

MICCOSUKEE SETTLEMENT ACT OF 1997

SEPTEMBER 29, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

REPORT

[To accompany H.R. 1476]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1476) to settle certain Miccosukee Indian land takings claims within the State of Florida, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1476 is to settle certain Miccosukee Indian land takings claims within the State of Florida.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1476, the proposed Miccosukee Settlement Act of 1977, provides that Congress consents to a settlement agreement reached between the State of Florida, the Miccosukee Tribe, and the United States Department of the Interior involving the transfer of rights-of-way from the Tribe to the State. Also included in the settlement agreement are provisions relating to airboat access to certain lands, the relocation of a microwave tower, interchange lighting at the Snake Road interchange, and the conveyance of 22.87 acres of land to the United States.

In the aforementioned settlement agreement, the Tribe agrees to dismiss certain litigation pending against the State and to release and forever discharge any and all claims the Tribe may have against the Florida Department of Transportation and the State of Florida in any way related to Interstate Highway 75.

## COMMITTEE ACTION

H.R. 1476 was introduced on April 29, 1977, by Congressman Lincoln Diaz-Balart (R-FL). The bill was referred to the Committee on Resources. On September 17, 1997, the Resources Committee met to consider H.R. 1476 where it was ordered favorably reported to the House of Representatives without amendment.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X 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 H.R. 1476.

## COST OF THE LEGISLATION

Clause 7(a) 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 H.R. 1476. However, clause 7(d) 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 403 of the Congressional Budget Act of 1974.

## COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 1476 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 1476.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI 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 H.R. 1476 from the Director of the Congressional Budget Office.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
 CONGRESSIONAL BUDGET OFFICE,  
 Washington, DC, September 26, 1997.

Hon. DON YOUNG,  
 Chairman, Committee on Resources,  
 House of Representatives,  
 Washington, DC.

DEAR. MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1476, the Miccosukee Settlement Act of 1997.

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

Sincerely,

JUNE E. O'NEILL,  
 Director.

Enclosure.

*H.R. 1476—The Miccosukee Settlement Act of 1997*

CBO estimates that enacting H.R. 1476 would have no significant impact on the federal budget. Because H.R. 1476 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on state, local, or tribal government. Any costs resulting from the settlement agreement would be incurred voluntarily by the state, local, and tribal governments as parties to that agreement.

H.R. 1476 would allow the Secretary of the Interior to implement a settlement agreement between the state of Florida, the Miccosukee Tribe, and the Department of the Interior. The agreement involves the transfer of rights-of-way from the tribe to the state for construction of an interstate highway. In exchange for this land transfer, the tribe would receive approximately \$2 million from the state and would agree to dismiss certain legal claims against the state. The tribe also would receive land from the state to be held in trust by the Department of the Interior. CBO estimates that the Bureau of Land Management would spend about \$100,000 in fiscal year 1998 to survey the land to be transferred into trust, assuming appropriation of the necessary amounts.

The CBO staff contacts for this estimate are Lisa Daley (for federal costs) and Marjorie Miller (for the impact on state, local, and tribal governments). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 1476 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 1476 would make no changes in existing law.