

112TH CONGRESS
2D SESSION

H. R. 3815

To require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2012

Mr. AMODEI introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, 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 “Elko Motocross and
5 Tribal Conveyance Act”.

1 **SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-
3 retary of the Interior, acting through the Bureau of Land
4 Management.

5 **TITLE I—ELKO MOTOCROSS**
6 **LAND CONVEYANCE**

7 **SEC. 101. DEFINITIONS.**

8 In this title:

9 (1) CITY.—The term “city” means the city of
10 Elko, Nevada.

11 (2) COUNTY.—The term “county” means the
12 county of Elko, Nevada.

13 (3) MAP.—The term “map” means the map en-
14 titled “Elko Motocross Park” and dated January 9,
15 2010.

16 **SEC. 102. CONVEYANCE OF LAND TO COUNTY.**

17 (a) IN GENERAL.—As soon as practicable after the
18 date of enactment of this Act, subject to valid existing
19 rights and the provisions of this section, the Secretary
20 shall convey to the county, without consideration, all right,
21 title, and interest of the United States in and to the land
22 described in subsection (b).

23 (b) DESCRIPTION OF LAND.—The land referred to in
24 subsection (a) consists of approximately 275 acres of land
25 managed by the Bureau of Land Management, Elko Dis-

1 triet, Nevada, as generally depicted on the map as “Elko
2 Motocross Park”.

3 (c) MAP AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall finalize the legal description of the parcel to be
7 conveyed under this section.

8 (2) MINOR ERRORS.—The Secretary may cor-
9 rect any minor error in—

10 (A) the map; or

11 (B) the legal description.

12 (3) AVAILABILITY.—The map and legal descrip-
13 tion shall be on file and available for public inspec-
14 tion in the appropriate offices of the Bureau of
15 Land Management.

16 (d) USE OF CONVEYED LAND.—The land conveyed
17 under this section shall be used only as a motocross, bicy-
18 cle, off-highway vehicle, or stock car racing area, or for
19 any other public purpose consistent with uses allowed
20 under the Act of June 14, 1926 (commonly known as the
21 “Recreation and Public Purposes Act”), (43 U.S.C. 869
22 et seq.).

23 (e) ADMINISTRATIVE COSTS.—The Secretary shall
24 require the county to pay all survey costs and other admin-
25 istrative costs necessary for the preparation and comple-

tion of any patents for, and transfers of title to, the land described in subsection (b).

(f) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with subsection (d), the land shall, at the discretion of the Secretary, revert to the United States.

TITLE II—ELKO INDIAN COLONY EXPANSION

SEC. 201. DEFINITIONS.

In this title:

(1) MAP.—The term “map” means the map entitled “Te-moak Tribal Land Expansion”, dated September 30, 2008, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) TRIBE.—The term “Tribe” means the Te-moak Tribe of Western Shoshone Indians of Nevada, which is a federally recognized Indian tribe.

SEC. 202. LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

1 (1) shall be held in trust by the United States
2 for the benefit and use of the Tribe; and

3 (2) shall be part of the reservation of the Tribe.

4 (b) DESCRIPTION OF LAND.—The land referred to in
5 subsection (a) consists of approximately 373 acres of land
6 administered by the Bureau of Land Management, as gen-
7 erally depicted on the map as “Lands to be Held in
8 Trust”.

9 (c) SURVEY.—Not later than 180 days after the date
10 of enactment of this Act, the Secretary shall complete a
11 survey of the boundary lines to establish the boundaries
12 of the land taken into trust under subsection (a).

13 (d) CONDITIONS.—

14 (1) GAMING.—Land taken into trust under sub-
15 section (a) shall not be eligible, or considered to
16 have been taken into trust, for class II gaming or
17 class III gaming (as those terms are defined in sec-
18 tion 4 of the Indian Gaming Regulatory Act (25
19 U.S.C. 2703)).

20 (2) USE OF TRUST LAND.—

21 (A) IN GENERAL.—The Tribe shall use the
22 land taken into trust under subsection (a) only
23 for—

24 (i) traditional and customary uses;

1 (ii) stewardship conservation for the
2 benefit of the Tribe; or

3 (iii) residential or recreational devel-
4 opment.

5 (B) OTHER USES.—If the Tribe uses any
6 portion of the land taken into trust under sub-
7 section (a) for a purpose other than a purpose
8 described in subparagraph (A), the Tribe shall
9 pay to the Secretary an amount that is equal to
10 the fair market value of the portion of the land,
11 as determined by an appraisal.

12 (3) THINNING; LANDSCAPE RESTORATION.—
13 With respect to the land taken into trust under sub-
14 section (a), the Secretary, in consultation and co-
15 ordination with the Tribe, may carry out any fuels
16 reduction and other landscape restoration activities
17 on the land that is beneficial to the Tribe and the
18 Bureau of Land Management.

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