

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
NON-INTERCOURSE ACT OF 2013

SEPTEMBER 10, 2013.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 2650]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2650) to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land, 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. 2650 is to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2650 will allow the Fond du Lac Band of Superior Chippewa to lease, sell, convey, or transfer any land that it owns in fee without further Congressional approval. The bill simply ensures that the Non-intercourse Act (25 U.S.C. 177) does not interfere with the ability to lease, buy, or sell fee-land owned by the tribe.

COMMITTEE ACTION

H.R. 2650 was introduced on July 10, 2013, by Congressman Richard Nolan (D-MN). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian and Alaska Native Affairs. On July 23, 2013, the Subcommittee held a hearing on the bill. On July 31, 2013, the Full Natural Resources Committee met to consider the bill. The Sub-

committee on Indian and Alaska Native Affairs was discharged by unanimous consent. No amendments were offered, and the bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

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. 2650—Fond du Lac Band of Lake Superior Chippewa Non-intercourse Act of 2013

H.R. 2650 would authorize the Fond du Lac Band of Lake Superior Chippewa in the state of Minnesota to lease, sell, or transfer any property that is owned by the tribe but not held in trust by the federal government for the tribe's benefit. Based on information provided by the Department of the Interior, CBO estimates that implementing the legislation would have no impact on the federal budget because the legislation would not affect tribal trust lands. Enacting H.R. 2650 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2650 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Theresa Gullo, 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. Based on information provided by the Department of the Interior, CBO estimates that implementing the legislation would have no impact on the federal budget because the legislation would not affect tribal trust lands.

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 allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land.

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.

