

Union Calendar No. 15

113TH CONGRESS
1ST SESSION

H. R. 507

[Report No. 113-27]

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.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2013

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

APRIL 9, 2013

Additional sponsors: Mr. FRANKS of Arizona, Mr. GOSAR, Ms. SINEMA, Mr. SCHWEIKERT, Mr. PASTOR of Arizona, Mrs. KIRKPATRICK, Mr. BARBER, and Mr. SALMON

APRIL 9, 2013

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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-
11 ognized as such under the laws of the State of Ari-
12 zona.

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

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

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

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

22 (a) PARCEL A.—Subject to subsection (c) and to
23 valid existing rights, all right, title, and interest of the
24 United States in and to the approximately 10 acres of
25 Federal lands generally depicted on the map as Parcel A

1 are declared to be held in trust by the United States for
2 the benefit of the Tribe.

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

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

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

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

1 and part 162 of title 25, Code of Federal Regula-
2 tions (including successor regulations).

3 **SEC. 4. GAMING PROHIBITION.**

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

11 **SEC. 5. WATER RIGHTS.**

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

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

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

24 (d) ADMINISTRATION.—Nothing in this Act affects or
25 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.).

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