

This land exchange was part of what was envisioned. This was not just a bipartisan effort with my friend, the gentleman from Oregon (Mr. WALDEN), and myself. It was then Senator Smith and Senator WYDEN, and now Senator MERKLEY and Senator WYDEN have been partners in this. It is frustrating that we get to the point where it requires legislation to do something that was an integral part of this agreement.

I am proud to join my friend in urging support for it. We want to get this passed and be able to capitalize on the vision that we worked so hard on to protect the mountain and all of the attendant interests. This land exchange is critical to it, and I am pleased that this legislation is finally on the floor, although I am frustrated that we have to have legislation on the floor. Hopefully, this will enable us to finish this task.

Mr. CLAY. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 3826, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HARDY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PASCUA YAQUI TRIBE LAND CONVEYANCE ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2009) to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pascua Yaqui Tribe Land Conveyance Act”.

SEC. 2. DEFINITIONS.

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

(1) DISTRICT.—The term “District” means the Tucson Unified School District No. 1, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term “Map” means the map titled “Pascua Yaqui Tribe Land Conveyance Act”, dated March 14, 2016, and on file and available for public inspection in the local office of the Bureau of Land Management.

(3) RECREATION AND PUBLIC PURPOSES ACT.—The term “Recreation and Public Purposes Act” means the Act of June 14, 1926 (43 U.S.C. 869 et seq.).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) TRIBE.—The term “Tribe” means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LAND TO BE HELD IN TRUST.

(a) PARCEL A.—Subject to subsection (b) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal lands generally depicted on the map as “Parcel A” are declared to be held in trust by the United States for the benefit of the Tribe.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on the day after the date on which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in subsection (a).

SEC. 4. LANDS TO BE CONVEYED TO THE DISTRICT.

(a) PARCEL B.—

(1) IN GENERAL.—Subject to valid existing rights and payment to the United States of the fair market value, the United States shall convey to the District all right, title, and interest of the United States in and to the approximately 13.24 acres of Federal lands generally depicted on the map as “Parcel B”.

(2) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of the property to be conveyed under paragraph (1) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(3) COSTS OF CONVEYANCE.—As a condition of the conveyance under this subsection, all costs associated with the conveyance shall be paid by the District.

(b) PARCEL C.—

(1) IN GENERAL.—If, not later than one year after the completion of the appraisal required by paragraph (3), the District submits to the Secretary an offer to acquire the Federal reversionary interest in all of the approximately 27.5 acres of land conveyed to the District under Recreation and Public Purposes Act and generally depicted on the map as “Parcel C”, the Secretary shall convey to the District such reversionary interest in the lands covered by the offer. The Secretary shall complete the conveyance not later than 30 days after the date of the offer.

(2) SURVEY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete a survey of the lands described in this subsection to determine the precise boundaries and acreage of the lands subject to the Federal reversionary interest.

(3) APPRAISAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands identified by the survey required by paragraph (2). The appraisal shall be completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(4) CONSIDERATION.—As consideration for the conveyance of the Federal reversionary interest under this subsection, the District shall pay to the Secretary an amount equal to the appraised value of the Federal interest, as determined under paragraph (3). The consideration shall be paid not later than 30 days after the date of the conveyance.

(5) COSTS OF CONVEYANCE.—As a condition of the conveyance under this subsection, all

costs associated with the conveyance, including the cost of the survey required by paragraph (2) and the appraisal required by paragraph (3), shall be paid by the District.

SEC. 5. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on lands taken into trust pursuant to this Act, either as a matter of claimed inherent authority, under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), or under regulations promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 6. WATER RIGHTS.

(a) IN GENERAL.—There shall be no Federal reserved right to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

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

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2009, which would authorize a land exchange involving the Pacific Yaqui Tribe, the Tucson Unified School District, and the Department of the Interior. Specifically, the bill would require the Secretary of the Interior to place 40 acres of adjacent public land into trust for the tribe upon conveyance to the United States from the Tucson Unified School District.

According to the tribe, acquiring these lands will help with reservation access and prevent or control flooding during significant rain events. According to the tribe, heavy rain events occur frequently during Tucson's monsoon season.

□ 1800

The bill would also require the conveyance of a 13-acre parcel of public land to the Tucson Unified School District and eliminate a reversionary interest held by the United States in a 27-acre parcel previously patented to the Tucson Unified School District under

the Recreation and Public Purposes Act. The bill would also require the Tucson Unified School District to pay fair market value for the land and the revisionary interest received.

I want to thank the ranking member from the Committee on Natural Resources for his efforts on the legislation and urge an "aye" vote.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), the sponsor and my good friend, and commend him for bringing this legislation to the floor.

Mr. GRIJALVA. Mr. Speaker, let me thank the gentleman from Missouri for his support of the legislation.

As we heard, H.R. 2009 is the culmination of a longstanding land agreement between Tucson Unified School District, TUSD, and the Pascua Yaqui Tribe.

Last Congress we finalized the first part of the agreement with the passage and signing of H.R. 507, which conveyed two 10-acre parcels to the tribe. Passage of this bill will complete the second part of the agreement to the mutual benefit of both parties involved as well as the surrounding communities.

The 40-acre parcel of land referenced in the bill is currently deeded to TUSD under the Recreation and Public Purposes Act, but TUSD has no intention of using the land for the stated purpose. Instead, the tribe will be able to utilize the parcel to construct flood control measures to protect the reservation and surrounding communities from flash flooding during Arizona monsoon season.

