

GILA RIVER INDIAN COMMUNITY FEDERAL RIGHTS-OF-WAY, EASEMENTS AND BOUNDARY CLARIFICATION ACT

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JULY 13, 2018.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed  
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Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 4032]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4032) to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act".

**SEC. 2. PURPOSES.**

The purposes of this Act are to—

- (1) establish, ratify, document, and confirm the Federal electrical, irrigation, and road rights-of-way and easements that exist within the exterior boundaries of the Reservation as of the date of the enactment of this Act;
- (2) establish a fixed location of the northern boundary of the Reservation and to provide for the Secretary of the Interior to ensure that the northern boundary is resurveyed and marked in conformance with the public system of surveys;
- (3) authorize and direct the Secretary to place certain lands into trust for the benefit of the Community;
- (4) substitute the benefits provided under this Act to the Community, its members and allottees for any claims that the Community, its members and allottees may have had in connection with alleged failures relating to the north-

ern boundary of the Reservation and the documentation and management of Federal rights-of-way on the Reservation; and

(5) authorize the funds necessary for the United States to meet the obligations under this Act.

### SEC. 3. DEFINITIONS.

In this Act:

(1) ALLOTTEE.—The term “allottee” means a person who holds a beneficial real property interest in an Indian allotment that is—

- (A) located within the exterior boundaries of the Reservation; and
- (B) held in trust by the United States.

(2) COMMUNITY.—The term “Community” means the Gila River Indian Community, a government composed of members of the Pima Tribe and the Maricopa Tribe and organized under section 16 of the Act of June 18, 1934 (25 U.S.C. 5123).

(3) DISPUTED AREA.—The term “Disputed Area” means the land north of the Harrington Survey line and south of the middle of the Salt River (as it currently flows).

(4) EXECUTIVE ORDER.—The term “Executive Order” means the Executive order executed by President R.B. Hayes on June 14, 1879.

(5) FEDERAL AND TRIBAL FACILITIES.—The term “Federal and Tribal Facilities” means any and all structures, improvements, and appurtenances associated with roadways, canals, power lines, and other projects constructed for the benefit of the Community and its members. Thus, “Federal and Tribal Facilities” refers to—

(A) Indian Reservation Road (IRR) transportation facilities, including public roads, bridges, drainage structures, culverts, ferry routes, marine terminals, transit facilities, boardwalks, pedestrian paths, trails, and their appurtenances, and other transportation facilities, as designated by the Community and the Secretary and defined in section 170.5 of title 25, Code of Federal Regulations;

(B) Federal irrigation facilities included in the San Carlos Irrigation Project, the irrigation project authorized under the Act of June 7, 1924 (43 Stat. 475), including all structures and appurtenant works within the San Carlos Irrigation Project for the delivery, diversion, and storage of irrigation water, as defined in section 171.100 of title 25, Code of Federal Regulations; and

(C) Federal electric distribution facilities included in the San Carlos Irrigation Project—Electric Services, including all structures and appurtenant works for the delivery of electric power on the Reservation that are part of that project.

(6) LOWER SONORAN LANDS.—The term “Lower Sonoran Lands” means the approximately 3,400 acres of land—

(A) owned by the United States and administered by the Secretary through the Bureau of Land Management that have been identified and designated for disposal by the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) in the Lower Sonoran Resource Management Plan (September 2012);

(B) located in Sections 1, 2, 3, 11, and 12, Township 2 South, Range 1 West, contiguous to the northwest boundary of the Community’s existing Reservation; and portions of Sections 16 and 17, Township 5 South, Range 5 East, contiguous to the southern boundary of the Community’s existing Reservation; and

(C) that the Community shall acquire pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(7) HARRINGTON SURVEY.—The term “Harrington Survey” means the Dependent Resurvey of a Portion of Township 1 North, Range 1 East, Gila and Salt River Meridian, Arizona, Gila River Indian Reservation, conducted by Guy P. Harrington, as shown on the plat and described in the field notes at Book 3384, approved September 2, 1920, and officially filed on November 3, 1920, on file with the Bureau of Land Management.

(8) RESERVATION.—The term “Reservation” means the land located within the exterior boundaries of the reservation created under sections 3 and 4 of the Act of February 28, 1859 (11 Stat. 401, chapter LXVI), and Executive orders of August 31, 1876, June 14, 1879, May 5, 1882, November 15, 1883, July 31, 1911, June 2, 1913, August 27, 1914, and July 19, 1915, and any other lands placed in trust for the benefit of the Community.

