

CASA GRANDE RUINS NATIONAL MONUMENT BOUNDARY  
MODIFICATION ACT OF 2010

SEPTEMBER 16, 2010.—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 H.R. 5110]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5110) to modify the boundary of the Casa Grande Ruins National Monument, 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 “Casa Grande Ruins National Monument Boundary Modification Act of 2010”.

**SEC. 2. DEFINITIONS.**

In this Act:

- (1) MAP.—The term “map” means the map entitled “Proposed Casa Grande Ruins Boundary Modification”, numbered 303/100,934, and dated January 2010.
- (2) MONUMENT.—The term “Monument” means the Casa Grande Ruins National Monument in the State of Arizona.
- (3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (4) STATE.—The term “State” means the State of Arizona.

**SEC. 3. ACQUISITION AND TRANSFER OF ADMINISTRATIVE JURISDICTION OF LANDS.**

(a) ACQUISITION OF LANDS.—The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriate funds from willing owners only, the private or State lands or interests in lands generally depicted on the map, to be administered as part of the Monument.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION TO NPS.—The following Federal lands as generally depicted on the map are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws; location, entry, and patent under the mining laws; and operation of the mineral leasing and geothermal

leasing laws and mineral materials laws, and administrative jurisdiction of such Federal lands is hereby transferred to the National Park Service to be administered as part of the Monument:

- (1) The approximately 3.8 acres of Federal land administered by the Bureau of Land Management.
- (2) The approximately 7.41 acres of Federal land administered by the Bureau of Indian Affairs.

(c) **TRANSFER OF ADMINISTRATIVE JURISDICTION TO BIA.**—Administrative jurisdiction of the approximately 3.5 acres of Federal land administered by the National Park Service as generally depicted on the map as “Lands to be Transferred to BIA” are hereby transferred to the Bureau of Indian Affairs for the purposes of the San Carlos Irrigation Project.

(d) **ADMINISTRATION.**—Upon acquisition or transfer of the lands identified in subsections (a) and (b), the Secretary shall administer those lands as part of the Monument in accordance with the laws generally applicable to units of the National Park System, including—

- (1) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and
- (2) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(e) **BOUNDARY AND MAP UPDATE.**—

(1) **TRANSFERS.**—Upon completion of the transfers pursuant to subsection (b), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such transfers.

(2) **ACQUISITIONS.**—Upon completion of any of the acquisitions pursuant to subsection (a), the Secretary shall modify the boundary of the Monument accordingly, and shall update the map to reflect such acquisitions.

(f) **MAP ON FILE.**—The map shall be on file and available for inspection in the appropriate offices of the National Park Service, U.S. Department of the Interior.

#### **SEC. 4. ADMINISTRATION OF STATE TRUST LANDS.**

The Secretary may enter into an agreement with the State to provide for cooperative management of the approximately 200 acres of State trust lands generally depicted on the map.

#### **SEC. 5. BOUNDARY STUDY.**

(a) **IN GENERAL.**—The Secretary shall conduct a study to identify any additional lands that the Secretary considers appropriate to be a part of any future adjustments to the boundary of the Monument.

(b) **CRITERIA.**—The study shall examine the natural, cultural, recreational, and scenic values and characteristics of the lands identified under subsection (a).

(c) **REPORT.**—Not later than 3 years after the date funds are made available for the study under this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.

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

The purpose of H.R. 5110 is to modify the boundary of the Casa Grande Ruins National Monument.

#### **BACKGROUND AND NEED FOR LEGISLATION**

The Casa Grande Ruins Reservation was proclaimed as the United States’ first archaeological preserve on June 22, 1892; the site was redesignated as a national monument on August 13, 1918. The monument preserves one of the finest architectural examples of 13th and 14th century Hohokam culture in the Southwest. The core of the monument is a massive, four-story earthen walled house, one of the largest prehistoric structures ever found in North America. Archeologists have discovered evidence that the ancient Sonoran Desert people who built the “casa grande” also developed wide-scale irrigation farming and extensive trade connections which lasted over a thousand years, until around 1450.

