

NEVADA NATIVE NATIONS LANDS ACT

DECEMBER 1, 2014.—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. 2455]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2455) to provide for the sale or transfer of certain Federal lands in Nevada, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Nevada Native Nations Lands Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ELKO MOTOCROSS LAND CONVEYANCE

Sec. 101. Definitions.

Sec. 102. Conveyance of land to county.

TITLE II—TRANSFERS TO TRIBES

Sec. 201. Transfer of land to be held in trust for the Te-Moak Tribe of Western Shoshone Indians of Nevada.

Sec. 202. Transfer of land to be held in trust for the Fort McDermitt Paiute and Shoshone Tribe.

Sec. 203. Transfer of land to be held in trust for the Shoshone Paiute Tribes.

Sec. 204. Transfer of land to be held in trust for the Summit Lake Paiute Tribe.

Sec. 205. Transfer of land to be held in trust for the South Fork Band Council.

Sec. 206. Transfer of land to be held in trust for the Reno-Sparks Indian Colony land.

Sec. 207. Transfer of land to be held in trust for the Pyramid Lake Paiute Tribe.

SEC. 2. DEFINITION OF SECRETARY.

Unless otherwise designated, in this Act, the term “Secretary” means the Secretary of the Interior.

TITLE I—ELKO MOTOCROSS LAND CONVEYANCE

SEC. 101. DEFINITIONS.

In this title:

- (1) CITY.—The term “city” means the city of Elko, Nevada.
- (2) COUNTY.—The term “county” means the county of Elko, Nevada.
- (3) MAP.—The term “map” means the map entitled “Elko Motocross Park” and dated January 9, 2010.

SEC. 102. CONVEYANCE OF LAND TO COUNTY.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights and the provisions of this section, the Secretary shall convey to the county, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 275 acres of land managed by the Bureau of Land Management, Elko District, Nevada, as generally depicted on the map as “Elko Motocross Park”.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

- (2) MINOR ERRORS.—The Secretary may correct any minor error in—
 - (A) the map; or
 - (B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only as a motocross, bicycle, off-highway vehicle, or stock car racing area, or for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the county to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

TITLE II—TRANSFERS TO TRIBES

SEC. 201. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA (ELKO BAND).

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

- (1) are hereby declared to be held in trust by the United States for the benefit of the Te-Moak Tribe of Western Shoshone Indians of Nevada (Elko Band); and
- (2) shall be part of the reservation of that Indian tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 373 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Lands to be Held in Trust”.

(c) MAP.—The term “map” means the map entitled “Te-Moak Tribal Land Expansion”, dated September 30, 2008, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;

- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 202. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE FORT MCDERMITT PAIUTE AND SHOSHONE TRIBE.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) are hereby declared to be held in trust by the United States for the benefit of the Fort McDermitt Paiute and Shoshone Tribe; and

(2) shall be part of the reservation of that Indian tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 19,094 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands”.

(c) MAP.—The term “map” means the map entitled “Fort McDermitt Indian Reservation Expansion Act”, dated February 21, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 203. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE SHOSHONE PAIUTE TRIBES.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) are hereby declared to be held in trust by the United States for the benefit of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation; and

(2) shall be part of the reservation of those Indian tribes.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 82 acres of land administered by the United States Forest Service as generally depicted on the map as “Proposed Acquisition Site”.

(c) MAP.—The term “map” means the map entitled “Mountain City Administrative Site Proposed Acquisition”, with a revision date of July 29, 2013, and on file and available for public inspection in the appropriate offices of the United States Forest Service.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary of Agriculture an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary of Agriculture shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary of Agriculture, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the United States Forest Service.

SEC. 204. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE SUMMIT LAKE PAIUTE TRIBE.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) are hereby declared to be held in trust by the United States for the benefit of the Summit Lake Paiute Tribe; and

(2) shall be part of the reservation of that Indian tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 941 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Conveyance Lands”.

(c) MAP.—The term “map” means the map entitled “Summit Lake Indian Reservation Conveyance”, dated February 28, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;

- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 205. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE SOUTH FORK BAND COUNCIL.

(a) RELEASE OF WILDERNESS STUDY AREA.—

(1) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Red Spring wilderness study area has been adequately studied for wilderness designation.

(2) RELEASE.—The public land described in paragraph (1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(b) TRANSFER OF LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA (SOUTH FORK BAND).—

(1) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (2)—

(A) are hereby declared to be held in trust by the United States for the benefit of the Te-Moak Tribe of Western Shoshone Indians of Nevada (South Fork Band); and

(B) shall be part of the reservation of that Indian tribe.

(2) EXCEPTION.—The administration of all oil and gas leases in existence on the date of enactment of this Act shall remain the responsibility of the Bureau of Land Management in consultation with the Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 28,162 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands.”

(4) MAP.—The term “map” means the map entitled “South Fork Indian Reservation Expansion”, dated June 9, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(5) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under paragraph (2).