(9) ROW, EASEMENTS, AND FEDERAL AND TRIBAL FACILITIES MAP.—The term “ROW, Easements, and Federal and Tribal Facilities Map” means the map de-

picting the Federal rights-of-way, easements, and Federal and Tribal facilities that exist within the exterior boundaries of the Reservation on the date of enactment of this Act, which map is submitted to Congress as part of the Congressional record accompanying this Act.

(10) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 4. LAND INTO TRUST FOR BENEFIT OF THE COMMUNITY.**

(a) IN GENERAL.—The Secretary shall take the Lower Sonoran Lands into trust for the benefit of the Community, after the Community—

(1) conveys to the Secretary all right, title, and interest of the Community in and to the Lower Sonoran Lands;

(2) submits to the Secretary a request to take the Lower Sonoran Lands into trust for the benefit of the Community;

(3) conducts a survey (to the satisfaction of the Secretary) to determine the exact acreage and legal description of the Lower Sonoran Lands, if the Secretary determines a survey is necessary; and

(4) pays all costs of any survey conducted under paragraph (3).

(b) AVAILABILITY OF LOWER SONORAN LANDS MAP.—Not later than 180 days after the Lower Sonoran Lands are taken into trust under subsection (a), the map shall be on file and available for public inspection in the appropriate offices of the Secretary.

(c) LANDS TAKEN INTO TRUST AS PART OF RESERVATION.—After the date on which the Lower Sonoran Lands are taken into trust under subsection (a), those lands shall be treated as part of the Reservation.

(d) GAMING.—Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be allowed at any time on the land taken into trust under subsection (a).

(e) DESCRIPTION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall cause the full metes-and-bounds description of the Lower Sonoran Lands to be published in the Federal Register. The description shall, on publication, constitute the official description of the Lower Sonoran Lands.

**SEC. 5. ESTABLISHMENT OF FIXED NORTHERN BOUNDARY.**

(a) IN GENERAL.—The Northern boundary of the Reservation created by the Executive Order is hereby modified in accordance with this section and shall be fixed, permanent, and not ambulatory.

(b) MODIFICATION OF NORTH BOUNDARY.—That portion of the Reservation boundary created by the Executive Order as along the middle of the Salt River shall be modified to be a fixed and permanent boundary as established by the Harrington Survey of the north boundary of the Reservation, as shown on the plat and described in the field notes.

(c) RESURVEY AND MARKING.—Subject to available appropriations, the Secretary shall ensure that the modified Reservation boundary as described in subsection (b) is surveyed and clearly marked in conformance with the public system of surveys.

(d) EFFECT.—The Reservation boundary as modified and resurveyed by subsections (b) and (c) shall become the north boundary of the Reservation in all respects and upon all the same terms as if such lands had been included in the Executive Order. No other portion of the Reservation boundary shall be affected by this Act except as specifically set forth in this Act.

(e) PUBLICATION.—The Secretary shall publish in the Federal Register this modification and the resurvey of the Community’s reservation boundary, as set forth in subsections (b) and (c), which shall constitute the fixed northern boundary of the Reservation.

**SEC. 6. SATISFACTION AND SUBSTITUTION OF CLAIMS.**

(a) INTENT OF CONGRESS.—It is the intent of Congress to provide to the Community, its members, and allottees benefits that are equivalent to or exceed the claims the Community, its members, and allottees may possess as of the date of the enactment of this Act, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation;

(2) the cultural and historic significance of the Lower Sonoran Lands to the Community, its members, and allottees;

(3) the benefit to the Community, its members, and allottees associated with having a fixed northern boundary of the Reservation;

(4) the benefits that will accrue to the Community, its members, and allottees resulting from the legal confirmation of Federal electrical, irrigation, and road rights-of-way as provided under this Act; and

(5) the availability of appropriations under this Act.

(b) IN GENERAL.—The benefits realized by the Community, its members, and allottees under this Act shall be in complete replacement of and substitution for,

and full satisfaction of all claims that the Community, its members, and allottees may have had against the United States—

(1) relating to the United States alleged failure to legally establish and document Federal rights-of-way on the Reservation through the date of enactment of this Act; and

(2) for the United States alleged failure to establish, maintain and defend the Community's northern boundary of the Reservation through the date of the enactment of this Act.

