

H. Rept. 113-195 - TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO TAKE CERTAIN FEDERAL LANDS LOCATED IN EL DORADO COUNTY, CALIFORNIA, INTO TRUST FOR THE BENEFIT OF THE SHINGLE SPRINGS BAND OF MIWOK...113th Congress (2013-2014)

COMMITTEE REPORT

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[House Report 113-195]
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113th Congress	HOUSE OF REPRESENTATIVES	Report
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TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO TAKE CERTAIN FEDERAL LANDS LOCATED IN EL DORADO COUNTY, CALIFORNIA, INTO TRUST FOR THE BENEFIT OF THE SHINGLE SPRINGS BAND OF MIWOK INDIANS, AND FOR OTHER PURPOSES

September 10, 2013.--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. 2388]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2388) to authorize the Secretary of the Interior to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. LAND INTO TRUST FOR THE SHINGLE SPRINGS BAND OF MIWOK INDIANS.

(a) In General.--The land described in subsection (b) is hereby taken into trust for the benefit of the Shingle Springs Band of Miwok Indians, subject to valid existing rights and management agreements related to easements and rights-of-way.

(b) Land Description.--The land taken into trust pursuant to subsection (a) is the approximately 40.852 acres of Federal land under the administrative jurisdiction of the Bureau of Land Management identified as ``Conveyance boundary'' on the map titled ``Shingle Springs Land Conveyance/Draft'' and dated June 7, 2012, including improvements and appurtenances thereto.

(c) Gaming.--Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be permitted at any time on the land taken into trust pursuant to subsection (a).

Amend the title so as to read:

A bill to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 2388, as ordered reported, is to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2388 will place approximately 40 acres of Bureau of Land Management-managed lands adjacent to the Shingle Springs Rancheria in California into trust for the benefit of the Shingle Springs Band of Miwok Indians. No class II and class III gaming under the Indian Gaming Regulatory Act could take place on these lands.

COMMITTEE ACTION

H.R. 2388 was introduced on June 14, 2013, by Congressman Tom McClintock (R-CA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittees on Indian and Alaska Native Affairs and Public Lands and Environmental Regulation. On July 23, 2013, the Subcommittee on Indian and Alaska Native Affairs held a hearing on the bill. On July 31, 2013, the full Natural Resources Committee met to consider the bill. The Subcommittees on Indian and Alaska Native Affairs and Public Lands and Environmental Regulation were discharged by unanimous consent. Congressman McClintock offered an amendment designated _048 to the bill; the amendment was adopted by unanimous consent. No further amendments were offered, and 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. 2388--A bill to authorize the Secretary of the Interior to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes

H.R. 2388 would take about 40 acres of federal land in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians. Based on information provided by the Department of the Interior, CBO estimates that implementing H.R. 2388 would have no significant impact on the federal budget because the cost of administering the lands would not change significantly. Enacting H.R. 2388 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2388 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO 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 Representatives 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 Department of the Interior, CBO estimates that implementing H.R. 2388 would have no significant impact on the federal budget because the cost of administering the lands would not change significantly.

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, as ordered reported, is to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians.

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.