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107TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
107–664

TO DIRECT THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN LAND IN THE LAKE TAHOE BASIN MANAGEMENT UNIT, NEVADA, TO THE SECRETARY OF THE INTERIOR, IN TRUST FOR THE WASHOE INDIAN TRIBE OF NEVADA AND CALIFORNIA

SEPTEMBER 19, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HANSEN, from the Committee on Resources, submitted the following

R E P O R T

[To accompany S. 691]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 691) to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 691 is to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

BACKGROUND AND NEED FOR LEGISLATION

S. 691 is intended to provide the Washoe Tribe of Nevada and California access to the shore of Lake Tahoe to support traditional and cultural uses. The Washoe Tribe's ancestral homeland includes over 5,000 square miles in the vicinity of the Lake Tahoe basin. The Tribe historically gathered along the shore of Lake Tahoe for activities such as spiritual renewal, land stewardship, traditional learning, and reunification of tribal and family bonds.

The concept of providing the Washoe Tribe with access to the shore of Lake Tahoe was ratified by a group of federal, State and local government leaders who gathered at a 1997 Presidential

Forum to discuss the future of Lake Tahoe. Goals and an action plan developed during the Lake Tahoe Forum became "Presidential Forum Deliverables." These Deliverables include a commitment to provide the Washoe Tribe access to the shore of Lake Tahoe for traditional and cultural purposes.

COMMITTEE ACTION

S. 691 was introduced on April 4, 2001, by Senator Harry Reid (D–NV). The bill passed the Senate by unanimous consent on August 1, 2002. S. 691 was referred to the House Committee on Resources. On September 12, 2002, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was 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 Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) 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)(3)(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.

2. 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.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. 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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 17, 2002.

Hon. JAMES V. HANSEN,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 691, an act to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

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

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 691—An act to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California

Based on information from the Forest Service, CBO estimates that implementing S. 691 would have no significant impact on the federal budget. The legislation would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 691 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 691 would direct the Secretary of the Agriculture to convey, without consideration, about 24 acres of national forest system land within the Lake Tahoe Basin Management Unit to the Secretary of the Interior, to be taken into trust on behalf of the Washoe Indian Tribe of Nevada and California. According to the Forest Service, the lands to be conveyed currently generate no receipts and are not expected to over the next 10 years. The Secretary of Agriculture would retain an easement to provide for access to federal lands adjacent to those that would be conveyed. S. 691 outlines conditions for the tribe's use of the conveyed lands and specifies that ownership of the lands would revert back to the Secretary of Agriculture if the tribe violates those conditions.

On June 11, 2002, CBO transmitted a cost estimate for S. 691 as ordered reported by the Senate Committee on Energy and Natural Resources on June 5, 2002. The two versions of the legislation are identical, and our cost estimates are the same.

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

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

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.

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