

SEC. 5. REGULATIONS.

The Secretary may promulgate such regulations as may be necessary to carry out this Act.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment:

Strike out all after the enacting clause and insert:

H.R. 673

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 SW¹/₄ of the NW¹/₄, 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 SW¹/₄ of the NW¹/₄, 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 SE¹/₄ of the NE¹/₄, 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 E¹/₂ of the SE¹/₄, 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 NW¹/₄ of the NE¹/₄, 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 NW¹/₄ of the NE¹/₄, 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 N¹/₂ of the SW¹/₄ of the SE¹/₄, 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 W¹/₂ of the SE¹/₄ 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.

Mrs. CHRISTENSEN (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The committee amendment was agreed to.

Mrs. CHRISTENSEN, Mr. Speaker, the pending measure, introduced by our colleague, Representative RAUL GRIJALVA, would place land and into trust owned by a tribe located in a remote area of Arizona.

The land will be used for housing, water, and non-gaming economic development opportunities.

Similar measures were introduced in the 107th and the 109th Congresses. Resolution of this matter is long overdue.

I urge my colleagues to support this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "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."

A motion to reconsider was laid on the table.

ALLOWING YSLETA DEL SUR PUEBLO TRIBE TO DETERMINE BLOOD QUANTUM REQUIREMENT

Mrs. CHRISTENSEN, Mr. Speaker, I ask unanimous consent for the immediate

consideration in the House of the bill (H.R. 1696) to amend the Ysleta del Sur Pueblo and Alabama and Coshatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo tribe to determine blood quantum requirement for membership in that Tribe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1696

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

SECTION 1. BLOOD QUANTUM REQUIREMENT DETERMINED BY TRIBE.

Section 108(a)(2) of the Ysleta del Sur Pueblo and Alabama and Coshatta Indian Tribes of Texas Restoration Act (25 U.S.C. 1300g-7(2)) is amended by striking "if the descendant" and all that follows through the end of the paragraph and inserting "if the descendant is enrolled by the tribe".

Mrs. CHRISTENSEN, Mr. Speaker, one of the greatest exercises of tribal sovereignty is the ability of a tribe to determine their tribal membership. This measure would allow a Texas Tribe to determine the blood quantum requirement for membership in that tribe.

Congressman REYES of Texas introduced H.R. 1696 to restore the Tribe's right to determine its own membership requirements by deleting a blood quantum requirement specified in a 1987 law. Passage of this legislation would extend to the Tribe the same sovereign right possessed by all other Indian tribes—the ability to determine who is and is not a member of the Tribe.

This measure is long overdue. Similar legislation has been introduced every Congress since the 106th Congress.

I urge my colleagues to support this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS LAND PROCLAMATION

Mrs. CHRISTENSEN, Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2120) to direct the Secretary of the Interior to proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians a parcel of land now held in trust by the United States for that Indian tribe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2120

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

SECTION 1. LAND TO BE PROCLAIMED RESERVATION.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of the

Interior shall proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians the parcel of land now held in trust by the United States and having the legal description as follows: That portion of Section 19, Township 41 North, Range 3 West, Michigan Meridian, described as: All of the NW1/4SW1/4 and all of the S1/2SW1/4 Northerly of a line described as beginning 650 feet Northerly along the centerline of Highway "Mackinac Trail" from the intersection of said centerline with the South Section line of Section 19, Township 41 North, Range 3 West, thence Northeasterly to the Southeast corner of the NW1/4SW1/4 of said Section, containing 65 acres, more or less (except the highway right-of-way and easements of record).

(b) APPLICABLE LAW; EFFECTIVE DATE.—The Secretary's proclamation shall be pursuant to section 7 of the Act of June 18, 1934 (25 U.S.C. 467) and shall be deemed effective as of April 19, 1988.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment:

Strike out all after the enacting clause and insert:

H.R. 2120

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

SECTION 1. LAND TO BE PROCLAIMED RESERVATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior shall proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians the parcel of land now held in trust by the United States and having the legal description as follows: That portion of Section 19, Township 41 North, Range 3 West, Michigan Meridian, described as: All of the NW1/4SW1/4 and all of the S1/2SW1/4 Northerly of a line described as beginning 650 feet Northerly along the centerline of Highway "Mackinac Trail" from the intersection of said centerline with the South Section line of Section 19, Township 41 North, Range 3 West, thence Northeasterly to the Southeast corner of the NW1/4SW1/4 of said Section, containing 65 acres, more or less (except the highway right-of-way and easements of record).

(b) APPLICABLE LAW; EFFECTIVE DATE.—The Secretary's proclamation shall be pursuant to section 7 of the Act of June 18, 1934 (25 U.S.C. 467) and the property shall be deemed a reservation as of April 19, 1988, for purposes of the Indian Gaming Regulatory Act.

