

113TH CONGRESS  
1ST SESSION

# H. R. 507

To provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2013

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

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## A BILL

To provide for the conveyance of certain land inholdings owned by the United States 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. SHORT TITLE.**

4        This Act may be cited as the “Pascua Yaqui Tribe  
5        Trust Land Act”.

6        **SEC. 2. DEFINITIONS.**

7        For the purposes of this Act, the following definitions  
8        apply:

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

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

3           (2) MAP.—The term “map” means the map ti-  
4       tled “PYT Land Department” and dated January  
5       15, 2013.

6           (3) SECRETARY.—The term “Secretary” means  
7       the Secretary of the Interior.

8           (4) TRIBE.—The term “Tribe” means the  
9       Pascua Yaqui Tribe of Arizona, a federally recog-  
10      nized Indian tribe.

11 **SEC. 3. LANDS TO BE HELD IN TRUST.**

12       (a) PARCEL A.—Subject to subsection (c) and to  
13      valid existing rights, all right, title, and interest of the  
14      United States in and to the approximately 10 acres of  
15      Federal lands generally depicted on the map as Parcel A  
16      are declared to be held in trust by the United States for  
17      the benefit of the Tribe.

18       (b) PARCEL B.—Subject to subsection (c) and valid  
19      existing rights, all right, title, and interest of the United  
20      States in and to the approximately 10 acres of Federal  
21      lands generally depicted on the map as Parcel B are de-  
22      clared to be held in trust by the United States for the  
23      benefit of the Tribe.

24       (c) EFFECTIVE DATE.—Subsections (a) and (b) shall  
25      take effect on the day after the date on which—

1           (1) the District relinquishes all right, title, and  
2 interest of the District in and to the land described  
3 in subsection (b); and

4           (2) the Secretary (or a delegate of the Sec-  
5 retary) approves and records the lease agreement be-  
6 tween the Tribe and the District for the construction  
7 and operation of a regional transportation facility lo-  
8 cated on the restricted Indian land of the Tribe in  
9 accordance with the requirements of the first section  
10 of the Act entitled “An Act to authorize the leasing  
11 of restricted Indian lands for public, religious, edu-  
12 cational, recreational, residential, business, and  
13 other purposes requiring the grant of long-term  
14 leases”, approved August 9, 1955 (25 U.S.C. 415),  
15 and part 162 of title 25, Code of Federal Regula-  
16 tions (including successor regulations).

17 **SEC. 4. GAMING PROHIBITION.**

18       The Tribe may not conduct gaming activities on the  
19 lands held in trust under this Act, as a matter of claimed  
20 inherent authority, or under the authority of any Federal  
21 law, including the Indian Gaming Regulatory Act (25  
22 U.S.C. 2701 et seq.) or under any regulations thereunder  
23 promulgated by the Secretary or the National Indian  
24 Gaming Commission.

1 **SEC. 5. WATER RIGHTS.**

2 (a) **IN GENERAL.**—There shall not be Federal re-  
3 served rights to surface water or groundwater for any land  
4 taken into trust by the United States for the benefit of  
5 the Tribe under this Act.

6 (b) **STATE WATER RIGHTS.**—The Tribe retains any  
7 right or claim to water under State law for any land taken  
8 into trust by the United States for the benefit of the Tribe  
9 under this Act.

10 (c) **FORFEITURE OR ABANDONMENT.**—Any water  
11 rights that are appurtenant to land taken into trust by  
12 the United States for the benefit of the Tribe under this  
13 Act may not be forfeited or abandoned.

14 (d) **ADMINISTRATION.**—Nothing in this Act affects or  
15 modifies any right of the Tribe or any obligation of the  
16 United States under Public Law 95–375 (25 U.S.C. 1300f  
17 et seq.).

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