

**Statement of  
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**Senate Committee on Energy & Natural Resources  
Subcommittee on Public Lands, Forests, & Mining  
H.R. 1404, Pascua Yaqui Tribe Land Conveyance Act  
February 7, 2018**

Thank you for the opportunity to present the views of the Department of the Interior (Department) on H.R. 1404, the Pascua Yaqui Tribe Land Conveyance Act. Under H.R. 1404, the United States shall hold in trust approximately 40 acres of land in the Tucson, Arizona area for the benefit of the Pascua Yaqui Tribe (Tribe). The bill also authorizes the United States to convey approximately 13 acres of currently unencumbered public lands and a reversionary interest of approximately 27 acres to the Tucson Unified School District (District) at fair market value.

It should be generally noted that Secretary Zinke is opposed to the wide-scale sale or transfer of Federal lands; however, there are unique situations of this nature where limited land transfers may be appropriate. In this case, the Department supports H.R. 1404 because we recognize the Tribal and local community benefits that may result from the bill. We would, however, like the opportunity to work further with the sponsor and the Subcommittee regarding the survey provision.

**Background**

The Pascua Yaqui Tribe's lands are located in Pima County, near Tucson, Arizona, and include a combination of lands held in trust by the United States and lands purchased and held in fee by the Tribe. The District has historically operated the Hohokam School on lands nearby and adjacent to the tribal lands. The District currently holds two parcels of land under separate Recreation and Public Purposes Act (R&PP) patents totaling approximately 67 acres, in which the United States holds reversionary interests enforceable under the R&PP Act. This land consists of a tract of approximately 27 acres on which the Hohokam School currently sits and another tract of approximately 40 acres that is currently undeveloped. The Bureau of Land Management (BLM) also manages an unencumbered tract of approximately 13 acres located between the two parcels patented to the District that have been identified as potentially suitable for disposal in the current Phoenix District Resource Management Plan.

**H.R. 1404**

H.R. 1404 declares that approximately 40 acres of land, designated in the bill as "Parcel A" will be held in trust for the benefit of the Tribe, on the day after the District relinquishes all right, title, and interest in the 40 acres where the United States holds a reversionary interest. In addition, the bill authorizes the United States to convey to the District, at fair market value, approximately 13 unencumbered acres designated in the legislation as "Parcel B." The bill also authorizes the United States to convey to the District, at fair market value, its reversionary

interest in approximately 27 acres of land currently patented to the District under the R&PP Act and identified as “Parcel C.” The United States could convey the reversionary interest in Parcel C if the District submits an offer to the Department to acquire it within a year after the Department completes its appraisal. Both conveyances to the District are subject to valid existing rights.

Under the bill, the United States will determine fair market value of Parcel B and the Federal reversionary interest in Parcel C in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice. The District would pay for all costs associated with the conveyances.

The Department supports holding Parcel A in trust for the benefit of the Tribe, and does not object to the two conveyances authorized by the bill at fair market value. The Department recommends that the Office of Valuation Services manage the appraisal process. The Office of Valuation Services provides credible, timely, and efficient valuation services to ensure public trust in Federal real property transactions.

Finally, the Department notes that Parcel B and C would require surveys prior to conveyance, and would like to work with the Subcommittee on the survey language.

### **Conclusion**

H.R. 1404 provides an opportunity to improve land use for both the Tribe and the District on three tracts of land. Thank you for the opportunity to testify. I will be glad to answer any questions.