

112TH CONGRESS  
2D SESSION

# H. R. 4222

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, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2012

Mr. GRIJALVA introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

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, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DEFINITIONS.**

4       For the purposes of this Act, the following definitions  
5       apply:

6               (1) DISTRICT.—The term “District” means the  
7       Tucson Unified School District, a school district rec-

1       ognized as such under the laws of the State of Ari-  
2       zona.

3           (2) SECRETARY.—The term “Secretary” means  
4       the Secretary of the Interior.

5           (3) TRIBE.—The term “Tribe” means the  
6       Pascua Yaqui Tribe of Arizona, a federally recog-  
7       nized Indian tribe.

8       **SEC. 2. CONVEYANCE OF INHOLDINGS OWNED THE UNITED**  
9                           **STATES AND UNDER THE JURISDICTION OF**  
10                          **THE BUREAU OF LAND MANAGEMENT TO THE**  
11                          **DISTRICT.**

12       (a) FINDINGS.—Congress finds that the lands de-  
13       scribed in subsection (c)—

14           (1) are directly adjacent to the District’s exist-  
15       ing Hohokam School;

16           (2) are not necessary for the welfare or benefit  
17       of the United States;

18           (3) are irregularly shaped and not well suited to  
19       development or use, other than for recreational use;

20           (4) are adjacent to the Black Wash area of  
21       Pima County, Arizona, and therefore are subject to  
22       seasonal flooding of the Black Wash; and

23           (5) would be a valuable addition to the Dis-  
24       trict’s Hohokam School Site playground area.

1 (b) CONVEYANCE.—The Secretary shall convey the  
2 lands described in subsection (c) to the District by patent,  
3 in fee simple absolute, free and clear of the interests of  
4 the United States, but subject to any existing encum-  
5 brances, rights-of-way, or the like in favor of third parties.

6 (c) LAND DESCRIPTION.—The lands to be conveyed  
7 under subsection (b) are the not more than 13.24 acres  
8 Federal lands managed by the Secretary through the Bu-  
9 reau of Land Management and described as the “ NE  $\frac{1}{4}$   
10 of the NW  $\frac{1}{4}$  of Section 19, Township 15 South, Range  
11 13 East, Gila and Salt River Base and Meridian” in the  
12 State of Arizona, except therefrom those lands conveyed  
13 by the U.S. to the District by Patent 02–97–0013 dated  
14 August 1, 1997, and recorded in the Office of the Pima  
15 County, Arizona Recorder on May 8, 2002, as instrument  
16 20020890089.

17 **SEC. 3. CONVEYANCE OF INHOLDINGS OWNED BY THE**  
18 **UNITED STATES IN FEE AND UNDER THE JU-**  
19 **RISDICTION OF THE BUREAU OF LAND MAN-**  
20 **AGEMENT TO THE TRIBE.**

21 (a) FINDINGS.—Congress finds that the lands de-  
22 scribed in subsection (c) are—

- 23 (1) not more than 10 acres;
- 24 (2) not necessary for the welfare or benefit of  
25 the United States; and

1           (3) surrounded on all sides by lands not owned  
2           in fee by the United States for its own benefit.

3           (b) CONVEYANCE.—The Secretary shall convey the  
4 lands described in subsection (c) to the Tribe by patent,  
5 in fee simple absolute, free and clear of the interests of  
6 the United States, but subject to any existing encum-  
7 brances, rights-of-way, or the like in favor of third parties.

8           (c) LAND DESCRIPTION.—The lands to be conveyed  
9 under subsection (b) are those Federal lands described as  
10 “the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 14,  
11 Township 15 South, Range 12 East, Gila and Salt River  
12 Base and Meridian” in the State of Arizona.

13 **SEC. 4. CONVEYANCE OF INHOLDINGS OF LANDS NOW**  
14 **OWNED BY THE DISTRICT, BUT SUBJECT TO A**  
15 **RIGHT OF REVERSION TO THE UNITED**  
16 **STATES AND UNDER THE JURISDICTION OF**  
17 **THE BUREAU OF LAND MANAGEMENT, TO**  
18 **THE TRIBE IN FEE.**

19           (a) CONVEYANCE OF PARCEL 1.—

20           (1) FINDINGS.—Congress finds that the lands  
21 described in paragraph (3)—

22           (A) are encumbered by a possessory inter-  
23 est of the District, which it acquired under the  
24 Recreation and Public Purposes Act of 1926

1           and a reversionary interest of the United  
2           States;

3           (B) are not necessary for the welfare or  
4           benefit of the United States;

5           (C) are surrounded on all sides by lands  
6           not owned in fee by the United States for its  
7           own benefit; and

8           (D) have no current access to a public  
9           road.

10          (2) CONVEYANCE.—The Secretary shall, imme-  
11          diately upon receipt from the District of an aban-  
12          donment of its possessory interest in the lands de-  
13          scribed in paragraph (3), accept title to said lands  
14          as is without condition, and thereafter immediately  
15          convey such lands to the Tribe as is by patent, in  
16          fee simple absolute, fee and clear of the interests of  
17          the United States, but subject to any existing en-  
18          cumbrances, rights-of-way, or the like in favor of  
19          third parties.

20          (3) LAND DESCRIPTION.—The lands to be con-  
21          veyed under paragraph (2) are the not more than 10  
22          acres described as “the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the  
23          SE  $\frac{1}{4}$  of Section 14, Township 15 South, Range 12  
24          East, Gila and Salt River Base and Meridian” in the  
25          State of Arizona.

1 (b) CONVEYANCE OF PARCEL 2.—

2 (1) FINDINGS.—Congress finds that the lands  
3 described in paragraph (3) are—

4 (A) encumbered by a possessory interest of  
5 the District, which it acquired under the Recre-  
6 ation and Public Purposes Act of 1926 and a  
7 reversionary interest of the United States;

8 (B) not necessary for the benefit or welfare  
9 of the United States;

10 (C) bisected by the Black Wash, which cov-  
11 ers  $\frac{1}{3}$  to  $\frac{1}{2}$  of said lands;

12 (D) located wholly within the 100-year  
13 flood plain; and

14 (E) subject to seasonal flooding of the  
15 Black Wash.

16 (2) CONVEYANCE.—The Secretary shall, imme-  
17 diately upon receipt from the District of an aban-  
18 donment of its possessory interest in the lands de-  
19 scribed in paragraph (3), accept title to said lands  
20 as is without condition, and thereafter immediately  
21 convey such lands to the Tribe as is by patent in fee  
22 simple absolute, free and clear of the interests of the  
23 United States, but subject to any existing encum-  
24 brances, rights-of-way, or the like in favor of third  
25 parties.

1           (3) LAND DESCRIPTION.—The lands to be con-  
2           veyed under paragraph (2) are the not more than 40  
3           acres described as “Government Lot 1 of Section 19,  
4           Township 15 South, Range 13 East, Gila and Salt  
5           River Base and Meridian” in the State of Arizona,  
6           except therefrom the Westerly 75 feet thereof, and  
7           also except therefrom the Southerly 50 feet thereof.

○