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111TH CONGRESS
1ST SESSION

H. R. 326

To direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

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

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A BILL

To direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cocopah Lands Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The reservation of the Cocopah Tribe of Arizona is located in Yuma County, Arizona.

(2) That reservation was created by an Executive order signed by President Woodrow Wilson in 1917.

(3) The Tribe's land holdings are located within 3 noncontiguous reservations comprising a total of approximately 6,226.3 acres of trust land.

(4) The Tribe purchased the additional lands to provide infrastructure to housing areas, water, and economic development to tribal members.

(5) The current trust land base of the reservation is insufficient to provide such needs.

(6) The Tribe acquired 7 parcels of land contiguous to its present reservation lands in 1986, 1993, 1997, and 2005, and these parcels are currently classified as ''Tribal fee lands'' under Federal law.

(7) The acquired parcels shall not be taken into trust for gaming purposes.

(8) The best means of solving the Tribe's land and economic needs to its tribal members is to require the Secretary to take lands in Yuma County, Arizona, that are acquired by the Tribe into trust for the Tribe subject to the provisions of this Act.

SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) TRIBE.—The term ''Tribe'' means the Cocopah Tribe of Arizona.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. LANDS TO BE TAKEN INTO TRUST.

(a) LANDS TO BE TAKEN INTO TRUST.—If the Tribe transfers title to the land described in subsection (b) to the Secretary, the Secretary shall take that land into trust for the benefit of the Tribe, if at the time of such transfer there are no recognized environmental conditions or contamination related concerns and no adverse legal claims to such land, including outstanding liens, mortgages, or taxes owed.

(b) LAND DESCRIBED.—The land referred to in subsection (a) is described as follows:

(1) PARCEL 1 (SIBLEY PURCHASE 1986).—Lot 4 and the SW¼ of the NW¼, of Sec. 1, T. 10 S., R. 25 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona, except that portion of the SW¼ of the NW¼, of said Sec. 1, T. 10 S., R. 25 W., lying southeasterly of the north right-of-way line of the Bureau of Reclamation levee.

(2) PARCEL 2 (SIBLEY PURCHASE 1986).—Lot 1 and the SE¼ of the NE¼, of Sec. 2, T. 10 S., R.

25 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(3) PARCEL 3 (MCDANIEL PURCHASE 1993).—That part of the E½ of the SE¼, lying south of the East Main Bureau of Reclamation Canal right of way in Sec. 30, T. 9 S., R. 23 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona.

(4) PARCEL 4 (HOLLAND PURCHASE 1997).—That portion of the NW¼ of the NE¼, of Sec. 31, T. 16 S., R 22 E., of the San Bernardino Base and Meridian, Yuma County, Arizona, lying north of the levee and Salinity Canal; except the north 220 feet.

(5) PARCEL 5 (HOLLAND PURCHASE 1997).—An easement over the easterly 15 feet of the north 220 feet of that portion of the NW¼ of the NE¼, of Sec. 31, T. 16 S., R. 22 E., of the San Bernardino Base and Meridian, Yuma County, Arizona, lying north of the levee and Salinity Canal for irrigation purposes.

(6) PARCEL 6 (POWERS PURCHASE 1997).—Lots 21, 24, and 25, Sec. 29, and Lots 16 and 17 and the N½ of the SW¼ of the SE¼, of Sec. 30, T. 16 S., R. 22 E., of the San Bernardino Meridian, Yuma County, Arizona, according to the dependent

resurvey of the Bureau of Land Management, accepted December 9, 1960.

(7) PARCEL 7 (SPEED WAY PURCHASE 2005).—That portion of the W½ of the SE¼ of Sec. 30, T. 9 S., R. 23 W., of the Gila and Salt River Base and Meridian, Yuma County, Arizona, lying south and east of the East Main Canal; except the south 33 feet thereof; except one-third interest in and to all mineral rights, as reserved in the deed recorded in Docket 1461, page 600, records of Yuma County, Arizona.

(c) LANDS TO BE MADE PART OF THE RESERVATION.—Land taken into trust pursuant to subsection (a) shall be considered to be part of the Tribe's initial reservation.

(d) SERVICE AREA.—For the purposes of the delivery of Federal services to enrolled members of the Tribe, the Tribe's service area shall be Yuma County, Arizona.

(e) GAMING PROHIBITED.—Land taken into trust for the benefit of the Tribe under this Act shall not be used for gaming under the Indian Gaming Regulatory Act.

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