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# H.R. 1388 — Lytton Rancheria Homelands Act of 2019 (Rep. Huffman, D-CA)

## FLOOR SCHEDULE:

Expected to be considered on March 26, 2019, under suspension of the rules, which requires a 2/3 majority for passage.

## TOPLINE SUMMARY:

[H.R. 1388](#) would allow for 511 acres in Sonoma California to be taken into trust for the [Lytton Rancheria](#) Indian tribe.

## COST:

A Congressional Budget Office (CBO) estimate is not available.

In the 115th Congress, the Congressional Budget Office (CBO) [estimated](#) implementing H.R. 597 would have no significant effect on the federal budget and that changes to the agency's administrative costs would be less than \$500,000. The bill would not affect direct spending, so pay-go procedures would not apply. The bill would impose an intergovernmental mandate by preempting state and local government authority to tax land that is taken into the Lytton Rancheria trust. The cost of the mandate would not, according to CBO, exceed the Unfunded Mandates Reform Act threshold, or \$78 million in 2017.

## CONSERVATIVE VIEWPOINTS:

- **Expand the Size and Scope of the Federal Government?** Yes, the bill would prevent the state and local government from collecting taxes from the 511 acres that is currently owned by the Lytton Rancheria by placing it into trust for the tribe's reservation.
- **Encroach into State or Local Authority?** See the first bullet point.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 1388 would take 511 acres of land currently owned by the Lytton Rancheria, a federally recognized Indian tribe, in Sonoma, California into trust for the benefit of the Lytton Rancheria. These lands would be part of the tribe's reservation and be subject to applicable laws regarding land held in trust for Indian tribes.

The bill would prohibit lands taken into trust after enactment from being eligible for gaming under the Indian Gaming Regulatory Act ([25 U.S.C. 2710 et seq.](#)) until March 16, 2037. In addition, land north of California State Highway Route 12 would not be eligible for gaming under the Indian Gaming Regulatory Act.

The bill would not require the memorandum of agreement between the Lytton Rancheria and the county regarding land to be taken into trust for the tribe to be approved by the Secretary of the Interior to be effective.

This bill contains identical language to [H.R. 597](#), which passed the House in the 115<sup>th</sup> Congress by voice vote on July 11, 2017. The Republican Study Committee's Legislative Bulletin on H.R. 597 is available [here](#).

## COMMITTEE ACTION:

H.R. 1388 was introduced on February 27, 2019 and was referred to the House Committee on Natural Resources.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the bill's sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3."

# H.R. 297 — Little Shell Tribe of Chippewa Indians Restoration Act of 2019 (Rep. Gianforte, R-MT-At Large)

## FLOOR SCHEDULE:

Scheduled for consideration on March 26, 2019, under a suspension of the rules, which requires a 2/3 majority for passage.

### TOPLINE SUMMARY:

[H.R. 297](#) would extend Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana.

### COST:

No Congressional Budget Office (CBO) estimate is available.

In the 115<sup>th</sup> Congress, the Congressional Budget Office (CBO) [estimated](#) that, assuming availability of appropriated funds, implementing H.R. 3764 would cost \$37 million over the FY 2019-2023 period. The bill would not have affected direct spending or revenues, so pay-go would not apply.

### CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** This bill would prevent state and local governments from collecting taxes on some land.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 297 would extend Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana. The bill would render the Tribe and each member eligible for all services and benefits provided by the United States to Indians and federally recognized Indian tribes, regardless of the existence of a reservation or the location of any member's residence. The service area for delivery of benefits and services to members will be the area comprised of Blain, Cascade, Glacier, and Hill Counties in the State of Montana.

As a condition of receiving recognition, services, and benefits, the Tribe must submit a membership roll within 18 months of enactment and maintain the roll.

The bill directs the Secretary of the Interior to acquire, for the benefit of the Tribe, trust title to 200 acres of land within the service area of the Tribe to be used for a tribal land base.

This bill contains similar language to [H.R. 3764](#), which passed the House in the 115<sup>th</sup> Congress by voice vote on September 12, 2018. The Republican Study Committee's legislative bulletin on H.R. 3764 is available [here](#).

## COMMITTEE ACTION:

This bill was introduced by Representative Gianforte on January 8, 2019 and referred to the House Committee on Natural Resources.

## ADMINISTRATION POSITION:

No Statement of Administration Policy is available at this time.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor: Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 3.

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**NOTE:** *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*