Additionally, the land conveyed to TUSD will allow the district to better plan for future expansion and best use scenarios without the encumbrances encountered under the Recreation and Public Purposes Act.

I would like to note that the tribe and TUSD have had, and continue to have, a great working relationship, especially when it comes to the land use decisions around the Pascua Yaqui reservation. This bill is a direct result of that relationship and was negotiated with input from all parties involved and with an eye to the most effective use of the parcels.

In closing, let me take the time to thank Chairman YOUNG and Ranking Member RUIZ for their work on the legislation in the subcommittee; and, of course, a special thanks to Chairman BISHOP for working with me to bring it to the floor today. I urge adoption of the legislation.

Mr. HARDY. Mr. Speaker, I would like to inform my colleague I have no further speakers.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I want to again thank Ranking Member GRIJALVA for bringing forward this legislation. I urge its quick adoption.

I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I yield back the balance of my time also.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 2009, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 129, by the yeas and nays;

H.R. 4906, by the yeas and nays;

H.R. 4904, by the yeas and nays;

H.R. 1815, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SUPPORTING GOAL OF ENSURING ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 129) expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, as amended.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 269]

YEAS—363

| | | |
|----------------|----------------|----------------|
| Abraham | DeSaulnier | Kildee |
| Aderholt | DesJarlais | Kilmer |
| Allen | Deutch | Kind |
| Amash | Diaz-Balart | King (IA) |
| Amodei | Dingell | King (NY) |
| Ashford | Doggett | Kinzinger (IL) |
| Babin | Dold | Kirkpatrick |
| Barletta | Donovan | Kline |
| Barr | Doyle, Michael | Knight |
| Barton | F. | Kuster |
| Becerra | Duncan (SC) | Labrador |
| Benishek | Duncan (TN) | LaHood |
| Bera | Edwards | LaMalfa |
| Beyer | Ellison | Lamborn |
| Bilirakis | Emmer (MN) | Lance |
| Bishop (GA) | Engel | Langevin |
| Bishop (MI) | Eshoo | Larsen (WA) |
| Bishop (UT) | Esty | Larson (CT) |
| Blackburn | Farenthold | Latta |
| Blum | Fitzpatrick | Lawrence |
| Blumenauer | Fleischmann | Levin |
| Bonamici | Fleming | Lipinski |
| Bost | Flores | LoBiondo |
| Boustany | Forbes | Loebsack |
| Boyle, Brendan | Fortenberry | Lofgren |
| F. | Foster | Long |
| Brady (PA) | Frankel (FL) | Loudermilk |
| Brady (TX) | Franks (AZ) | Love |
| Brat | Frelinghuysen | Lowenthal |
| Bridenstine | Fudge | Lowe |
| Brooks (AL) | Gabbard | Lucas |
| Brooks (IN) | Gallego | Luetkemeyer |
| Brownley (CA) | Garamendi | Lujan Grisham |
| Buchanan | Garrett | (NM) |
| Buck | Gibbs | Lujan, Ben Ray |
| Bucshon | Gohmert | (NM) |
| Burgess | Goodlatte | Lummis |
| Bustos | Gosar | Lynch |
| Butterfield | Gowdy | MacArthur |
| Byrne | Graham | Marchant |
| Calvert | Granger | Marino |
| Capps | Graves (GA) | Massie |
| Capuano | Graves (LA) | Matsui |
| Carney | Graves (MO) | McCaul |
| Carson (IN) | Grayson | McClintock |
| Carter (GA) | Green, Al | McCollum |
| Carter (TX) | Green, Gene | McDermott |
| Cartwright | Griffith | McGovern |
| Castor (FL) | Grothman | McHenry |
| Castro (TX) | Guinta | McKinley |
| Chabot | Guthrie | McMorris |
| Chaffetz | Hanna | Rodgers |
| Chu, Judy | Hardy | McNerney |
| Ciçilline | Harper | McSally |
| Clark (MA) | Harris | Meadows |
| Cleaver | Hartzler | Meehan |
| Clyburn | Hastings | Meng |
| Coffman | Heck (NV) | Messer |
| Cohen | Heck (WA) | Mica |
| Cole | Hensarling | Miller (FL) |
| Collins (GA) | Hice, Jody B. | Miller (MI) |
| Collins (NY) | Higgins | Moolenaar |
| Comstock | Hill | Mooney (WV) |
| Conaway | Himes | Moore |
| Connolly | Hudson | Moulton |
| Conyers | Huelskamp | Mullin |
| Cook | Huizenga (MI) | Mulvaney |
| Cooper | Hultgren | Murphy (FL) |
| Costa | Hurd (TX) | Murphy (PA) |
| Costello (PA) | Hurt (VA) | Napolitano |
| Courtney | Israel | Neal |
| Cramer | Issa | Neugebauer |
| Crawford | Jenkins (KS) | Newhouse |
| Crenshaw | Jenkins (WV) | Noem |
| Cuellar | Johnson (GA) | Nolan |
| Culberson | Johnson (OH) | Nugent |
| Cummings | Johnson, E. B. | Nunes |
| Davis (CA) | Johnson, Sam | O'Rourke |
| Davis, Danny | Jolly | Olson |
| Davis, Rodney | Jordan | Palazzo |
| DeFazio | Joyce | Pallone |
| DeGette | Kaptur | Palmer |
| Delaney | Keating | Paulsen |
| DeLauro | Kelly (IL) | Pearce |
| DeBene | Kelly (MS) | Pelosi |
| Dent | Kelly (PA) | Perlmutter |
| DeSantis | Kennedy | Perry |