

Public Law 103-357
103d Congress

An Act

Oct. 14, 1994
[H.R. 734]

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."

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

SECTION 1. SOVEREIGNTY OF PASCUA YAQUI TRIBE.

(a) **IN GENERAL.**—Subsection (a) of the first section of 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" (25 U.S.C. 1300f(a)) is amended by inserting after the first sentence the following: "The Pascua Yaqui Tribe, a historic Indian tribe, is acknowledged as a federally recognized Indian tribe possessing all the attributes of inherent sovereignty which have not been specifically taken away by Acts of Congress and which are not inconsistent with such tribal status."

(b) **EXTENSION OF ENROLLMENT DEADLINE.**—Section 3 of such Act (25 U.S.C. 1300f-2) is amended—

(1) in paragraph (B) by striking "and"; and

(2) by redesignating paragraph (C) as paragraph (D) and inserting after paragraph (B) the following new paragraph (C):

"(C) all those persons of Yaqui blood who are citizens of the United States and who, within three years after the date of enactment of this paragraph, apply for enrollment in the Pascua Yaqui Tribe pursuant to the membership criteria and procedures provided for in the official governing documents of the Pascua Yaqui Tribe; and"

SEC. 2. STUDY.

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" (25 U.S.C. 1300f et seq.) is amended by adding at the end the following new section:

25 USC 1300f-3.

"SEC. 4. STUDY.

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

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

"(2) if such lands are not adequate—

"(A) whether suitable additional lands are available for acquisition by exchange or purchase; and

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

“(3) whether the Pascua Yaqui Tribe has sufficient water rights and allocations to meet the needs of the tribe for the foreseeable future;

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

“(A) whether additional water can be acquired; and

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

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

“(6) if funding has been based on 1978 enrollment, how the funding levels can be adjusted to ensure that the Pascua Yaqui Tribe receives a fair and equitable portion of Bureau of Indian Affairs and Indian Health Service funding;

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

“(8) the economic development opportunities available to the tribe as a result of the North American Free Trade Agreement.

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

“(c) REPORT.—Not later than 2 years after the date on which funds are made available to carry out this section, the Secretary of the Interior shall submit a report to Congress that contains the results of each study conducted pursuant to subsection (a).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

Approved October 14, 1994.

LEGISLATIVE HISTORY—H.R. 734:

HOUSE REPORTS: No. 103-204 (Comm. on Natural Resources).

SENATE REPORTS: No. 103-338 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD:

Vol. 139 (1993): Aug. 2, considered and passed House.

Vol. 140 (1994): Aug. 19, considered and passed Senate, amended.

Oct. 3, House concurred in Senate amendment.