

114TH CONGRESS  
2D SESSION

# H. R. 2009

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## AN ACT

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.

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 Land Conveyance 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 No. 1, a school dis-  
9 trict recognized as such under the laws of the State  
10 of Arizona.

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

16 (3) RECREATION AND PUBLIC PURPOSES  
17 ACT.—The term “Recreation and Public Purposes  
18 Act” means the Act of June 14, 1926 (43 U.S.C.  
19 869 et seq.).

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

22 (5) TRIBE.—The term “Tribe” means the  
23 Pascua Yaqui Tribe of Arizona, a federally recog-  
24 nized Indian tribe.

1 **SEC. 3. LAND TO BE HELD IN TRUST.**

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

8 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-  
9 fect on the day after the date on which the District relin-  
10 quishes all right, title, and interest of the District in and  
11 to the approximately 39.65 acres of land described in sub-  
12 section (a).

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

14 (a) PARCEL B.—

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

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

1 and the Uniform Standards of Professional Ap-  
2 praisal Practice.

3 (3) COSTS OF CONVEYANCE.—As a condition of  
4 the conveyance under this subsection, all costs asso-  
5 ciated with the conveyance shall be paid by the Dis-  
6 trict.

7 (b) PARCEL C.—

8 (1) IN GENERAL.—If, not later than 1 year  
9 after the completion of the appraisal required by  
10 paragraph (3), the District submits to the Secretary  
11 an offer to acquire the Federal reversionary interest  
12 in all of the approximately 27.5 acres of land con-  
13 veyed to the District under Recreation and Public  
14 Purposes Act and generally depicted on the map as  
15 “Parcel C”, the Secretary shall convey to the Dis-  
16 trict such reversionary interest in the lands covered  
17 by the offer. The Secretary shall complete the con-  
18 veyance not later than 30 days after the date of the  
19 offer.

20 (2) SURVEY.—Not later than 90 days after the  
21 date of the enactment of this Act, the Secretary  
22 shall complete a survey of the lands described in this  
23 subsection to determine the precise boundaries and  
24 acreage of the lands subject to the Federal rever-  
25 sionary interest.

1           (3) APPRAISAL.—Not later than 180 days after  
2       the date of enactment of this Act, the Secretary  
3       shall complete an appraisal of the Federal rever-  
4       sionary interest in the lands identified by the survey  
5       required by paragraph (2). The appraisal shall be  
6       completed in accordance with the Uniform Appraisal  
7       Standards for Federal Land Acquisitions and the  
8       Uniform Standards of Professional Appraisal Prac-  
9       tice.

10          (4) CONSIDERATION.—As consideration for the  
11       conveyance of the Federal reversionary interest  
12       under this subsection, the District shall pay to the  
13       Secretary an amount equal to the appraised value of  
14       the Federal interest, as determined under paragraph  
15       (3). The consideration shall be paid not later than  
16       30 days after the date of the conveyance.

17          (5) COSTS OF CONVEYANCE.—As a condition of  
18       the conveyance under this subsection, all costs asso-  
19       ciated with the conveyance, including the cost of the  
20       survey required by paragraph (2) and the appraisal  
21       required by paragraph (3), shall be paid by the Dis-  
22       trict.

23 **SEC. 5. GAMING PROHIBITION.**

24       The Tribe may not conduct gaming activities on lands  
25       taken into trust pursuant to this Act, either as a matter

1 of claimed inherent authority, under the authority of any  
2 Federal law, including the Indian Gaming Regulatory Act  
3 (25 U.S.C. 2701 et seq.), or under regulations promul-  
4 gated by the Secretary or the National Indian Gaming  
5 Commission.

6 **SEC. 6. WATER RIGHTS.**

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

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

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

19 (d) ADMINISTRATION.—Nothing in this Act affects or  
20 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 June 7, 2016.

Attest:

*Clerk.*

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