(6) USE OF TRUST LAND.—

(A) GAMING.—Land taken into trust under paragraph (2) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(B) GENERAL USES.—The Tribe shall use the land taken into trust under paragraph (2) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(C) OTHER USES.—If the Tribe uses any portion of the land taken into trust under paragraph (2) for a purpose other than a purpose described in subparagraph (B), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(D) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;

- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(7) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under paragraph (2), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 206. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE RENO-SPARKS INDIAN COLONY LAND.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) are hereby declared to be held in trust by the United States for the benefit of the Reno-Sparks Indian Colony; and

(2) shall be part of the reservation of that Indian tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 13,434 acres of land administered by the Bureau of Land Management as generally depicted on the map as “RSIC Amended Boundary”.

(c) MAP.—The term “map” means the map entitled “Reno-Sparks Indian Colony Expansion”, dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 207. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE PYRAMID LAKE PAIUTE TRIBE.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) are hereby declared to be held in trust by the United States for the benefit of the Pyramid Lake Paiute Tribe; and

(2) shall be part of the reservation of that Indian tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is the approximately 30,669 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands”.

(c) MAP.—The term “map” means the map entitled “Pyramid Lake Indian Reservation Expansion”, dated June 9, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(e) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) GENERAL USES.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

- (i) traditional and customary uses;
- (ii) stewardship conservation for the benefit of the Tribe;
- (iii) mineral leasing;
- (iv) residential or recreational development; or
- (v) renewable energy development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) APPRAISAL.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practices; and
- (iii) any other applicable law (including regulations).

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Tribe and the Bureau of Land Management.

PURPOSE OF THE BILL

The purpose of H.R. 2455 is to provide for the sale or transfer of certain Federal lands in Nevada.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2455 authorizes the sale of 275 acres of Bureau of Land Management (BLM) land to Elko County, Nevada, for certain recreation activities (use as a motocross park) and places in trust a total of approximately 92,755 acres of public lands in Nevada to expand the reservations of the Elko Band of the Te-moak Tribe of Western Shoshone Indians of Nevada, the Fort McDermitt Paiute and Shoshone Tribe of the Fort McDermitt Indian Reservation, the Shoshone Paiute Tribes of the Duck Valley Indian Reservation, the Summit Lake Paiute Tribe, the South Fork Band of the Te-moak Tribe of Western Shoshone Indians of Nevada, the Reno-Sparks Indian Colony, and the Pyramid Lake Paiute Tribe. All lands conveyed to Elko and to the seven tribes are identified in maps referenced in the bill and the tribes will be required to pay to the Secretary of the Interior fair market value of the lands acquired in trust if the tribes use the lands for anything other than the five specified purposes outlined in the bill: 1) traditional and customary uses; 2) stewardship conservation for the benefit of the tribe; 3) mineral leasing; 4) residential or recreational development; or 5) renewable energy development. Federal fuels reduction (i.e., thinning of trees and underbrush) and landscape or sage grouse habitat restoration activities on the lands conveyed in trust under the bill are also authorized if done in consultation and coordination with the tribes. The tribes will be prohibited from conducting gaming pursuant to the Indian Gaming Regulatory Act on the lands conveyed under the bill.

Many of the tribes' economies are related to their natural resources and may include farming and grazing, and in some cases, recreational fishing. As with most Indian tribes, the tribal governments are a major source of the reservation economies. The tribes affected by H.R. 2455 desire to expand their reservations for a variety of purposes, including recreational, residential, energy and mineral development. H.R. 2455 will allow the tribes to preserve their cultural heritage and traditions, expand housing and provide for economic development opportunities.

Trust lands

Trust land is land the title to which is held in trust by the United States (through the Secretary of the Interior) for the benefit of Indians. It is the federal government's possession of such title that gives the Indian lands its unique exemption from state and local taxation, from state civil and regulatory authority, and in certain circumstances from state criminal jurisdiction. Generally speaking, trust lands cannot be sold, donated, exchanged, or leased to anyone without the consent of the tribe and the approval of Congress. Under a variety of statutes, Congress has delegated to the Secretary of the Interior authority to review and approve the alienation or leasing of Indian trust lands.

The Te-moak Tribe of Western Shoshone of Nevada (Elko Band), based in Elko, is the governing body for a coalition four colonies of Shoshone Indians in Nevada: Battle Mountain Colony, Elko Colony, South Fork Band Colony, and Wells Colony. The Shoshone people historically occupied and used a large desert area encompassing central Nevada, southern Idaho, northwestern Utah, and the Death Valley area of California. H.R. 2455 places approximately 373 acres of BLM land in trust for the Tribe.

The Fort McDermitt Paiute Tribe and Shoshone Tribe both share the Fort McDermitt Reservation, Humboldt County, Nevada, and Malheur County, Oregon. The reservation, originally established by Executive Order in 1867, is 75 miles north of Winnemucca, Nevada. However, the land was allotted under the General Allotment Act of 1887 and it was further opened to homesteading by non-Indians. A number of Acts of Congress have authorized the reacquisition of some of these lands by the tribes. H.R. 2455 places approximately 19,094 acres of BLM land in trust for the Tribe.