(c) **EFFECTIVE DATE.**—This section shall become effective on the later of the date on which the Secretary—

(1) publishes in the Federal Register the notice required under section 4(e);

(2) publishes in the Federal Register the notice required under section 5(e);

and

(3) completes the surveys for the Federal rights-of-way required under this Act.

#### **SEC. 7. FEDERAL RIGHTS-OF-WAY.**

(a) **ESTABLISHED, RATIFIED, AND CONFIRMED.**—All of the rights-of-way depicted in the ROW, Easements, and Federal and Tribal Facilities Map accompanying this Act are hereby established, ratified, and confirmed. The specific position and dimensions of such rights-of-way are to be determined following a survey conducted in accordance with section 8.

(b) **RECORDATION.**—All of the rights-of-way established, ratified, and confirmed in subsection (a) shall be recorded with the Land Titles and Records Office following each survey conducted in accordance with section 8.

(c) **GRANTEE OR APPLICANT.**—The Federal Government shall be considered the grantee or applicant for any and all rights-of-way established pursuant to this Act.

(d) **CANCELLATION.**—Any rights-of-way established by this Act may be cancelled pursuant to sections 404–409 of title 25, Federal Code of Regulations, or upon written request by the Community to the Secretary to remove the rights-of-way from the ROW, Easements, and Federal and Tribal Facilities Map subject to otherwise applicable law regarding rights-of-way on the Reservation. Any request for cancellation action by the Community shall be formally documented by tribal resolution.

(e) **OTHER INTERESTS IN LAND.**—Notwithstanding any law, the granting of any rights-of-way or easement other than those depicted in the ROW, Easements, and Federal and Tribal Facilities Map accompanying this Act, or any future additions, expansions or modifications of any of the rights-of-way or easement established, ratified, and confirmed in subsection (a), may only be done in accordance with all applicable laws and regulations. All other rights-of-ways or easements on the Reservation shall be valid only to the extent that they have been established in accordance with applicable Federal statute and regulation specifically governing rights-of-ways or easements on Indian lands.

#### **SEC. 8. SURVEY.**

(a) **COMPLETION AND PUBLICATION.**—Not later than 6 years after the date of the enactment of this Act, the Bureau of Indian Affairs shall undertake and complete a survey of each of the Federal rights-of-way established under this Act. A retroactive grant of easement shall be required upon completion of each survey of each of the Federal rights-of-way established under this Act. The Bureau of Indian Affairs shall cause the surveys undertaken pursuant to this Act to be published in the Federal Register.

(b) **CONTRACT.**—The Bureau of Indian Affairs is authorized, subject to appropriations, to contract for the survey of all Federal rights-of-way established pursuant to this Act to the Community or a third party.

(c) **DELETIONS.**—Upon completion of the surveys authorized and undertaken pursuant to subsection (a), the Community and the Bureau of Indian Affairs may determine that anomalies exist with respect to certain Federal rights-of-way such that deletion of such Federal right-of-way from the ROW, Easements, and Federal and Tribal Facilities Map is appropriate and such Federal right-of-way may be removed from the ROW, Easements, and Federal Tribal Facilities Map.

#### **SEC. 9. HUNT HIGHWAY.**

Nothing in this Act shall establish, terminate, or otherwise impact any right-of-way or easement associated with Hunt Highway in Pinal County, Arizona, including the portion of Hunt Highway that traverses the Reservation.

#### **PURPOSE OF THE BILL**

The purpose of H.R. 4032 is to confirm undocumented federal rights-of-way or easements on the Gila River Indian Reservation,

clarify the northern boundary of the Gila River Indian Community's Reservation, and to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community.

#### BACKGROUND AND NEED FOR LEGISLATION

The Gila River Indian reservation was established on February 28, 1859, for the Pima and Maricopa Tribes which confederated into what is known today as the Gila River Indian Community.<sup>1</sup> The reservation was later expanded by several executive orders between 1876 and 1915 in Maricopa and Pinal counties, Arizona. President Rutherford B. Hayes signed one of these Executive Orders on June 14, 1879, which established the northwesterly corner and expanded the northern boundary of the Tribe's reservation to the middle of the Salt River.<sup>2</sup>

