

113TH CONGRESS  
1ST SESSION

# H. R. 507

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IN THE SENATE OF THE UNITED STATES

MAY 7, 2013

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pascua Yaqui Tribe  
3 Trust Land Act”.

4 **SEC. 2. DEFINITIONS.**

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

7 (1) DISTRICT.—The term “District” means the  
8 Tucson Unified School District, a school district rec-  
9 ognized as such under the laws of the State of Ari-  
10 zona.

11 (2) MAP.—The term “map” means the map ti-  
12 tled “PYT Land Department” and dated January  
13 15, 2013.

14 (3) SECRETARY.—The term “Secretary” means  
15 the Secretary of the Interior.

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

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

20 (a) PARCEL A.—Subject to subsection (c) and to  
21 valid existing rights, all right, title, and interest of the  
22 United States in and to the approximately 10 acres of  
23 Federal lands generally depicted on the map as Parcel A  
24 are declared to be held in trust by the United States for  
25 the benefit of the Tribe.

1       (b) PARCEL B.—Subject to subsection (c) and valid  
2 existing rights, all right, title, and interest of the United  
3 States in and to the approximately 10 acres of Federal  
4 lands generally depicted on the map as Parcel B are de-  
5 clared to be held in trust by the United States for the  
6 benefit of the Tribe.

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

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

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

1   **SEC. 4. GAMING PROHIBITION.**

2           The Tribe may not conduct gaming activities on the  
3 lands held in trust under this Act, as a matter of claimed  
4 inherent authority, or under the authority of any Federal  
5 law, including the Indian Gaming Regulatory Act (25  
6 U.S.C. 2701 et seq.) or under any regulations thereunder  
7 promulgated by the Secretary or the National Indian  
8 Gaming Commission.

9   **SEC. 5. WATER RIGHTS.**

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

14          (b) STATE WATER RIGHTS.—The Tribe retains any  
15 right or claim to water under State law for any land taken  
16 into trust by the United States for the benefit of the Tribe  
17 under this Act.

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

22          (d) ADMINISTRATION.—Nothing in this Act affects or  
23 modifies any right of the Tribe or any obligation of the

1 United States under Public Law 95–375 (25 U.S.C. 1300f  
2 et seq.).

Passed the House of Representatives May 6, 2013.

Attest:

KAREN L. HAAS,  
*Clerk.*