The Duck Valley Reservation, on the Nevada-Idaho line (Elko County, Nevada, and Owyhee County, Idaho), began with the Treaty of Ruby Valley. The reservation was established by several Executive Orders and an Act of Congress. The tribes own much of the lands within the reservation but most are not held in trust. H.R. 2455 places approximately 82 acres of BLM land in trust for the Shoshone Palote Tribe.

The Summit Lake Paiute Reservation, established by Executive Order in 1913, is located in northwestern Nevada (Humboldt County). It is more than 10,000 acres. This tribe is a part of the greater Paiute tribe, a large group of Indian people who occupied a large part of the eastern slopes of the Sierra and Cascades ranges until encroachment by non-Indians led to the creation of a reservation for their use and occupation. The reservation includes a small part of Summit Lake. H.R. 2455 places approximately 941 acres of U.S. Forest Service land in trust for the Summit Lake Paiute Tribe.

The Te-moak Tribe of Western Shoshone of Nevada (South Fork Band) is located on a reservation nearly 30 miles south of Elko in northeastern Nevada. The tribe has been accumulating land to add to its reservation, which was established by Executive Order in 1941. H.R. 2455 places approximately 28,162 acres of BLM land in trust for the Tribe, including the approximately 7,847 acres of the Red Spring Wilderness Study Area that is released in the bill.

The Reno-Sparks Indian Colony, in western Nevada near the California border, has small amount of lands in Reno and nearly 2,000 acres in Hungry Valley. In 1916, Congress authorized the purchase of 8.42 acres as a site for the Colony (similar to the manner in which Congress authorized the Department of the Interior to purchase lands for Rancherias). Though Congress did not designate these lands as a reservation or as a federal trust, in subsequent years, the Secretary of the Interior nonetheless treated the lands and the Indians living on it as a reservation. H.R. 2455 places approximately 13,434 acres of BLM land in trust for the colony.

The Pyramid Lake Reservation is approximately a half-million acres in a remote part of Western Nevada, in Washoe, Lyon, and Stoney counties, 40 miles away from Reno. Several communities are within the reservation, including Nixon, Sutcliffe, and Wadsworth. The Pyramid Lake Paiute Tribe's reservation was formally established by Executive Order in 1874 after earlier orders by the government began to reserve this area for Paiute Indians after tensions arose with non-Indian settlers. About 112,000 acres of the reservation include Summit Lake, Nevada's largest, while the rest of the lands are high desert. H.R. 2455 places approximately 30,669 acres of BLM land in trust for the Tribe.

COMMITTEE ACTION

H.R. 2455 was introduced on June 20, 2013, by Congressman Mark Amodei (R-NV). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittees on Public Lands and Environmental Regulation and Indian and Alaska Native Affairs. On July 23, 2013, the Subcommittee on Indian and Alaska Native Affairs held a hearing on the bill. On June 19, 2014, the Natural Resources Committee met to consider the bill. The Subcommittees on Public Lands and Environmental Regulation and Indian and Alaska Native Affairs were discharged by unanimous consent. Congressman Don Young (R-AK) offered an amendment in the nature of a substitute designated .098 to the bill. Congressman Rob Bishop (R-UT) offered an amendment designated #1 to the amendment in the nature of a substitute; the amendment to the amendment was adopted by unanimous consent. The amendment in the nature of a substitute, as amended, was adopted by unanimous consent. The bill, as amended, was then 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. 2455—Nevada Native Nations Lands Act

H.R. 2455 would authorize several land conveyances between the federal government, the state of Nevada, and various tribes in Nevada. The bill would make the following conveyances:

- 275 acres of land managed by the Bureau of Land Management (BLM) to Elko County, Nevada,
- 373 acres of land managed by BLM to be held in trust for the benefit of the Te-Moak Tribe of Western Shoshone Indians of Nevada,
- 19,094 acres of land managed by BLM to be held in trust for the benefit of the Fort McDermitt Paiute and Shoshone Tribe,
- 82 acres of land managed by the United States Forest Service to be held in trust for the benefit of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation,
- 941 acres of land managed by BLM to be held in trust for the benefit of the Summit Lake Paiute Tribe,
- 28,162 acres of land managed by BLM to be held in trust for the benefit of the South Fork Band Council,
- 13,434 acres of land managed by BLM to be held in trust for the benefit of the Reno-Sparks Indian Colony, and
- 30,669 acres of land managed by BLM to be held in trust for the benefit of the Pyramid Lake Paiute Tribe.

Based on information provided by the affected agencies, CBO estimates that implementing the legislation would have no significant effect on the federal budget. The affected lands are expected to generate receipts for the federal government from grazing fees and leases under current law. Thus, CBO estimates that conveying those lands would reduce offsetting receipts (which are treated as increases in direct spending); however, we estimate that such losses would be minimal. Because enacting H.R. 2455 would affect direct spending, pay-as-you-go procedures apply. Enacting H.R. 2455 would not affect revenues.

H.R. 2455 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CHO 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 Representa-

tives 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 affected agencies, CBO estimates that implementing the legislation would have no significant effect on the federal budget.

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 provide for the sale or transfer of certain Federal lands in Nevada.

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.