

Union Calendar No. 425

114TH CONGRESS
2^D SESSION

H. R. 2009

[Report No. 114–550]

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.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2015

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

MAY 10, 2016

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

MAY 10, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 23, 2015]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Pascua Yaqui Tribe*
5 *Land Conveyance 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 No. 1, a school dis-*
11 *trict recognized as such under the laws of the State*
12 *of Arizona.*

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

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

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

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

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

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

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

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

17 (a) *PARCEL B.*—

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

1 (2) *DETERMINATION OF FAIR MARKET VALUE.*—

2 *The fair market value of the property to be conveyed*
3 *under paragraph (1) shall be determined by the Sec-*
4 *retary in accordance with the Uniform Appraisal*
5 *Standards for Federal Land Acquisitions and the*
6 *Uniform Standards of Professional Appraisal Prac-*
7 *tice.*

8 (3) *COSTS OF CONVEYANCE.*—*As a condition of*
9 *the conveyance under this subsection, all costs associ-*
10 *ated with the conveyance shall be paid by the Dis-*
11 *trict.*

12 (b) *PARCEL C.*—

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

24 (2) *SURVEY.*—*Not later than 90 days after the*
25 *date of the enactment of this Act, the Secretary shall*

1 *complete a survey of the lands described in this sub-*
2 *section to determine the precise boundaries and acre-*
3 *age of the lands subject to the Federal reversionary*
4 *interest.*

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

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

20 (5) *COSTS OF CONVEYANCE.*—*As a condition of*
21 *the conveyance under this subsection, all costs associ-*
22 *ated with the conveyance, including the cost of the*
23 *survey required by paragraph (2) and the appraisal*
24 *required by paragraph (3), shall be paid by the Dis-*
25 *trict.*

1 **SEC. 5. GAMING PROHIBITION.**

2 *The Tribe may not conduct gaming activities on lands*
3 *taken into trust pursuant to this Act, either as a matter*
4 *of claimed inherent authority, under the authority of any*
5 *Federal law, including the Indian Gaming Regulatory Act*
6 *(25 U.S.C. 2701 et seq.), or under regulations promulgated*
7 *by the Secretary or the National Indian Gaming Commis-*
8 *sion.*

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

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

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

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

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

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