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REPORT
110–611

PROVIDING FOR EXTENSIONS OF LEASES OF CERTAIN LAND BY MASHANTUCKET PEQUOT (WESTERN) TRIBE

APRIL 29, 2008.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

[To accompany S. 2457]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (S. 2457) to provide for extensions of leases of certain land by the Mashantucket Pequot (Western) Tribe, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 2457 is to provide for extensions of leases of certain land by the Mashantucket Pequot (Western) Tribe.

BACKGROUND AND NEED FOR LEGISLATION

The Mashantucket Pequot Tribe currently has the authority to enter into leases on trust or restricted lands within the boundaries of its reservation for a term of 25 years with no option to renew. In an effort to diversify their economy, the Tribe is currently engaged in discussions with prospective partners to expand the hotel and retail businesses at their Foxwoods Resort. The Tribe's financial adviser has advised the Tribe that lenders will not finance the development of a new hotel and retail stores unless the lease term is greater than fifty years.

COMMITTEE ACTION

S. 2457 was introduced on December 12, 2007 by Senator Joseph Lieberman (ID–CT). On February 5, 2008, the bill passed the Senate with an amendment by unanimous consent. S. 2457 was re-

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ceived in the House and referred to the Committee on Natural Resources on February 7, 2008. On April 9, 2008, the Committee on Natural Resources held a hearing on S. 2457. The Committee on Natural Resources held a mark-up session on the bill on April 17, 2008, and ordered the bill favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Extensions of leases of certain land by Mashantucket Pequot (Western) Tribe

Section 1(a) provides that any lease of restricted land of the Mashantucket Pequot (Western) Tribe entered into by its tribal corporation may include an option to renew the lease for not more than two additional terms of up to 25 years each.

Section 1(b) provides that the United States shall not be liable to any party for any loss resulting from a renewal of a lease entered into pursuant to subsection (a).

Section 1(c) prohibits any entity from conducting gaming activity on any land that is leased with an option to renew under this Act.

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.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) 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)(3)(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.

2. 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.

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 provide for extensions of leases of certain land by the Mashantucket Pequot (Western) Tribe.

4. Congressional Budget Office Cost Estimate. 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:

S. 2457—An act to provide for extensions of leases of certain land by Mashantucket Pequot (Western) Tribe

S. 2457 would authorize the Mashantucket Pequot (Western) Tribe to lease certain lands to private entities for up to 75 years, rather than 25 years as under current law. The extension of lease terms would not require approval by the Secretary of the Interior. The legislation also would prohibit gaming activities on such lands. Based on information from the Bureau of Indian Affairs, CBO estimates that implementing S. 2457 would have no significant effect on the federal budget. Enacting S. 2457 would not affect direct spending or revenues.

S. 2457 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Leigh Angres. The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

EARMARK STATEMENT

S. 2457 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e) or 9(f) of rule XXI.

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.

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