

NATIVE ACT

SEPTEMBER 6, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany S. 1579]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (S. 1579) to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1579 is to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

BACKGROUND AND NEED FOR LEGISLATION

During the first six months of 2015, the Department of Commerce estimated there were over 36 million overseas travelers to the United States. One out of 18 Americans is employed by a travel or tourism related business.¹

¹2015 Top Markets Report Travel and Tourism: A Market Assessment Tool for U.S. Exports. Department of Commerce, International Trade Administration, Industry & Analysis (2015) at 3.

In 2014, tourism in the United States was a \$221 billion industry.² The American Indian and Alaska Native Tourism Association cite a growing interest in Indian Country as a tourist destination. According to the Department of Commerce surveys, more than 1.65 million overseas travelers visited Indian Country in 2014, an increase of ten percent from 2013, with most travelers coming from China, the United Kingdom, and France.³

Many Native-owned businesses and tribes use cultural tourism as an economic development strategy. For example, the Chickasaw Nation owns and operates the Chickasaw Cultural Center, which has been an integral part of tourism in the state of Oklahoma. In addition, tribes like the Standing Rock Sioux Tribe conduct hundreds of tours on their reservations annually.

S. 1579 is intended to enhance Native American tourism through better coordination and collaboration among federal agencies that have tourism programs, without authorizing any new appropriations. The bill is supported by the National Congress of American Indians, the U.S. Chamber of Commerce, the Inter-Tribal Council of the Five-Civilized Tribes, the American Indian Alaska Native Tourism Association and others.

COMMITTEE ACTION

S. 1579 was introduced on June 16, 2015, by Senator Brian Schatz (D–HI). It passed the Senate with an amendment by unanimous consent on April 25, 2016. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian, Insular and Alaska Native Affairs. In addition, the bill was referred to the Committees on Energy and Commerce and House Administration. On July 12, 2016, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported by unanimous consent on July 13, 2016.

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 and Section 308(a) of the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for the bill from the Director of the Congressional Budget Office:

²U.S. Department of Commerce, International Trade Administration, National Travel & Tourism Office (2015). Accessed at: <http://travel.trade.gov/outreachpages/downloadXdataXtable/Overseas.pdf>.

³*Id.*

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 29, 2016.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1579, the NATIVE Act.

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

Sincerely,

KEITH HALL.

Enclosure.

S. 1579—NATIVE Act

S. 1579 would direct the Secretaries of Commerce and the Interior and other federal agencies that administer programs related to recreation and tourism to update existing plans to promote tourism among Indian communities. The bill would require those Secretaries to report to the Congress on efforts to support Indian tribes' tourism-related programs and clarify that tribal organizations are eligible to use certain federal grants for such purposes.

Based on information from the Bureau of Indian Affairs and other affected agencies about the extent of existing efforts to promote tourism on tribal lands, CBO estimates that enacting S. 1579 would not significantly affect the federal budget. Because tourism-related plans and programs administered by most federal agencies already address such efforts, CBO expects that any costs incurred by agencies to modify those plans and programs to meet the specific requirements of S. 1579 would not exceed \$500,000; any such increase in spending would be subject to the availability of appropriated funds.

In addition CBO expects that enacting S. 1579 could increase direct spending for other entities with mandatory funding authority, such as the Corporation for Travel Promotion. Because the bill could affect direct spending, pay-as-you-go procedures apply; however, CBO estimates that any such effects would be negligible. Enacting S. 1579 would not affect revenues.

CBO estimates that enacting S. 1579 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the next four consecutive 10-year periods beginning in 2027.

S. 1579 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On November 13, 2015, CBO transmitted a cost estimate for S. 1579 as ordered reported by the Senate Committee on Indian Affairs on October 7, 2015. The two versions of S. 1579 are similar and CBO's estimates of the budgetary effects are the same.

The CBO staff contact for this estimate is Robert Reese. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 enhance and integrate Native American tourism, empower Native American communities, increase coordination

and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

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

This bill makes no changes to existing law.

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

August 24, 2016

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The Honorable Candice Miller
Chairman
Committee on House Administration
1309 Longworth HOB
Washington, DC 20515

Dear Madam Chairman:

On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on House Administration and Energy and Commerce. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on House Administration to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

Rob Bishop
Chairman
Committee on Natural Resources

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Kevin McCarthy, Majority Leader
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Thomas J. Wickham, Jr., Parliamentarian

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August 24, 2016

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
1324 Longworth HOB
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter regarding S. 1579. As you know, the bill was received in the House of Representatives on June 15, 2015, and referred primarily to the Committee on Natural Resources and in addition to the Committee on Energy and Commerce and the Committee on House Administration. The bill seeks to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States. On July 13, 2016, your Committee ordered S. 1579 to be reported by unanimous consent.

The Committee on House Administration agrees to discharge from further consideration of S. 1579 to expedite floor consideration. It is the understanding of the Committee on House Administration that forgoing action on S. 1579 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,



Candice Miller
Chairman
Committee on House Administration

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Kevin McCarthy, Majority Leader
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Robert Brady, Ranking Member, Committee on House Administration
The Honorable Thomas J. Wickham, Jr., Parliamentarian

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U.S. House of Representatives
Committee on Natural Resources
 Washington, DC 20515

September 6, 2016

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 The Honorable Fred Upton
 Chairman
 Committee on Energy and Commerce
 2125 Rayburn HOB
 Washington, DC 20515

Dear Mr. Chairman:

On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce and House Administration. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

 Rob Bishop
 Chairman
 Committee on Natural Resources

cc: The Honorable Paul D. Ryan, Speaker
 The Honorable Kevin McCarthy, Majority Leader
 The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
 The Honorable Thomas J. Wickham, Jr., Parliamentarian

FRED UPTON, MICHIGAN
CHAIRMAN

FRANK PALLONE, JR., NEW JERSEY
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September 6, 2016

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bishop:

I write in regard to S. 1579, NATIVE Act, which was recently ordered to be reported by the Committee on Natural Resources. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on S. 1579 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered.

I would appreciate your response confirming this understanding with respect to S. 1579 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,



Fred Upton
Chairman

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