According to the Tribe, the new northwestern boundary was not immediately surveyed after President Hayes's Executive Order was issued. In 1895, the northern boundary of the reservation was surveyed, but it was rejected because the northern boundary of the reservation had been marked at the left bank of the Salt River, rather than the "middle of the . . . Salt River" as called for in the Executive Order.<sup>3</sup>

Between 1910 and 1920 there were attempts to properly survey the boundary but these efforts were complicated by the disposal of land immediately adjacent to the reservation. In its 1919 letter, the General Land Office explained that the encroachment upon the Tribe's land resulted from the failure to timely survey the reservation's boundaries in the wake of the Executive Order.<sup>4</sup>

Due to the delayed survey and surveying errors, the final survey inaccurately established the mid-point of the Salt River and failed to consider the northerly accretion of the River. Thus, the Tribe believed that because of surveying errors and the further northward movement of the Salt River since that time, the Tribe lost land on the northern portion of its reservation due to accretion. As a result, an inaccurate northern boundary of the reservation was relied upon.

In 2006, the Tribe brought a complaint against the United States seeking an accounting and reconciliation of its trust fund accounts and non-monetary trust assets or resources. Furthermore, the Tribe asserted claims for monetary damages relating to the United States' mismanagement of the Tribe's trust funds and non-monetary trust assets or resources. The claims included breach of trust claims against the United States for failing to document rights-of-way across the reservation, collect rent, and account for the Tribe's and allottees' trust assets. Additionally, the claims included a breach of the United States' fiduciary duty for its failure to accurately survey the reservation's northwesterly boundary, resulting in illegal patenting of lands to non-Indians (commonly referred to as the "Tres Rios boundary dispute").

<sup>1</sup> 11 Stat. 401, Chap. 66.

<sup>2</sup> President R. Hayes. Executive Order. June 14, 1879.

<sup>3</sup> Letter 529901 "E". U.S. Surveyor General, General Land Office, U.S. Department of the Interior. July 29, 1919.

<sup>4</sup> *Id.*

The Obama Administration chose to enter into a settlement with the Tribe.<sup>5</sup> As part of the settlement negotiations the Tribe agreed to waive its claims related to the Tres Rios boundary dispute in exchange for the Obama Administration agreeing to have the United States pay \$12.5 million to the Tribe and transferring approximately 3,400 acres of Bureau of Land Management land (Lower Sonoran Lands) to the Tribe.<sup>6</sup> The Tribe and the United States filed the fully executed Joint Stipulation of Settlement with the D.C. District Court on June 22, 2016. On March 20, 2017, the Tribe and the United States filed a joint stipulation to dismiss the Gila River trust case with prejudice.

Legislation is needed by the Tribe to obtain the full benefits under the Joint Stipulation of Settlement, including: establishment of a map of the rights-of-ways on the reservation; establishment of the northwest boundary of the reservation to settle the Tres Rios boundary dispute by the Tribe relinquishing land that is currently part of the reservation to avoid a title dispute with the City of Phoenix and private land owners; a mandatory trust acquisition, which waives application of the National Environmental Policy Act of 1969,<sup>7</sup> of 3,400 acres of federal land for the Tribe as part of the Tres Rios boundary dispute settlement; and surveys for the federal rights-of-ways on the reservation included on a map that will accompany the Act.

#### SECTION-BY-SECTION ANALYSIS OF THE BILL AS REPORTED

##### *Section 1. Short title*

This Act may be cited as the Gila River Indian Community Federal-Rights-of-Way, Easements and Boundary Clarification Act.

##### *Section 2. Purposes*

Section 2 declares the intent of the Act is to codify the negotiated trust accounting and mismanagement settlement.

##### *Section 3. Definitions*

This section defines terms used in the Act.

##### *Section 4. Land into trust for benefit of the community*

Subsection (a) provides that after a request by the Tribe, the Secretary of the Interior will take the Lower Sonoran Lands into trust for the benefit of the Tribe.

Subsection (b) provides that the map of the lands taken into trust must be on file and made publicly available no later than 180 days after enactment of the Act.

Subsection (c) provides that the Lower Sonoran Lands are the be part of the reservation once they are taken into trust.

Subsection (d) states that Class II and III gaming is prohibited on the lands taken into trust.

<sup>5</sup> *Gila River Indian Community v. Jewell (Filed as v. Kempthorne)*, Case No. 1:06-CV-02249-TFH (Dec. 20, 2006).

