A BILL
To complete implementation of the Settlement Agreement executed on December 14, 1995 between the United States of America and the Hopi Tribe.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) Short Title: This Act may be cited as the "Navajo-Hopi Land Acquisition Implementation Act of 2017."
(b) Table of Contents: The table of contents of this Act is as follows:

Title I: Hopi Land Acquisition Implementation
Title II: Navajo Replacement Land
Title III: Miscellaneous

SECTION 2. DEFINITIONS.
In this Act:
(1) SECRETARY: The term "Secretary" means the Secretary of the Interior.
(2) STATE: The term "State" means the State of Arizona.
(3) [anything else?]

TITLE I: HOPI LAND ACQUISITION IMPLEMENTATION

SEC. 101. FINDINGS
Congress finds that—
(1) in pursuing resolution of longstanding disagreements among the Hopi Tribe, the Navajo Nation and the United States, the Hopi Tribe and the United States entered into a Settlement Agreement executed on December 14, 1995, to be implemented by the United States through the "Navajo-Hopi Land Dispute Settlement Act of 1996" (Public Law 104-301, as amended by Pub. Law 105-256, § 3, 35 U.S.C. 6460 note);
(2) the Tribe and the United States have satisfied all the provisions of the Settlement Agreement, except for Section 7—"Agreement by the United States to Take Land Into Trust for the Tribe and to Acquire State Lands with the State's Concurring";
(3) the United States has taken into trust roughly 160,000 acres of private ranch lands in northern Arizona acquired by the Tribe, but has not acquired for the Tribe the interspersed state lands within the exterior boundaries of the private lands acquired by the Tribe, as agreed to in Section 7(b) of the Settlement Agreement;
(4) the State lands to be acquired were granted by Congress to the State of Arizona at statehood to be held in trust by the State and used for the support of public schools and other public institutions;
(5) it is in the public interest of the United States, the State of Arizona, and the Tribe to complete the implementation of the Settlement Agreement so that the state’s rights over the relevant lands in northern Arizona are settled, the Tribe receives the land to which it is entitled under the Settlement Agreement, and the State can receive the value of the lands granted to it for the support of its public schools and other public institutions.

SEC. 102. DEFINITIONS.
In this Title:
(1) DESIGNATED PUBLIC LAND: The term "Designated Public Land" means the BLM and USFS lands within the State identified in Section ______.
(3) INTERSPERSED STATE LAND: The term "Interspersed State Land" means parcels of land held in trust by the State of Arizona that are—
(a) adjacent to lands taken into trust for the Tribe,
(b) used substantially for ranching or other similar rural uses, and
(c) surrounded on at least three sides by federally reserved lands including lands taken into trust for the Tribe,
(d) not located within or contiguous to a five-mile radius of an incorporated town or city, and
(e) specifically identified in Section ______.
(4) SETTLEMENT AGREEMENT: The term "Settlement Agreement" means the agreement between the United States and the Hopi Tribe executed on December 14, 1995.
(5) TRIBE: The term "Tribe" means the Hopi Tribe.

SEC. 103. SELECTION AND CONVEYANCE OF INTERSPERSED STATE LAND AND DESIGNATED PUBLIC LAND.
(a) AUTHORITY TO SELECT: This Act supersedes the authority of the State under 43 U.S.C. §§ 831-832 to relinquish state land included within a reservation created by or under the authority of Congress and to select other Public Lands within the State to fast thereof.
(b) APPLICATION: Not later than 180 days after the date of the enactment of this Act, the State, through the Selection Board or other appropriate authority of the State, shall submit to the Secretary its application to relinquish to the United States specifically identified Interspersed State Land parcels and accept in return specifically identified Designated Public Land to be held in trust by the State and used for the support of public schools and other public institutions.
(c) DESIGNATION OF BENEFICIARIES.—In the process of completing the application, the Selection Board must designate beneficiaries to be assigned to the Designated Public Lands conveyed to the State. Will have to be proportionate to the value of the land that each beneficiary contributed to the value of the Interposed State Land.

(3) STATE CONCURRENCE. The State's application submitted to the Secretary pursuant to paragraph 5 shall constitute the State's concurrence that the United States' acquisition of the Interposed State Land and the State's concurrent acquisition of the Designated Public Land is consistent with the State's interests, as required under the Settlement Agreement.

(4) SECRETARY'S AUTHORITY.—On confirmation that the State's application is in accordance with the requirements of this title, the Secretary may direct the Interposed State Land and simultaneously re-select and convey to the State the specified Designated Public Land.

SEC. 104. ACQUISITION OF INTERPOSED STATE LANDS FOR THE HOU.

After conveyance of the Interposed State Land to the United States, and the expiration of any ensuing issues not held by the Tribe, the Secretary shall take those lands into trust for the Tribe, as a mandatory action, in accordance with the Settlement Agreement.

SEC. 105. VALUATION.

