

## Calendar No. 346

114TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ 114-202

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TO TAKE CERTAIN FEDERAL LAND LOCATED IN LASSEN COUNTY, CALIFORNIA, INTO TRUST FOR THE BENEFIT OF THE SUSANVILLE INDIAN RANCHERIA, AND FOR OTHER PURPOSES

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JANUARY 12, 2016.—Ordered to be printed

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Mr. BARRASSO, from the Committee on Indian Affairs,  
submitted the following

### R E P O R T

[To accompany S. 1761]

The Committee on Indian Affairs, to which was referred the bill (S. 1761) to take certain land located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, having considered the same, reports favorably thereon without amendment, and recommends that the bill do pass.

#### PURPOSE

The purpose of S. 1761 is to take approximately 301 acres of Federal land in California into trust for the benefit of the Susanville Indian Rancheria, California (Tribe).

#### NEED FOR LEGISLATION

The bill, S. 1761, is needed to transfer Federal land under the administration of the Bureau of Land Management (BLM) to the Bureau of Indian Affairs (BIA) to be held in trust for the Tribe. After the land is taken into trust, the Tribe's future development plans include building a recreation center, powwow grounds, and a cultural center.

#### BACKGROUND

On August 15, 1923, the United States purchased 30 acres<sup>1</sup> under the Congressional appropriations for homeless Indians in California,<sup>2</sup> for the benefit of the Susanville Indian Rancheria com-

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<sup>1</sup>Testimony of the Susanville Indian Rancheria, Secretary and Treasurer Aaron Dixon. *House Natural Resources Subcommittee on Indian, Insular, and Alaska Native Affairs*. Legislative Hearing, June 10, 2015.

<sup>2</sup>Public Law 67-224, 42 Stat. 552 and Public Law 67-395, 42 Stat. 1174.

munity. The tribal government organized under the Indian Reorganization Act (IRA) of 1934, and in 1969, the Secretary of the Interior approved the initial tribal constitution and bylaws.<sup>3</sup> On October 14, 1978, Congress transferred 120 acres of BLM land to add to the Tribe's base of trust land.<sup>4</sup>

Currently the Susanville Rancheria has approximately 1,100 acres held in trust.<sup>5</sup> The BLM has identified the land parcel in S. 1761 for disposal under the Eagle Lake Regional Office Resource Management Plan.<sup>6</sup>

#### LEGISLATIVE HISTORY

On July 14, 2015, Senator Boxer introduced S. 1761 with original cosponsor Senator Feinstein. On October 7, 2015, the Committee held a legislative hearing on the bill at which BIA Deputy Director Michael Smith testified in support of S. 1761. On October 21, 2015, the bill, S. 1761, was ordered reported favorably without amendment.

A companion bill, H.R. 2212, was introduced in the House of Representatives on May 1, 2015, by Representative LaMalfa with one cosponsor. On May 26, 2015, the bill was referred to the Subcommittee on Indian, Insular and Alaska Native Affairs of the House Natural Resources Committee. On June 10, 2015, the Subcommittee held a hearing on the bill at which BIA Director Michael Black testified in support of H.R. 2212. On October 8, 2015, the Subcommittee on Indian, Insular and Alaska Native Affairs held a business meeting on the bill, which was reported, as amended, by unanimous consent.

#### SECTION-BY-SECTION ANALYSIS OF BILL AS ORDERED REPORTED

##### *Section 1—Land into Trust for the Susanville Indian Rancheria*

Section 1(a) states that the land described in subsection (b) is taken into trust for the benefit of the Tribe.

Section 1(b) describes the parcel of land to be taken into trust as approximately 301 acres under Federal administrative jurisdiction of the Bureau of Land Management. The parcel of land is identified as 'Conveyance Boundary' on a map titled, 'Susanville Indian Rancheria Land Conveyance' that is dated December 31, 2014.

Section 1(c) prohibits Class II or Class III gaming under the *Indian Gaming Regulatory Act*<sup>7</sup> from being conducted on the parcel to be taken into trust under this bill.

#### COST AND BUDGETARY CONSIDERATIONS

The following cost estimate, as provided by the Congressional Budget Office, dated November 5, 2015, was prepared for S. 1761:

<sup>3</sup>H.R. Rep. No. 95-1631, at 1 (1978).

<sup>4</sup>Public Law 95-459, 92 Stat. 1262.

<sup>5</sup>Testimony of the Bureau of Indian Affairs, Deputy Director Mike Smith. *Senate Committee on Indian Affairs* Legislative Hearing, October 7, 2015.

<sup>6</sup>Letter from Kenneth R. Collum, Field Manager, Department of the Interior, Bureau of Land Management, Eagle Lake Field Office, to Stacy Dixon, Chairman, Susanville Indian Rancheria, (October 3, 2014) (on file with the Senate Committee on Indian Affairs).

<sup>7</sup>25 U.S.C. 2701 et seq.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, November 5, 2015.*

Hon. JOHN BARRASSO,  
*Chairman, Committee on Indian Affairs,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1761, a bill to take certain federal land located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

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

Sincerely,

KEITH HALL.

Enclosure.

*S. 1761—To take certain Federal land located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes*

S. 1761 would take into trust, for the benefit of the Susanville Indian Rancheria, approximately 301 acres of land located in Lassen County, California, and administered by the Bureau of Land Management (BLM). The bill would prohibit certain types of gaming on those lands.

CBO estimates that enacting S. 1761 would have no significant effect on the federal budget. We estimate that any change in federal costs to manage lands affected by the bill (which would be subject to appropriation) would be insignificant. Taking the affected lands into trust could affect federal receipts (which are treated as reductions in direct spending) related to existing rights of way currently administered by BLM; therefore, pay-as-you-go procedures apply. Based on information from BLM, CBO estimates that any such effects would be negligible. Enacting S. 1761 would not affect revenues.

CBO estimates that enacting S. 1761 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 2026.

S. 1761 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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

EXECUTIVE COMMUNICATIONS

The Committee has received no communications from the Executive Branch regarding S. 1761.

REGULATORY AND PAPERWORK IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires each report accompanying a bill to evaluate the regulatory and paperwork impact that would be incurred in carrying out the bill. The Committee believes that S. 1761 will have a minimal impact on regulatory or paperwork requirements.

CHANGES IN EXISTING LAW (CORDON RULE)

In compliance with subsection 12 of rule XXVI of the Standing Rules of the Senate, there are no changes to existing law made by S. 1761, as ordered reported.

