

119TH CONGRESS
2D SESSION

S. 5282

To withdraw certain Federal land in the Rio Chama Watershed area of the State of New Mexico from mineral entry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 6, 2026

Mr. LUJÁN (for himself and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To withdraw certain Federal land in the Rio Chama Watershed area of the State of New Mexico from mineral entry, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chama Basin Water-
5 shed Protection Act”.

6 **SEC. 2. WITHDRAWAL OF FEDERAL LAND IN RIO CHAMA**
7 **WATERSHED AREA, NEW MEXICO.**

8 (a) WITHDRAWAL.—The Federal land located within
9 the boundary area depicted as “Rio Chama Watershed”

1 on the map entitled “Rio Chama Watershed Draft” and
2 dated April 22, 2026, is withdrawn from all forms of loca-
3 tion, entry, and patent under the mining laws.

4 (b) EFFECT ON NON-FEDERAL MINERAL INTER-
5 ESTS.—The withdrawal described in subsection (a) applies
6 only to minerals owned by the United States and nothing
7 in this Act affects, diminishes, impairs, encumbers, or oth-
8 erwise applies to any right, title, interest, or claim in min-
9 erals owned by, held in trust on behalf of, or claimed by—

10 (1) a qualified land grant-merced; or

11 (2) an Indian Tribe.

12 (c) EFFECT ON TRADITIONAL AND CUSTOMARY
13 USES.—Nothing in this Act prohibits, restricts, or other-
14 wise affects the traditional, customary, or personal use,
15 gathering, or collection of common variety minerals, stone,
16 sand, gravel, clay, adobe, mineral earths, or other similar
17 materials by members of a qualified land grant-merced or
18 acequia community, or by other individuals, for domestic,
19 cultural, religious, ceremonial, subsistence, agricultural, or
20 noncommercial construction purposes, consistent with ap-
21 plicable Federal law and the management of the National
22 Forest System.

23 (d) DEFINITIONS.—In this Act:

24 (1) INDIAN TRIBE.—The term “Indian Tribe”
25 means the governing body of any individually identi-

1 fied and federally recognized Indian or Alaska Na-
 2 tive tribe, band, nation, pueblo, village, community,
 3 affiliated Tribal group, or component reservation in-
 4 cluded on the most recent list published pursuant to
 5 section 104(a) of the Federally Recognized Indian
 6 Tribe List Act of 1994 (25 U.S.C. 5131(a)).

7 (2) QUALIFIED LAND GRANT-MERCED.—The
 8 term “qualified land grant-merced” means a com-
 9 munity land grant issued under the laws or customs
 10 of the Government of Spain or Mexico that—

11 (A) is recognized under New Mexico Stat-
 12 utes Chapter 49, Articles 1 and 4 (or a suc-
 13 cessor statute); and

14 (B)(i) has a record of historical or tradi-
 15 tional use on Federal land within the boundary
 16 area described in subsection (a); or

17 (ii) has a patented exterior boundary that
 18 is or previously was located on or adjacent to
 19 Federal land within the boundary area de-
 20 scribed in subsection (a).

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