

111TH CONGRESS
1ST SESSION

H. R. 326

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2009

Received; read twice and referred to the Committee on Indian Affairs

AN ACT

To direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah 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 “Cocopah Lands Act”.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) The reservation of the Cocopah Tribe of Ar-
6 izona is located in Yuma County, Arizona.

7 (2) That reservation was created by an Execu-
8 tive order signed by President Woodrow Wilson in
9 1917.

10 (3) The Tribe’s land holdings are located within
11 3 noncontiguous reservations comprising a total of
12 approximately 6,226.3 acres of trust land.

13 (4) The Tribe purchased the additional lands to
14 provide infrastructure to housing areas, water, and
15 economic development to tribal members.

16 (5) The current trust land base of the reserva-
17 tion is insufficient to provide such needs.

18 (6) The Tribe acquired 7 parcels of land contig-
19 uous to its present reservation lands in 1986, 1993,
20 1997, and 2005, and these parcels are currently
21 classified as “Tribal fee lands” under Federal law.

22 (7) The acquired parcels shall not be taken into
23 trust for gaming purposes.

24 (8) The best means of solving the Tribe’s land
25 and economic needs to its tribal members is to re-
26 quire the Secretary to take lands in Yuma County,

1 Arizona, that are acquired by the Tribe into trust
2 for the Tribe subject to the provisions of this Act.

3 **SEC. 3. DEFINITIONS.**

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

6 (1) **TRIBE.**—The term “Tribe” means the
7 Cocopah Tribe of Arizona.

8 (2) **SECRETARY.**—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 4. LANDS TO BE TAKEN INTO TRUST.**

11 (a) **LANDS TO BE TAKEN INTO TRUST.**—If the Tribe
12 transfers title to the land described in subsection (b) to
13 the Secretary, the Secretary shall take that land into trust
14 for the benefit of the Tribe, if at the time of such transfer
15 there are no recognized environmental conditions or con-
16 tamination related concerns and no adverse legal claims
17 to such land, including outstanding liens, mortgages, or
18 taxes owed.

19 (b) **LAND DESCRIBED.**—The land referred to in sub-
20 section (a) is described as follows:

21 (1) **PARCEL 1 (SIBLEY PURCHASE 1986).**—Lot 4
22 and the SW¹/₄ of the NW¹/₄, of Sec. 1, T. 10 S., R.
23 25 W., of the Gila and Salt River Base and Merid-
24 ian, Yuma County, Arizona, except that portion of
25 the SW¹/₄ of the NW¹/₄, of said Sec. 1, T. 10 S.,

1 R. 25 W., lying southeasterly of the north right-of-
2 way line of the Bureau of Reclamation levee.

3 (2) PARCEL 2 (SIBLEY PURCHASE 1986).—Lot 1
4 and the SE¹/₄ of the NE¹/₄, of Sec. 2, T. 10 S., R.
5 25 W., of the Gila and Salt River Base and Merid-
6 ian, Yuma County, Arizona.

7 (3) PARCEL 3 (MCDANIEL PURCHASE 1993).—
8 That part of the E¹/₂ of the SE¹/₄, lying south of the
9 East Main Bureau of Reclamation Canal right of
10 way in Sec. 30, T. 9 S., R. 23 W., of the Gila and
11 Salt River Base and Meridian, Yuma County, Ari-
12 zona.

13 (4) PARCEL 4 (HOLLAND PURCHASE 1997).—
14 That portion of the NW¹/₄ of the NE¹/₄, of Sec. 31,
15 T. 16 S., R 22 E., of the San Bernardino Base and
16 Meridian, Yuma County, Arizona, lying north of the
17 levee and Salinity Canal; except the north 220 feet.

18 (5) PARCEL 5 (HOLLAND PURCHASE 1997).—An
19 easement over the easterly 15 feet of the north 220
20 feet of that portion of the NW¹/₄ of the NE¹/₄, of
21 Sec. 31, T. 16 S., R. 22 E., of the San Bernardino
22 Base and Meridian, Yuma County, Arizona, lying
23 north of the levee and Salinity Canal for irrigation
24 purposes.

1 (6) PARCEL 6 (POWERS PURCHASE 1997).—Lots
2 21, 24, and 25, Sec. 29, and Lots 16 and 17 and
3 the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Sec. 30, T.
4 16 S., R. 22 E., of the San Bernardino Meridian,
5 Yuma County, Arizona, according to the dependent
6 resurvey of the Bureau of Land Management, ac-
7 cepted December 9, 1960.

8 (7) PARCEL 7 (SPEED WAY PURCHASE 2005).—
9 That portion of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 30, T.
10 9 S., R. 23 W., of the Gila and Salt River Base and
11 Meridian, Yuma County, Arizona, lying south and
12 east of the East Main Canal; except the south 33
13 feet thereof; except one-third interest in and to all
14 mineral rights, as reserved in the deed recorded in
15 Docket 1461, page 600, records of Yuma County,
16 Arizona.

17 (c) LANDS TO BE MADE PART OF THE RESERVA-
18 TION.—Land taken into trust pursuant to subsection (a)
19 shall be considered to be part of the Tribe's initial reserva-
20 tion.

21 (d) SERVICE AREA.—For the purposes of the delivery
22 of Federal services to enrolled members of the Tribe, the
23 Tribe's service area shall be Yuma County, Arizona.

1 (e) GAMING PROHIBITED.—Land taken into trust for
2 the benefit of the Tribe under this Act shall not be used
3 for gaming under the Indian Gaming Regulatory Act.

Passed the House of Representatives March 2,
2009.

Attest: LORRAINE C. MILLER,
Clerk.