

TO PROVIDE FOR THE CONVEYANCE OF CERTAIN PROPERTY TO THE TANANA TRIBAL COUNCIL LOCATED IN TANANA, ALASKA, AND FOR OTHER PURPOSES

APRIL 25, 2022.—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. 441]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 441) to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and for other purposes, 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. 441 is to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 441, as reported, would direct the U.S. Department of Health and Human Services to convey an approximately 11.25-acre parcel of land to the Tanana Tribal Council via a warranty deed for the purpose of expanding facilities and health services.

The Tanana Tribal Council is an Alaska Native tribal health and social service consortium located in Tanana, Alaska that provides outpatient services in interior rural Alaska. The Tanana Tribal Council currently carries out self-determination contracts and self-governance compacts under the Indian Self-Determination and Education Assistance Act (ISDEAA). Through agreements and under ISDEAA, tribal entities have been granted the right to acquire fee title to federal property for the use of providing health care services.

Currently, conveyance requests through the Indian Health Service (IHS) are processed under General Services Administration

(GSA) regulations that allow IHS to impose terms and conditions in quitclaim deeds. These quitclaims designate IHS as the sole source of funding available to tribal entities to upgrade or construct facilities.

Conveying these lands to tribal entities by warranty deed, as H.R. 441 would, allows the flexibility to use the property to carry out health and social service programs, including the ability to construct and expand new health care facilities. Additionally, this parcel would be eligible for other funding from non-federal sources and reimbursements from Medicare, Medicaid, the State Children's Health Insurance Program, and the Department of Veterans Affairs.

Since the Tanana Tribal Council is located in rural Alaska, health care services are often underfunded and harder to come by. This conveyance would allow the Tanana Tribal Council the flexibility to build a new facility and expand health and social services to their IHS beneficiaries, thereby increasing the level of service offered.

As of the filing of this report, the Committee expects the bill to be considered by the House on April 26, 2022, under suspension of the rules, with an amendment to combine the text of H.R. 441 with the texts of H.R. 442 and H.R. 443, both of which were also introduced by Representative Don Young.

COMMITTEE ACTION

H.R. 441 was introduced on January 21, 2021, by Representative Don Young (R-AK). The bill was referred to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce. Within the Natural Resources Committee, the bill was referred to the Subcommittee for Indigenous Peoples of the United States. On October 5, 2021, the Subcommittee held a hearing on the bill. On January 19, 2022, the Natural Resources Committee met to consider the bill. The Subcommittee 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.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee for Indigenous Peoples of the United States held on October 5, 2021.

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) 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 following estimate for the bill from the Director of the Congressional Budget Office:¹

H.R. 441, a bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and for other purposes			
As ordered reported by the House Committee on Natural Resources on January 19, 2022			
By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	*
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 441 would authorize the Secretary of Health and Human Services (HHS) to convey a parcel of land in Tanana, Alaska, to the Tanana Tribal Council (TTC). The conveyance would be made by a warranty deed, which is a type of deed that guarantees a clear title to the new owner of the property.

The Indian Self-Determination and Education Assistance Act (ISDEAA) allows tribal entities to assume responsibility for providing health care services that are funded by the Indian Health Service (IHS). The TTC is a nonprofit health care and social services corporation that operates facilities under the ISDEAA in 39 communities throughout Alaska. According to IHS, the TTC currently does not pay rent or any other remuneration to IHS for the use of the land to be transferred. Consequently, CBO estimates that enacting H.R. 441 would not affect direct spending or revenues and would have an insignificant effect on spending subject to appropriation for IHS staff to facilitate the land transfer.

The CBO staff contact for this estimate is Robert Stewart. The estimate was reviewed by Leo Lex, Deputy Director for Budget Analysis.

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 conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e),

¹The Congressional Budget Office has further estimated that the suspension text for H.R. 441, which combines H.R. 441 with the texts of H.R. 442 and H.R. 443, would not affect direct spending or revenues. CBO, LEGISLATION CONSIDERED UNDER SUSPENSION OF THE RULES, WEEK OF APRIL 25, 2022, at 2 (2022), https://www.cbo.gov/system/files/2022-04/suspensions_week_of_april_25_2022_.pdf.

9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to CBO, this bill contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

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.

FRANK PALLONE, JR., NEW JERSEY
CHAIRMAN

CATHY McMORRIS RODGERS, WASHINGTON
RANKING MEMBER

COMMITTEE CORRESPONDENCE
ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
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COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

April 15, 2022

The Honorable Raúl M. Grijalva
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

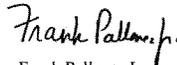
Dear Chairman Grijalva:

I write concerning H.R. 441, a bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and for other purposes, which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R. 441, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the report on H.R. 441.

Sincerely,



Frank Pallone, Jr.
Chairman

The Honorable Raúl M. Grijalva
April 15, 2022
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cc: The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and
Commerce
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian

RAUL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MDEGLEIN
REPUBLICAN STAFF DIRECTOR

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

April 18, 2022

The Honorable Frank Pallone Jr.
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Pallone:

I write to you concerning H.R. 441, a bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and for other purposes.

I appreciate your willingness to work cooperatively on this legislation. I acknowledge that your Committee will not formally consider H.R. 441 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill or similar legislation that falls within your Committee's Rule X jurisdiction. Additionally, the Committee on Natural Resources confirms our mutual understanding that the Committee on Energy and Commerce will be appropriately consulted and involved as the bill or similar legislation moves forward so that you may address any remaining issues within your jurisdiction. I am pleased to support your request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the report on H.R. 441. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Cathy McMorris Rodgers, Ranking Member, Committee on Energy and Commerce
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources
The Honorable Jason Smith, Parliamentarian

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS
None.

