

Calendar No. 575

103^D CONGRESS
2^D SESSION

H. R. 734

[Report No. 103-338]

AN ACT

To amend the Act entitled "An Act to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona, and for other purposes".

AUGUST 16 (legislative day, AUGUST 11), 1994

Reported with an amendment

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 3 (legislative day, JUNE 30), 1993

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

AUGUST 16 (legislative day, AUGUST 11), 1994

Reported by Mr. INOUE, with an amendment

[Insert the part printed in italic]

AN ACT

To amend the Act entitled “An Act to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of 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,*

1 **SECTION 1. SOVEREIGNTY OF PASCUA YAQUI TRIBE.**

2 (a) IN GENERAL.—Subsection (a) of the first section
3 of the Act entitled “An Act to provide for the extension
4 of certain Federal benefits, services, and assistance to the
5 Pascua Yaqui Indians of Arizona, and for other purposes”
6 (25 U.S.C. 1300f(a)) is amended by inserting after the
7 first sentence the following: “The Pascua Yaqui Tribe, a
8 historic Indian tribe, is acknowledged as a federally recog-
9 nized Indian tribe possessing all the attributes of inherent
10 sovereignty which have not been specifically taken away
11 by Acts of Congress and which are not inconsistent with
12 such tribal status.”.

13 (b) EXTENSION OF ENROLLMENT DEADLINE.—Sec-
14 tion 3 of such Act (25 U.S.C. 1300f-2) is amended—

15 (1) in paragraph (B), by striking “and”; and

16 (2) by redesignating paragraph (C) as para-
17 graph (D), and inserting after paragraph (B) the
18 following new paragraph (C):

19 “(C) all those persons of Yaqui blood who are
20 citizens of the United States and who, within 3
21 years after the date of enactment of this paragraph,
22 apply for enrollment in the Pascua Yaqui Tribe pur-
23 suant to the membership criteria and procedures
24 provided for in the official governing documents of
25 the Pascua Yaqui Tribe; and”.

1 **SEC. 2. STUDY.**

2 *The Act entitled “An Act to provide for the extension*
3 *of certain Federal benefits, services, and assistance to the*
4 *Pascua Yaqui Indians of Arizona, and for other purposes”*
5 *(25 U.S.C. 1300f et seq.) is amended by adding at the end*
6 *the following new section:*

7 **“SEC. 4. STUDY.**

8 “(a) *IN GENERAL.*—*The Secretary of the Interior shall*
9 *conduct one or more studies to determine—*

10 “(1) *whether the lands held in trust on the date*
11 *of enactment of this section by the United States for*
12 *the Pascua Yaqui Tribe are adequate for the needs of*
13 *the tribe for the foreseeable future;*

14 “(2) *if such lands are not adequate—*

15 “(A) *whether suitable additional lands are*
16 *available for acquisition by exchange or pur-*
17 *chase; and*

18 “(B) *the cost and location of the suitable*
19 *additional lands;*

20 “(3) *whether the Pascua Yaqui Tribe has suffi-*
21 *cient water rights and allocations to meet the needs*
22 *of the tribe for the foreseeable future;*

23 “(4) *if such water rights and allocations are not*
24 *adequate—*

25 “(A) *whether additional water can be ac-*
26 *quired; and*

1 “(B) *the potential sources and associated*
2 *costs of such additional water;*

3 “(5) *whether the Bureau of Indian Affairs and*
4 *the Indian Health Service have limited funding to the*
5 *Pascua Yaqui Tribe based on a determination of the*
6 *tribal enrollment in 1978, rather than the current en-*
7 *rollment;*

8 “(6) *if funding has been based on 1978 enroll-*
9 *ment, how the funding levels can be adjusted to ensure*
10 *that the Pascua Yaqui Tribe receives a fair and equi-*
11 *table portion of Bureau of Indian Affairs and Indian*
12 *Health Service funding;*

13 “(7) *the genealogy of the Pascua Yaqui Tribe;*
14 *and*

15 “(8) *the economic development opportunities*
16 *available to the tribe as a result of the North Amer-*
17 *ican Free Trade Agreement.*

18 “(b) *TRIBAL PARTICIPATION.—The Secretary shall*
19 *provide for the participation of members of the Pascua*
20 *Yaqui tribe to carry out subsection (a).*

21 “(c) *REPORT.—Not later than 2 years after the date*
22 *on which funds are made available to carry out this section,*
23 *the Secretary of the Interior shall submit a report to Con-*
24 *gress that contains the results of each study conducted pur-*
25 *suant to subsection (a).*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There*
2 *are authorized to be appropriated such sums as are nec-*
3 *essary to carry out this section.*”.