

LEECH LAKE BAND OF OJIBWE RESERVATION
RESTORATION ACT

DECEMBER 18, 2020.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 733]

The Committee on Natural Resources, to whom was referred the bill (H.R. 733) to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 733 is to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 733 directs the Department of Agriculture to transfer to the administrative jurisdiction of the Department of the Interior all right, title, and interest of the United States in and to approximately 11,760 acres of federal land in the Chippewa National Forest in Cass County, MN, to be held in trust for the benefit of the Leech Lake Band of Ojibwe. This action will restore tribal land that was lost when many of its members were illegally dispossessed of their land via “secretarial transfer” during the 1950s. The Tribe intends to respect all existing easements, rights-of-way, and other encumbrances on the land and does not intend to immediately modify the current land uses.¹ The land will stay in tax-exempt fee status as part of the Chippewa National Forest until the Tribe develops a plan for future economic and residential use.

¹No cabins, campgrounds, lodges, or resorts are located on the land.

COMMITTEE ACTION

H.R. 733 was introduced on January 23, 2019, by Representative Betty McCollum (D–MN). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee for Indigenous Peoples of the United States and the Subcommittee on National Parks, Forests, and Public Lands. On June 5, 2019, the Subcommittee for Indigenous Peoples of the United States held a hearing on the bill. On September 30, 2020, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. No amendments were offered, and the bill was adopted and ordered favorably reported to the House of Representatives by voice vote.

On December 3, 2020, Congress passed S. 199, which is the identical companion legislation to H.R. 733. The bill was enrolled and, on December 11, 2020, presented to the president. As of December 17, 2020, the White House has not announced any intention by the president not to sign the bill into law.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 733: hearing by the Subcommittee for Indigenous Peoples of the United States held on June 5, 2019.

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 AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of 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 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

The Committee notes that CBO's analysis of S. 199, the identical companion legislation, is available and shows the bill as having no significant net effect on direct spending and no effect on revenues.²

² <https://www.cbo.gov/system/files/2019-02/s199.pdf>.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe.

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.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (UMRA) was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

The Committee notes that CBO's analysis of S. 199, the identical companion legislation, is available and shows the bill as not creating any mandates for purposes of UMRA.³

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.

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³*Id.*