

BURT LAKE BAND OF OTTAWA AND CHIPPEWA INDIANS  
ACT

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OCTOBER 28, 1997.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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

REPORT

[To accompany H.R. 948]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 948) to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes, 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. 948 is to reaffirm and clarify the federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 948, the proposed Burt Lake Band of Ottawa and Chippewa Indians Act, would reaffirm and clarify the Federal relationship of the Burt Lake Band of Ottawa and Chippewa Indians.

The Burt Lake Band consists of approximately 650 individuals, descended from the Chaboiganing Band of Ottawa and Chippewa Indians, who have lived for centuries along the shores of Burt Lake in Michigan's northern lower peninsula. The Band, recognized by the federal government through various treaties and federal court cases, was terminated by the Bureau of Indian Affairs without the approval of Congress earlier this century.

H.R. 948 would restore federal recognition to the Band by reaffirming the federal government's previous recognition.

#### COMMITTEE ACTION

H.R. 948 was introduced on March 5, 1997, by Congressman Dale Kildee (D-MI). The bill was referred to the Committee on Resources. On June 24, 1997, the Committee held a hearing on H.R. 948. On July 16, 1977, the Resources Committee met to consider H.R. 948. No amendments were offered, and the bill was then ordered favorably reported to the House of Representatives by voice vote.

#### 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.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact H.R. 948.

#### 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. 948. 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. 948 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

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. 948.

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. 948 from the Director of the Congressional Budget Office.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
 CONGRESSIONAL BUDGET OFFICE,  
 Washington, DC, August 12, 1997.

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 948, the Burt Lake Bank of Ottawa and Chippewa Indians Act.

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

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

*H.R. 948—The Burt Lake Band of Ottawa and Chippewa Indians Act*

CBO estimates that implementing H.R. 948 would cost the federal government approximately \$12 million over the 1998–2002 period, assuming that the tribe receives services and benefits at the national average per-capita rate and that the necessary funds are appropriated. Enactment of H.R. 948 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 948 would restore federal recognition of the Burt Lake Bank of Ottawa and Chippewa Indians. Although the bill does not specifically authorize the appropriation of funds, it would make members of the tribe eligible for all services and benefits available to federally recognized Indian tribes. Currently, the tribe is not receiving benefits as a federally recognized tribe. Thus, relevant federal agencies would be required to include members of the tribe among those eligible for benefits and may seek additional funds in order to provide such benefits. CBO estimates that the average annual cost of services and benefits provided nationally is about \$3,500 (in 1997 dollars) per eligible tribal member. Based on an estimated tribal enrollment totaling about 650, we estimate that implementing H.R. 948 would result in annual costs of between \$2 million and \$3 million to the federal government.

H.R. 948 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no significant costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Lisa H. Daley. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

H.R. 948 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 948 would make no changes in existing law.

