

diction over such lands as if it had assumed jurisdiction pursuant to the Act of August 15, 1953 (67 Stat. 588), as amended by the Act of April 11, 1968 (82 Stat. 79).

(Pub. L. 95-375, §1, Sept. 18, 1978, 92 Stat. 712; Pub. L. 103-357, §1(a), Oct. 14, 1994, 108 Stat. 3418.)

REFERENCES IN TEXT

Act of June 18, 1934, referred to in subsec. (b), popularly known as the Indian Reorganization Act, is classified generally to subchapter V (§461 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 461 of this title and Tables.

Act of October 8, 1964, referred to in subsec. (c), is act Oct. 8, 1964, Private Law 88-350, 78 Stat. 1196, which conveyed all right, title and interest of the United States in certain lands to the Pascua Yaqui Association, Inc., and was not classified to the Code.

Act of August 15, 1953, as amended by the Act of April 11, 1968, referred to in subsec. (c), is act Aug. 15, 1953, ch. 505, 67 Stat. 588, as amended, which enacted section 1162 of Title 18, Crimes and Criminal Procedure, section 1360 of Title 28, Judiciary and Judicial Procedure, and provisions set out as notes under section 1360 of Title 28. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of section 1 of Pub. L. 95-375. Subsec. (d) of section 1 of Pub. L. 95-375, which repealed section 4 of Private Law 88-350, Oct. 8, 1964, 78 Stat. 1197, is not classified to the Code.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-357 inserted after first sentence “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.”

§ 1300f-1. Tribal constitution and bylaws; review by Secretary; publication of documents and membership roll in Federal Register

Within thirty months after September 18, 1978, the Pascua Yaqui Tribe shall adopt a constitution and bylaws or other governing documents and a membership roll. The Secretary of the Interior shall review such documents to insure that they comply with the provisions of this subchapter and shall publish such documents and membership roll in the Federal Register. Publication of such roll shall not affect or delay the immediate eligibility of the members of the Association under section 1300f of this title.

(Pub. L. 95-375, §2, Sept. 18, 1978, 92 Stat. 712.)

§ 1300f-2. Membership of Tribe

For the purposes of section 1300f of this title, membership of the Pascua Yaqui Tribe shall consist of any United States citizen of Pascua Yaqui blood enrolled by the tribe.

(Pub. L. 95-375, §3, Sept. 18, 1978, 92 Stat. 712; Pub. L. 103-357, §1(b), Oct. 14, 1994, 108 Stat. 3418; Pub. L. 112-214, §1, Dec. 20, 2012, 126 Stat. 1588.)

AMENDMENTS

2012—Pub. L. 112-214 amended section generally. Prior to amendment, section set out categories of membership in the Pascua Yaqui Tribe in pars. (A) to (D).

1994—Pub. L. 103-357 added par. (C) and redesignated former par. (C) as (D).

§ 1300f-3. 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 October 14, 1994, 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 termination 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) of this section.

(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) of this section.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 95-375, §4, as added Pub. L. 103-357, §2, Oct. 14, 1994, 108 Stat. 3418; amended Pub. L. 104-109, §4, Feb. 12, 1996, 110 Stat. 764.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-109 substituted “Tribe” for “tribe”.

SUBCHAPTER LXXVIII—YSLETA DEL SUR
PUEBLO: RESTORATION OF FEDERAL SUPERVISION

§ 1300g. Definitions

For purposes of this subchapter—