(a) EQUAL VALUE.—The overall value of the Designated Public Land to be conveyed to the State shall be no less than the overall value of the Interposed State Land relinquished by the State, as of the date of the State's application, and shall be equal to the maximum extent practicable.

(b) EQUIVALENT VALUES DETERMINED IN APPLICATION.—The Application must set out confirmation, using the approach or approaches prepared pursuant to this section that, the value of the Designated Public Land requested is as nearly equal as practicable to the value of the Interposed State Land.

(c) APPRAISAL REQUIRED.—(1) The value of the Designated Public Land and the Interposed State Land shall be determined by appraisals prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards for Professional Appraisal Practice. The Secretary and the State may agree to employ a third-party appraiser to prepare the appraisal.

(2) During the appraisal process, the appraiser shall determine the value of the Interposed State Land parcels applying the “scope of the project rule.” The value of the Interposed State Land parcels shall be appraised as though the parcels enjoy the legal and physical access from the surrounding public lands that the State parcels enjoyed when those lands were privately-owned; not to the extent of the physical access from the public lands to the lands in the State's possession prior to the 1966 Act.

SEC. 106. PROCESS.

(a) ENVIRONMENTAL ANALYSIS—

(1) IN GENERAL. Except as otherwise provided in this subsection, the Secretary shall convey Designated Public Land under this Act in accordance with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and

(2) OTHER APPLICABLE LAWS.

(b) ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT.—In preparing an environmental assessment or environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for the conveyance of the Designated Public Land under this Act, the Secretary is not required to study, develop, and describe more than—

(A) the proposed agency action; and

(B) the alternative of no action.

(b) HAZARDOUS MATERIAL.—The Secretary and the State shall make available for review and inspection any record relating to hazardous materials on land to be conveyed under this title.

(c) COST.—All costs of conveyance under this title, including appraisals, surveys, and related costs, shall be paid by the Secretary.

SEC. 107. RIGHTS CONVEYED.

(a) VALID EXISTING RIGHTS.—Land conveyed under this title shall be subject to valid existing rights. Failure to identify expressly a valid existing right in the documents specifying the conveyed lands shall not be interpreted as a waiver or relinquishment of that right.

(b) CONFLICT.—(1) By mutual agreement, the Secretary and the State may make minor and technical corrections to the maps and legal descriptions of the lands and interests conveyed or retained under this title.

(2) In the case of any discrepancy between a map and a legal description, the map shall prevail, unless the Secretary and the State agree otherwise.

(c) TIMING.—The relinquishment of the Interposed State Land and the conveyance of the Designated Public Land shall be concurrent.

(A) PAYMENT BY THE TRIBES FOR IMPROVEMENTS ON INTERPOSED STATE LAND PARCELS, AND STATE EQUITABLE INTERESTS. The Tribe shall be responsible to pay to the owners of rights to reimbursement for improvements placed on the Interposed State Land parcels as would be required by a subsequent purchaser or lessee of State land under State law.

(c) RELEASE OF ENVIRONMENTAL CLAIMS. To effectuate the conveyance of lands under this Act, the United States, the Tribe, and the State must execute and deliver fully, final, and complete releases of all environmental claims relating to the lands conveyed.

(f) GRADING PERMITS.—If land conveyed under this Act is subject to a lease, permit, or contract for the grazing of domestic livestock or in effect on the date of the conveyance, the Secretary and the State shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the terms and conditions of such agreements, including permitted stocking rates, grazing fees, access, and ownership and use of range improvements.

(g) CONVEYANCE BY UNITED STATES.—The conveyance of Designated Public Land by the United States under this title shall—
SEC. 105. WATER RIGHTS
(a) In general.—Adopt the provisions of section 12 of the 1996 Act, Pub. Law 104-301, as amended by sections 3 of Pub. Law 105-256, as amended as follows.
(b) Subsection 12(a)(1)(A) is amended to read
(c) section 12(b)(1)
(d) section 12(b)

SEC. 109. DESCRIPTION OF INTERSPERSED STATE LAND
(a) In general.—The Interspersed State Land referred to in this Title shall consist of the following:
   (1) Certain land comprising of approximately XXX acres as generally depicted on the map entitled "[State Trust Land ________], dated December __, 2017.
   (2) ...
(b) RESERVATION OF STATE HIGHWAYS.—The maps and legal descriptions referred to in paragraph (a) are expressly subject to the reservation of all State highways as depicted by Arizona Department of Transportation Map Numbers, as filed with the Arizona Department of Transportation and [Federal repository].

SEC. 110. DESCRIPTION OF DESIGNATED PUBLIC LAND
(a) In general.—The Designated Public Land referred to in this Title shall consist of the following:
   (1) Certain land comprising of approximately XXX acres located in, as generally depicted on the map entitled "________", dated December X, 2017.
   (2) ...

SEC. 111. MISCELLANEOUS PROVISIONS.
(a) Revocation of Orders.—Any public order withdrawing any of the Designated Public Land from appropriation or disposal under the federal public land laws are revoked to the extent necessary to permit conveyance of the Designated Public Land.