Mrs. CHRISTENSEN (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The committee amendment was agreed to.

Mrs. CHRISTENSEN. Mr. Speaker, this measure addresses an inequity caused by the failure of the Bureau of Indian Affairs to act in a timely manner on a request first made in 1983. Introduced by our colleague, Representative BART STUPAK, this measure would declare land held in trust for a Tribe located in Michigan as part of the Tribe's reservation.

Shortly after the land was placed into trust in 1983, the Tribe made the first of several requests to have the land declared a part of its

reservation. Eventually, the Bureau of Indian Affairs took various actions leading the Tribe to believe that the land was a part of the Tribe's reservation.

However, in February, 2006, the Interior Department reversed course and informed the Tribe that the land placed into trust in 1983 was not part of the Tribe's Reservation. The pending measure clarifies and rectifies the situation.

I urge my colleagues to support this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**COQUILLE INDIAN TRIBE, OREGON
LAND CONVEYANCE**

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2863) to authorize the Coquille Indian Tribe of the State of Oregon to convey land and interests in land owned by the Tribe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2863

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

SECTION 1. LAND AND INTERESTS OF COQUILLE INDIAN TRIBE, OREGON.

(a) IN GENERAL.—Subject to subsections (b) and (c), notwithstanding any other provision of law (including regulations), the Coquille Indian Tribe of the State of Oregon (including any agent or instrumentality of the Tribe) (referred to in this section as the "Tribe"), may transfer, lease, encumber, or otherwise convey, without further authorization or approval, any land (including fee simple land) or interest in land owned by the Tribe.

(b) NONAPPLICABILITY TO CERTAIN CONVEYANCES.—Subsection (a) shall not apply with respect to any transfer, encumbrance, lease, or other conveyance of any land or interest in land of the Tribe that occurred before January 1, 2007.

(c) EFFECT OF SECTION.—Nothing in this section invalidates or otherwise alters or affects any restriction on alienation applicable to land held in trust by the United States for the benefit of the Tribe or any member of the Tribe.

COMMITTEE AMENDMENT

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment:

Strike out all after the enacting clause and insert:

H.R. 2863

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

SECTION 1. LAND AND INTERESTS OF COQUILLE INDIAN TRIBE, OREGON.

(a) IN GENERAL.—Subject to subsections (b) and (c), notwithstanding any other provision of law (including regulations), the Coquille Indian Tribe of the State of Oregon (including any agent or instrumentality of the

Tribe) (referred to in this section as the "Tribe"), may transfer, lease, encumber, or otherwise convey, without further authorization or approval, any land (including fee simple land) or interest in land owned by the Tribe.

(b) NONAPPLICABILITY TO CERTAIN CONVEYANCES.—Subsection (a) shall not apply with respect to any transfer, encumbrance, lease, or other conveyance of any land or interest in land of the Tribe that occurred before January 1, 2007.

(c) EFFECT OF SECTION.—Nothing in this section invalidates or otherwise alters or affects any restriction on alienation applicable to land held in trust by the United States for the benefit of the Tribe or any member of the Tribe.

(d) LIABILITY.—The United States shall not be held liable to any (including the Tribe or any agent or instrumentality of the Tribe) for any term of, or any loss resulting from the term of any transfer, lease, encumbrance, or conveyance of land made pursuant to this Act unless the United States or an agent or instrumentality of the United States is a party to the transaction or the United States would be liable pursuant to any other provision of law. This subsection shall not apply to land transferred or conveyed by the Tribe to the United States to be held, in trust for the benefit of the Tribe.

Mrs. CHRISTENSEN (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

The committee amendment was agreed to.

Mrs. CHRISTENSEN. Mr. Speaker, in 1790, the Non-Intercourse Act was enacted reserving the right to acquire land, or an interest in land, owned by an Indian tribe in the United States. It was intended to prevent third parties from taking advantage of Indians by prohibiting the lease, transfer, encumbrance or conveyance of lands from an Indian tribe without Federal approval.

Our colleague, Representative PETER DEFAZIO, introduced the pending measure to exempt the conveyance of non-trust lands made by a Tribe located in Oregon. In this particular case, the law is preventing this Tribe from fully engaging in non-gaming economic development on fee land because Federal approval is required for leases between the Tribe and third parties.

I urge my colleagues to support this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAGINAW CHIPPEWA TRIBE OF INDIANS OF MICHIGAN LAND CONVEYANCE

Mrs. CHRISTENSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2952) to authorize the Saginaw Chippewa Tribe of Indians of the State of Michigan to convey land and interests in land owned by the Tribe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?