

115TH CONGRESS
1ST SESSION

H. R. 1404

IN THE SENATE OF THE UNITED STATES

JULY 12, 2017

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

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.

1 (d) ADMINISTRATION.—Nothing in this Act affects or
2 modifies any right of the Tribe or any obligation of the
3 United States under Public Law 95–375.

Passed the House of Representatives July 11, 2017.

Attest:

KAREN L. HAAS,

Clerk.