

OLD PASCUA COMMUNITY LAND ACQUISITION ACT

NOVEMBER 1, 2021.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 4881]

The Committee on Natural Resources, to whom was referred the bill (H.R. 4881) to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 4881 is to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona.

BACKGROUND AND NEED FOR LEGISLATION

The Pascua Yaqui Tribe is a federally recognized Tribe located in Southern Arizona with approximately 22,000 enrolled members. Before establishing the Tribe's reservation in 1978, forty acres of land near Tucson, Arizona, were donated to establish a Yaqui Nation. A portion of this land is now known as "Old Pascua."

The Old Pascua area has remained a sacred ceremonial site since 1921 and is home to the oldest formally established Yaqui community in Tucson, Arizona. With the exclusion of this community, the Tribe and many tribal members faced challenges like encroachment from the growing city of Tucson and concerns related to regulations, taxation, tribal ownership of sacred, cultural, traditional, and religious grounds, and access to sites of symbolic importance for gathering ceremonial materials.

In May 2021, the Secretary of the Interior approved an amended and restated gaming compact entered into by the State of Arizona

and the Pascua Yaqui Tribe. The Arizona gaming compact included provisions that allowed Class III gaming to be conducted by the Tribe within their territorial jurisdiction. Additionally, the Tribe signed an Intergovernmental Agreement with the City of Tucson to support the transfer of land within the compact boundaries into trust by the United States for the benefit of the Tribe.

H.R. 4881 would integrate land into trust for the benefit of the Pascua Yaqui Tribe to promote the Tribe's governmental operations, cultural and religious activities, job creation, increased tribal housing, social and community services, health care, and educational facilities.

COMMITTEE ACTION

H.R. 4881 was introduced on July 30, 2021, by Chair Raúl M. Grijalva (D-AZ). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee for Indigenous Peoples of the United States. On October 5, 2021, the Subcommittee held a hearing on the bill. On October 13, 2021, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered. The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of clause 3(c)(6) of House Rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee for Indigenous Peoples of the United States held on October 5, 2021.

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) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

Congressional Budget Office staff have informed the Committee on a preliminary, informal, nonbinding basis that the bill likely would not affect direct spending or revenues and would increase discretionary costs by an insignificant amount over the 2022–2026 period.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, 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.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

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

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.