

TO REVOKE THE CHARTER OF INCORPORATION OF THE MIAMI TRIBE OF
OKLAHOMA AT THE REQUEST OF THAT TRIBE, AND FOR OTHER PUR-
POSES

APRIL 28, 2014.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 4002]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4002) to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes, 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. 4002 is to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4002 would allow the Miami Tribe of Oklahoma to revoke their 1940 Oklahoma Indian Welfare Act Corporate Charter.

The Miami Tribe of Oklahoma is a federally recognized tribe and organized under the Oklahoma Indian Welfare Act of 1936 (49 Stat. 1967). The Tribe voted to adopt the Oklahoma Indian Welfare Act Constitution and Bylaws on October 10, 1939. This Act is similar to but separate from the 1934 Indian Reorganization Act (25 U.S.C. Section 461) which mainly concerned non-Oklahoma tribes. On June 1, 1940, the Department of the Interior ratified the Tribe's Corporate Charter. The charter of incorporation allows the tribe to create a federally chartered corporation with the power "to purchase, take by gift, or bequest, or otherwise, own, hold, manage, operate, and dispose of property of every description, real and personal, including the power to purchase restricted Indian lands and to issue in exchange for therefore interests in corporate property, and such further powers as may be incidental to the conduct of cor-

porate business.” These tribal charters may be revoked only by an act of Congress.

The Tribe does not operate under the Charter and the Tribe believes the foundation of this charter to be outdated for operating business activities in the 21st century. H.R. 4002 would direct Congress to officially revoke this charter of incorporation.

COMMITTEE ACTION

H.R. 4002 was introduced on February 5, 2014, by Congressman Markwayne Mullin (R-OK). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian and Alaska Native Affairs. On March 27, 2014, the Subcommittee held a hearing on the bill. On April 9, 2014, the Natural Resources Committee met to consider the bill. The Subcommittee on Indian and Alaska Native Affairs was discharged by unanimous consent. The bill was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

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

1. Cost of Legislation. Clause 3(d)(1) 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 this bill. However, clause 3(d)(2)(B) 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 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

H.R. 4002—A bill to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes

H.R. 4002 would revoke the charter of incorporation of the Miami Tribe of Oklahoma. Based on information provided by the Bureau of Indian Affairs, CBO estimates that implementing the legislation would have no effect on the federal budget. The tribe has not been operating under the charter for the last several decades. Enacting H.R. 4002 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 4002 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Martin von Gnechten. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. CBO estimates that implementing the legislation would have no effect on the federal budget.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe.

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.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.