<sup>6</sup> The Bureau of Land Management lands are contiguous to the reservation and include a number of highly significant cultural resources and cultural sites throughout the tracts that are of considerable cultural significance to the Community.

<sup>7</sup> 42 U.S.C. 4321 et seq.

Subsection (e) requires the Secretary of the Interior to publish the full metes-and-bounds description of the Lower Sonoran Lands no later than 180 days after the enactment of this Act.

*Section 5. Establishment of fixed northern boundary*

Subsection (a) provides that the northern boundary of the Gila River Indian Community Reservation that was created by the 1879 Executive Order is modified to be fixed, permanent, and not ambulatory.

Subsection (b) provides that the portion of the reservation boundary created by the Executive Order (along the middle of the Salt River) is modified to be a fixed and permanent boundary.

Subsection (c) provides that the Secretary of the Interior will ensure that the new reservation boundary as described in subsection (b) is surveyed and clearly marked.

Subsection (d) provides that no other portion of the reservation boundary will be affected by this Act except as specifically set forth in the Act.

Subsection (e) provides that the Secretary shall publish in the Federal Register the modification and the resurvey of the reservation boundary.

*Section 6. Satisfaction and substitution of claims*

This section provides that the negotiated settlement and the benefits received by the Tribe pursuant to this Act shall be in complete replacement of and substitution for, and full satisfaction of all claims that the Tribe, its members, and allottees may have had against the United States.

*Section 7. Federal rights-of-way*

All the rights-of-way depicted in the ROW, Easements, and Federal and Tribal Facilities Map accompanying this Act are established, ratified, and confirmed.

*Section 8. Survey*

Subsection (a) provides that the Bureau of Indian Affairs (BIA) shall undertake and complete a survey of each of the federal rights-of-way established under this Act no later than six years after enactment.

Subsection (b) provides that the BIA is authorized, subject to appropriations, to contract for the survey of all federal rights-of-way established pursuant to this Act to the Tribe or a third party.

Subsection (c) provides that upon completion of all surveys authorized and undertaken, the Tribe and the BIA can determine if any anomalies exist with respect to certain federal rights-of-way, and can choose to remove that anomaly from the ROW, Easements, and Federal Tribal Facilities Map.

*Section 9. Hunt highway*

This section clarifies that nothing in this Act shall impact any right-of-way or easement associated with Hunt Highway in Pinal Country, Arizona, including the portion that traverses the reservation.

## COMMITTEE ACTION

H.R. 4032 was introduced on October 12, 2017, by Congressman Tom O'Halleran (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 February 6, 2018, the Indian, Insular, and Alaska Native Affairs Subcommittee held a hearing on the bill. On May 8, 2018, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Congressman Raul M. Grijalva (D-AZ) offered an amendment designated 086; it was adopted by unanimous consent. No additional amendments were offered and the bill, as amended, was 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 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, June 22, 2018.*

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for H.R. 4032, the Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act.

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

Sincerely,

KEITH HALL,  
*Director.*

Enclosure.

*H.R. 4032—Gila River Indian Community Federal Rights-of-Way,  
Easements and Boundary Clarification Act*

H.R. 4032 would direct the Department of the Interior (DOI) to take about 3,400 acres of land into trust for the benefit of the Gila River Indian Community. The bill also would establish a permanent northern boundary for the tribe's reservation and would establish and ratify three rights-of-way and one grazing permit on that

land. DOI would be required to survey the new tribal boundary and the rights-of-way and publish those surveys. Using information from DOI, CBO estimates that the administrative expenses associated with those activities would not be significant.

The land that could be taken into trust under the bill is currently managed by DOI and yields no financial benefits to the federal government. DOI is in the process of transferring that land to the Gila River Indian Community through a noncompetitive, direct land sale. H.R. 4032 specifies that once the sale of the land is finalized DOI shall, at the request of the tribe, take the land into trust for the benefit of the tribe.

Enacting H.R. 4032 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 4032 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 4032 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

This cost estimate for the Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act supersedes the estimate transmitted on June 12, 2018, for the same bill. CBO's earlier estimate was based on incorrect information indicating that the sale would not proceed under the bill and title to the land would be transferred to the tribe for no consideration. This revised cost estimate corrects that error.

The CBO staff contact for this estimate is Robert Reese. The estimate was reviewed by H. Samuel Papenfuss, Deputy 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 confirm undocumented federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, and to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community.

#### 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 to existing law.

