

Public Law 95-375
95th Congress

An Act

Sept. 18, 1978
[S. 1633]

To provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona, and for other purposes.

Pascua Yaqui
Indians, Ariz.,
extension of
Federal benefits.
25 USC 1300f.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Pascua Yaqui Indian people who are members of the Pascua Yaqui Association, Incorporated, an Arizona corporation, or who hereafter become members of the Pascua Yaqui Tribe in accordance with section 3 of this Act, are recognized as, and declared to be, eligible, on and after the date of the enactment of this Act, for the services and assistance provided to Indians because of their status as Indians by or through any department, agency, or instrumentality of the United States, or under any statute of the United States. For the purposes of section 2 of the Act of August 16, 1957 (71 Stat. 371; 42 U.S.C. 2005a), the Pascua Yaqui Indians are to be considered as if they were being provided hospital and medical care by or at the expense of the Public Health Service on August 16, 1957.

25 USC 461 *et*
seq.

(b) The provisions of the Act of June 18, 1934 (48 Stat. 484), as amended, are extended to such members described in subsection (a).

(c) The Secretary of the Interior is directed, upon request of the Pascua Yaqui Association, Incorporated, and without monetary consideration, to accept on behalf of the United States and in trust for the Pascua Yaqui Tribe, the title to the real property conveyed by the United States to such association under the Act of October 8, 1964 (78 Stat. 1197), and such lands shall be held as Indian lands are held: *Provided*, That the State of Arizona shall exercise criminal and civil jurisdiction 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).

25 USC 1323.
Repeal.

(d) Section 4 of the Act of October 8, 1964 (78 Stat. 1197), is hereby repealed.

25 USC 1300f-1.

Publication in
Federal Register.

SEC. 2. Within thirty months after the date of enactment of this Act, 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 Act 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 1 of this Act.

25 USC 1300f-2.

SEC. 3. For the purposes of section 1 of this Act, membership of the Pascua Yaqui Tribe shall consist of—

(A) the members of the Pascua Yaqui Association, Incorporated, as of the date of the enactment of this Act, who apply for enrollment in the Pascua Yaqui Tribe within one year from the date of enactment of this Act pursuant to the membership criteria and procedures provided for in the official governing documents of the Pascua Yaqui Tribe;

(B) all those persons of Yaqui blood who are citizens of the United States and who, within two years from the date of enactment of this Act, apply for, and are admitted to, membership in the Association pursuant to article VII of the Articles of Incorporation of the Association; and

(C) direct lineal descendants of such persons, subject to any further qualifications as may be provided by the Tribe in its constitution and bylaws or other governing documents.

Approved September 18, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORTS No. 95-1021 accompanying H.R. 6612 (Comm. on Interior and Insular Affairs) and No. 95-1339 (Comm. of Conference).

SENATE REPORT No. 95-719 (Comm. on Indian Affairs).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Apr. 5, considered and passed Senate.

Apr. 17, H.R. 6612 considered and passed House; passage vacated and S. 1633, amended, passed in lieu.

May 2, Senate disagreed to House amendment.

Aug. 16, House agreed to conference report.

Aug. 25, Senate agreed to conference report.