

H.R. 1619, Catawba Indian Nation Lands Act

As ordered reported by the House Committee on Natural Resources on May 26, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 1619 would affirm the status of approximately 17 acres of land in North Carolina that were taken into trust in 2020 by the Department of the Interior (DOI) for the benefit of the Catawba Indian Nation. The bill also would make gaming activities conducted on that land subject to the Indian Gaming Regulatory Act. Using information provided by the Bureau of Indian Affairs, CBO estimates that the administrative costs to implement H.R. 1619 would not be significant; any spending would be subject to the availability of appropriated funds.

H.R. 1619 would impose an intergovernmental mandate as defined by the Unfunded Mandates Reform Act (UMRA) on the Eastern Band of Cherokee Indians and the Cherokee Nation, by restricting their existing right of action to pursue a case against DOI under the Administrative Procedures Act. The Eastern Band of Cherokee Indians is challenging how the DOI applied its procedures to transfer land into trust for the Catawba Indian Tribe. The United States District Court for the District of Columbia denied the challenge motion, but the case is currently before the U.S. Circuit Court of Appeals - D.C. Circuit. There are no costs associated with the mandate because there is no loss to be made whole by compensatory damages to the plaintiffs in the court of appeals.

H.R. 1619 does not contain private-sector mandates as defined in UMRA.

The CBO staff contacts for this estimate are Jon Sperl (for federal costs) and Lilia Ledezma (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.