

AGUA CALIENTE LAND EXCHANGE FEE TO TRUST
CONFIRMATION ACT

DECEMBER 1, 2021.—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. 897]

The Committee on Natural Resources, to whom was referred the bill (H.R. 897) to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, 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. 897 is to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians.

BACKGROUND AND NEED FOR LEGISLATION

The Agua Caliente Band of Cahuilla Indians (ACBCI) is located in Palm Springs, CA, east of Mt. San Jacinto, an area set aside for the tribe in 1876 by President Ulysses S. Grant. Over the centuries, the lands traditionally held by the Cahuilla people were divided into even and odd parcels of land owned by a combination of tribal, federal government, and private entities, resulting in a checkerboard formation. However, as of today, ACBCI stands as the single largest landowner in Palm Springs.

Over the past few decades, ACBCI has been involved in a series of land transfers with the federal government to consolidate their historical land base and reclaim certain culturally significant areas. In 1999, the Bureau of Land Management (BLM) and ACBCI came to one such agreement regarding the exchange of remote wilderness lands located within the Santa Rosa and the San Jacinto Mountains National Monument so that the two entities

could manage them in a cooperative and coordinated manner. After finalizing this agreement in March of 2019, the lands in question will now be managed by ACBCI similarly to how they were managed by BLM—as conservation land.

H.R. 897 will effectuate the exchange and agreement by taking approximately 2,560 acres of land into trust on behalf of the Tribe for cultural and conservation purposes. The bill also includes a gaming prohibition on the lands to alleviate any concerns about land use.

The lands are all located within the exterior boundaries of the ACBCI Reservation and have longstanding cultural and natural resource value to the Cahuilla people. Taking this land into trust also helps to consolidate the “checkerboard” land ownership and around the Agua Caliente Indian Reservation, providing ACBCI with a more logical and consistent land management responsibility.

COMMITTEE ACTION

H.R. 897 was introduced on February 5, 2021, by Representative Raul Ruiz (D–CA). 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. On October 13, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered. 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: full Committee markup held on October 13, 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 been informed by the Director of the Congressional Budget Office that the bill, as noticed for consideration under suspension of the rules, will have no effect on direct spending or revenues.¹

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, or credit authority. The Committee adopts as its own cost estimate the cost estimate of the Director of the Congressional Budget Office

¹ CBO, LEGISLATION CONSIDERED UNDER SUSPENSION OF THE RULES 2 (Nov. 29, 2021), https://www.cbo.gov/system/files/2021-11/suspensions_week_of_November_29_0.pdf.

and any updates thereto, should any updates be made available before House passage of the bill.

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 take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla 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.

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 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.

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.