Valid existing rights are preserved and grazing privileges on these lands shall terminate two years after the date of enactment of the Act. Those amounts which accrue to the United States after

the date of enactment of the Act from the lands described in the Act shall be available to the related tribe for whose benefit the land is taken into trust. The bill is supported by the Administration.

COMMITTEE ACTION

H.R. 3642 was introduced on June 13, 1996, by Congressman Elton Gallegly (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Native American and Insular Affairs and the Subcommittee on National Parks, Forests and Lands. On June 19, 1996, the Subcommittee on Native American and Insular Affairs met to mark up H.R. 3642. The bill was then ordered favorably reported by voice vote to the Full Committee without amendment. On August 1, 1996, the Full Resources Committee met to consider H.R. 3642. The Subcommittee on National Parks, Forests and Lands was discharged from further consideration. The bill was ordered favorably reported by voice vote to the House of Representatives, in the presence of a quorum, without amendment.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section provides that this Act may be cited as the "California Indian Land Transfer Act."

Section 2. Lands held in trust for various tribes of California Indians

Subsection (a) would declare that all lands described in subsection (b) shall be held in trust by the United States for the benefit of certain California Indian tribes.

Subsection (b) describes 1,144.23 acres of land to be transferred to the following tribes:

- (1) 560 acres to the Pit River Tribe;
- (2) 40 acres to the Bridgeport Paiute Indian Colony;
- (3) 240 acres to the Utu Utu Gwaitu Paiute Tribe;
- (4) 200 acres to the Fort Independence Community of Paiute Indians;
- (5) 5.03 acres to the Barona Group of Capitan Grande Band of Mission Indians;
- (6) 40 acres to the Morongo Band of Mission Indians; and
- (7) 59.2 acres to the Pala Band of Mission Indians.

Section 3. Existing rights preserved; miscellaneous provisions

Subsection (a) provides that valid existing rights shall be preserved on those lands described in Section 2.

Subsection (b) provides that grazing privileges on these lands shall terminate two years after the date of enactment of this Act.

Subsection (c) provides that those amounts which accrue to the United States after the date of enactment of this Act from the lands described in this Act shall be available to the related tribe for whose benefit the land is held in trust.

Subsection (d) provides that those lands described in this Act shall be added to the existing reservation of the related tribe and the official boundaries of those reservations shall be modified ac-

cordingly. Those lands shall be subject to the laws of the United States relating to Indian land in the same manner and to the same extent as other lands held in trust for each tribe on the day before the date of this Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3642 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 3642. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3642 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. Enactment of H.R. 3642 would result in an extremely small loss of receipts to the Federal Government—less than \$100 annually.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3642.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 3642 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
 Washington, DC, August 22, 1996.

Hon. DON YOUNG,
 Chairman, Committee on Resources,
 House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3642, the California Indian Land Transfer Act, as ordered reported by the House Committee on Resources on August 1, 1996. CBO estimates that enacting this bill would have no significant effect on discretionary spending. Enacting H.R. 3642 would affect direct spending by resulting in a small loss in offsetting receipts; therefore, pay-as-you-go procedures would apply to the bill. We estimate the effect on offsetting receipts would not be significant.

H.R. 3642 would transfer into trust a total of 1,144 acres of Federal land in California to various Indian tribes. The bill would preserve valid existing rights on these lands, though grazing privileges would terminate two years after enactment. The bill also would require the Bureau of Land Management (BLM) to hold in trust for the benefit of the related tribes any receipts collected from use of the land. Based on information from the BLM, CBO estimates that the loss to the Federal Government of existing grazing receipts would be negligible: less than \$100 annually. There are no other receipt-generating activities associated with the land, and the agency has no plan to sell the land. Any discretionary costs associated with the surveyance or transfer of the land also would be minimal.

H.R. 3642 would impose no private-sector or intergovernmental mandates as defined in the Unfunded Mandate Reform Act of 1995 (Public Law 104-4), and would impose no significant costs on state, local or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lisa Daley.

Sincerely,

JUNE E. O'NEILL, *Director*.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3642 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 3642 would make no changes in existing law.