

PASCUA YAQUI TRIBE LAND CONVEYANCE ACT

JULY 11, 2017.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1404]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1404) to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, 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. 1404 is to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

BACKGROUND AND NEED FOR LEGISLATION

The Pascua Yaqui Reservation is located in southern Arizona, 15 miles southwest of Tucson. In 1952, the original 40-acre Pascua Village was annexed by the City of Tucson. In 1964, Congressman Morris K. Udall introduced a bill to transfer 202 acres of desert land southwest of Tucson to the Yaquis. The bill was later signed into law and the deed to the land was transferred to the recently formed Pascua Yaqui Association, a nonprofit Arizona corporation.

The reservation was formally established in 1978 under Public Law 95-375, which also federally recognized the members of the Pascua Yaqui Association as the Pascua Yaqui Tribe. In 1982, the reservation added an additional 690 acres for improving the socio-economic environment of tribal members with the enactment of Public Law 97-386. In the 113th Congress, Public Law 113-134 placed two 10-acre parcels into trust for the Tribe.

The Tribe is interested in acquiring 40 acres of Tucson Unified School District land for flood control development through a land exchange with the District. The bill is needed because some lands exchanged under H.R. 1404 were patented to the District in 1981 pursuant to the Recreation and Public Purposes Act (RPPA, 43 U.S.C. 869 et seq.) and are intended only for a school site. A change in land use for RPPA-patented land requires an Act of Congress.

While no hearing has been held on H.R. 1404 this Congress, the Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on a substantively identical bill, H.R. 2009, on November 4, 2015. That bill passed the House of Representatives by voice vote on June 7, 2016.

COMMITTEE ACTION

H.R. 1404 was introduced on March 7, 2017, by Congressman Raúl M. Grijalva (D-AZ). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian, Insular and Alaska Native Affairs and the Subcommittee on Federal Lands. On June 22, 2017, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Indian, Insular and Alaska Native Affairs and the Subcommittee on Federal Lands were discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote on June 27, 2017.

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 received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 5, 2017.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1404, the Pascua Yaqui Tribe Land Conveyance Act.

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

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1404—Pascua Yaqui Tribe Land Conveyance Act

H.R. 1404 would authorize exchanges of land and related interests among the Pascua Yaqui Indian Tribe in Pima County, Arizona, the Tucson Unified School District, and the federal government. The proposed transactions involve three parcels of land and would be contingent on the school district relinquishing its interest in nearly 40 acres of land, which the Department of the Interior (DOI) would take into trust on behalf of the tribe. In exchange, DOI would convey to the school district roughly 13 acres of other land and, if requested by the district, the federal government's reversionary interest in nearly 28 acres of additional land, provided that the school district pays DOI the fair market value of such lands and interests.

CBO estimates that enacting H.R. 1404 would have no significant effect on the federal budget. Information from DOI indicates that any administrative costs incurred under the bill (which would be subject to appropriation), would not exceed \$500,000 in any year. According to DOI, the affected lands currently generate no significant receipts and are not expected to do so over the next 10 years. And based on information from the Pima County Assessor's Office about the estimated market value of lands and interests that would be conveyed to the school district under the bill, CBO estimates that any proceeds to the federal government would total less than \$500,000. Any such amounts would be recorded as offsetting receipts (which have the effect of decreasing direct spending); therefore, pay-as-you-go procedures apply. Enacting H.R. 1404 would not affect revenues.

CBO estimates that enacting H.R. 1404 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1404 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contacts for this estimate are Meghan Shrewsbury and Megan Carroll. The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.

2. 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 provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

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. This bill does not contain any directed rule makings.

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.