



Legislative Bulletin.....December 17, 2012

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H.R. 4606 - To authorize the issuance of right-of-way permits for natural gas pipelines in Glacier National Park, and for other purposes (Rehberg, R-MT)

Order of Business: The legislation is scheduled to be considered on Monday, December 17, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 4606 authorizes the Secretary of the Interior to issue right-of-way permits for natural gas pipelines located within Glacier National Park. These right-of-way permits may include appurtenances used in the operation of the pipelines.

Permits may be issued for not more than 25 feet on either side of the centerline of the pipeline. This legislation applies to pipelines that were built prior to March 1, 2012. According to CBO, there is only one such pipeline.

CBO estimates that the owner of that pipeline would pay less than \$40,000 in fees over the 2013-2022 period to maintain permits and leases necessary to continue operating the pipeline. That amount includes an application fee that would be retained and spent by the National Park Service without further appropriation and lease fees that would be deposited in the Treasury.

Committee Action: H.R. 4606 was introduced on April 24, 2012, and was referred to the House Natural Resources Subcommittee on Energy and Mineral Resources, and the Subcommittee on National Parks, Forests and Public Lands. The full committee held a markup on July 11, 2012, and favorably reported the legislation by unanimous consent, as amended.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that the legislation would have no significant impact on the federal budget. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to [House Report 112-627](#), H.R. 4606 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: Rep. Rehberg states, “Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3 of the United States Constitution.” The statement can be [viewed here](#).

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S. 3193 – Barona Band of Mission Indians Land Transfer Clarification Act of 2012 (*Feinstein, D-CA*)

Order of Business: The legislation is scheduled to be considered on Monday, December 17, 2012, under a motion to suspend the rules and pass the legislation.

Summary: S. 3193 makes technical corrections to the Native American Technical Corrections Act of 2004 (P.L. 108-204) regarding land to be held in trust for the Barona Band of Mission Indians.

Additional Information: The Native American Technical Corrections Act of 2004 placed lands to be held in trust for the Barona Band of Mission Indians in California. The legal description of that land has resulted in a disagreement as some believe the description includes private, nontribal land that was not meant to be held. The purpose of this legislation is to clarify the legal description of the land placed into trust for the Barona Band of Mission Indians in 2004, and in doing so, the legislation intends to remove all doubt relating to the specific parcels of land that Congress has placed into trust for the Barona Band of Mission Indians.

On December 4, 2012, Rep. Duncan Hunter (R-CA) testified before the House Subcommittee on Indian and Alaska Native Affairs in favor of S. 3193. Rep. Hunter’s testimony provides further additional information on the legislation and is [linked here](#).

Committee Action: S. 3193 was introduced on May 16, 2012, and was referred to the Senate Indian Affairs Committee, which held a markup on August 28, 2012, and reported the legislation without amendment. The legislation passed the Senate on September 22, 2012, by unanimous consent, with an amendment. The legislation was then referred to the House Natural Resources Subcommittee on Indian and Alaska Native Affairs. A full

committee markup was held on December 5, 2012, and the legislation was favorably reported by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: CBO estimates that the legislation would have no significant impact on the federal budget. CBO's report can be [viewed here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: According to [Senate Report 112-207](#), S. 3193 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: The rules of the Senate do not require a statement of constitutional authority to accompany legislation upon introduction. Additionally, Senate Report 112-207 does not contain a statement of constitutional authority. It is worth noting that Article I, Section 8, Clause 3 of the Constitution gives Congress the power to “regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

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