

Calendar No. 359

113TH CONGRESS
2D SESSION**H. R. 507****[Report No. 113–148]**

IN THE SENATE OF THE UNITED STATES

MAY 7, 2013

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

APRIL 10, 2014

Reported by Ms. LANDRIEU, without amendment

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act, the following definitions
3 apply:

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

8 (2) MAP.—The term “map” means the map ti-
9 tled “PYT Land Department” and dated January
10 15, 2013.

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

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

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

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

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

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

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

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

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

21 **SEC. 4. GAMING PROHIBITION.**

22 The Tribe may not conduct gaming activities on the
23 lands held in trust under this Act, as a matter of claimed
24 inherent authority, or under the authority of any Federal
25 law, including the Indian Gaming Regulatory Act (25

1 U.S.C. 2701 et seq.) or under any regulations thereunder
2 promulgated by the Secretary or the National Indian
3 Gaming Commission.

4 **SEC. 5. WATER RIGHTS.**

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

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

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

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

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