

Calendar No. 432

117TH CONGRESS
2D SESSION

H. R. 4881

[Report No. 117-127]

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2021

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

JUNE 23, 2022

Reported by Mr. SCHATZ, without amendment

AN ACT

To direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Old Pascua Commu-
5 nity Land Acquisition Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COMPACT-DESIGNATED AREA.—The term
2 “Compact Designated Area” means the area south
3 of West Grant Road, east of Interstate 10, north of
4 West Calle Adelanto, and west of North 15th Ave-
5 nue in the City of Tucson, Arizona, as provided spe-
6 cifically in the Pascua Yaqui Tribe—State of Ari-
7 zona Amended and Restated Gaming Compact
8 signed in 2021.

9 (2) TRIBE.—The term “Tribe” means the
10 Pascua Yaqui Tribe of Arizona, a federally recog-
11 nized Indian tribe.

12 (3) INDIAN TRIBE.—The term “Indian
13 Tribe”—

14 (A) means any Indian tribe, band, nation,
15 or other organized group or community, includ-
16 ing any Alaska Native village that is recognized
17 as eligible for the special programs and services
18 provided by the United States to Indians be-
19 cause of their status as Indians; and

20 (B) does not include any Alaska Native re-
21 gional or village corporation.

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

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

2 Upon the request of the Tribe, the Secretary shall
3 accept and take into trust for the benefit of the Tribe,
4 subject to all valid existing rights, any land within the
5 Compact-Designated Area that is owned by Tribe.

6 **SEC. 4. APPLICATION OF CURRENT LAW.**

7 Gaming conducted by the Tribe in the Compact-Des-
8 ignated Area shall be subject to—

9 (1) the Indian Gaming Regulatory Act (25
10 U.S.C. 2701 et seq.); and

11 (2) sections 1166 through 1168 of title 18,
12 United States Code.

13 **SEC. 5. REAFFIRMATION OF STATUS AND ACTIONS.**

14 (a) ADMINISTRATION.—Land placed into trust pur-
15 suant to this Act shall—

16 (1) be a part of the Pascua Yaqui Reservation
17 and administered in accordance with the laws and
18 regulations generally applicable to land held in trust
19 by the United States for an Indian Tribe; and

20 (2) be deemed to have been acquired and taken
21 into trust on September 18, 1978.

22 (b) RULES OF CONSTRUCTION.—Nothing in this Act
23 shall—

24 (1) enlarge, impair, or otherwise affect any
25 right or claim of the Tribe to any land or interest

1 in land in existence before the date of the enactment
2 of this Act;

3 (2) affect any water right of the Tribe in exist-
4 ence before the date of the enactment of this Act;

5 (3) terminate or limit any access in any way to
6 any right-of-way or right-of-use issued, granted, or
7 permitted before the date of the enactment of this
8 Act; or

9 (4) alter or diminish the right of the Tribe to
10 seek to have additional land taken into trust by the
11 United States for the benefit of the Tribe.

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