The 472 acres included within the current monument represent only part of that community. A 2003 National Park Service (NPS) report identified seven parcels for potential addition to the monu-

ment, including the 200-acre, state-owned Adamsville tract, a large village site with ball courts located two miles upstream from Casa Grande that is already listed on the National Register of Historic Places. Two other large tracts adjacent to the current monument both include the remains of residential neighborhoods, cemeteries, large roasting pits, refuse pits, and portions of the extensive canal system that encircled the community.

H.R. 5110 authorizes the acquisition of all three properties “by donation, exchange, or purchase with donated or appropriated funds from willing owners only.” The bill also transfers two small parcels—totaling 11.2 acres and currently owned by other federal agencies—into the monument. The bill would add 415 acres to the monument in total. Additionally, H.R. 5110 transfers another 3.5 acres that are currently part of the monument to the Bureau of Indian Affairs to correct an unintentional trespass on the southern boundary of the monument and allow for the widening and paving of the San Carlos Irrigation Project’s Pima Lateral Canal, a tribal water project.

Finally, the bill directs the Secretary to conduct a study to identify additional lands in the area that might be appropriate additions to the monument. The study would examine properties on the north side of the prehistoric canal not assessed in the 2003 NPS study, which according to local archaeological groups include civic plazas, adobe-walled compounds, ball court villages, smaller clusters of houses, irrigated fields and rock-mulch agricultural features indicative of dryland farming.

#### COMMITTEE ACTION

H.R. 5110 was introduced by Representative Ann Kirkpatrick (D–AZ) on March 11, 2010. The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. At a June 10, 2010, hearing before the Subcommittee, a representative of the Department of the Interior testified in favor of the bill but requested it be amended to require the standard three years after funding is appropriated for completion of the study.

On July 22, 2010, the Subcommittee was discharged from further consideration of H.R. 5110 and the full Natural Resources Committee met to consider the bill. Subcommittee Chairman Raúl Grijalva (D–AZ) offered an amendment in the nature of a substitute to set the length of the study at three years, as requested by the Department of the Interior. The amendment in the nature of a substitute also strikes the findings section of the original bill and makes several technical corrections.

Subcommittee Ranking Member Rob Bishop (R–UT) offered an amendment to the amendment in the nature of a substitute to require that the three properties authorized for acquisition be acquired “only by donation from willing owners.” The amendment was not agreed to by voice vote.

The amendment in the nature of a substitute was then agreed to by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

## 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 and Article IV, section 3 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, as ordered reported, is to modify the boundary of the Casa Grande Ruins National Monument.

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:

*H.R. 5110—Casa Grande Ruins National Monument Boundary Modification Act of 2010*

H.R. 5110 would authorize the Department of the Interior (DOI) to expand the boundary of the Casa Grande Ruins National Monument in Arizona by 417 acres. The bill also would authorize DOI to conduct a study to identify other potential adjustments to the boundary. CBO estimates that implementing H.R. 5110 would cost \$7 million over the 2011–2015 period, assuming appropriation of the necessary amounts. Enacting this legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 5110 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.

Under the bill, DOI would be authorized to acquire 417 acres of land through donation, exchange, or purchase (using donated or appropriated funds) to expand the boundary of the monument. About 205 acres of that land is owned by private entities, of which CBO expects roughly two-thirds would be acquired through purchase.

About 200 acres of land is owned by the state of Arizona and would most likely be jointly administered by the state and the federal government (as authorized by the bill) over the next few years. Other land that would be added to the monument is currently administered by the Bureau of Land Management and the Bureau of Indian Affairs. The legislation would transfer administrative jurisdiction of that land to the National Park Service. Based on information from DOI, CBO estimates that land acquisition costs would total \$6 million; however, actual costs would vary depending on the amount of land acquired by exchange or donation and market conditions at the time of any purchase.

H.R. 5110 also would direct DOI to report to the Congress within three years whether other pieces of land should be included within the monument boundary. Based on information from DOI, CBO estimates that the cost of this study, as well as the cost of administering land acquired under the bill, would total about \$1 million over the next five years.

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

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### EARMARK STATEMENT

H.R. 5110 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 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.

