

Calendar No. 543

113TH CONGRESS
2D SESSION**S. 2465**

To require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2014

Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

AUGUST 26, 2014

Reported, under authority of the order of the Senate of August 5 (legislative day, August 1), 2014, by Mr. TESTER, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

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 “Albuquerque Indian
5 School Land Transfer Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) 19 PUEBLOS.—The term “19 Pueblos”
4 means the New Mexico Indian Pueblos of—

5 (A) Acoma;

6 (B) Cochiti;

7 (C) Isleta;

8 (D) Jemez;

9 (E) Laguna;

10 (F) Nambe;

11 (G) Ohkay Owingeh (San Juan);

12 (H) Picuris;

13 (I) Pojoaque;

14 (J) San Felipe;

15 (K) San Ildefonso;

16 (L) Sandia;

17 (M) Santa Ana;

18 (N) Santa Clara;

19 (O) Santo Domingo;

20 (P) Taos;

21 (Q) Tesuque;

22 (R) Zia; and

23 (S) Zuni.

24 (2) MAP.—The term “map” means the map en-
25 titled “Bureau of Indian Affairs—Southwest Region
26 Division of Land Titles & Records: BLM Surveys

1 ~~Within Town of Albuquerque Grant—Albuquerque~~
 2 ~~Indian School” and dated August 7, 2013.~~

3 (2) *MAP.*—*The term “map” means the map enti-*
 4 *tled “The Town of Albuquerque Grant, Bernalillo*
 5 *County, within Township 10 North, Range 3 East, of*
 6 *the New Mexico Principal Meridian, New Mexico—*
 7 *Metes and Bounds Survey” and dated August 12,*
 8 *2011.*

9 (3) *SECRETARY.*—The term “Secretary” means
 10 Secretary of the Interior.

11 **SEC. 3. LAND TAKEN INTO TRUST FOR BENEFIT OF 19**
 12 **PUEBLOS.**

13 (a) *ACTION BY SECRETARY.*—

14 (1) *IN GENERAL.*—The Secretary shall take
 15 into trust all right, title, and interest of the United
 16 States in and to the Federal land described in sub-
 17 section (b) for the benefit of the 19 Pueblos imme-
 18 diately after the Secretary determines that the re-
 19 quirements of the National Environmental Policy
 20 Act of 1969 (42 U.S.C. 4321 et seq.) have been sat-
 21 isfied regarding the trust acquisition of the Federal
 22 land.

23 (2) *ADMINISTRATION.*—The Secretary shall—

1 (A) take such action as the Secretary de-
2 termines to be necessary to document the trans-
3 fer under paragraph (1); and

4 (B) appropriately assign each applicable
5 private and municipal utility and service right
6 or agreement.

7 (b) DESCRIPTION OF LAND.—The Federal land re-
8 ferred to in subsection (a)(1) is the 4 tracts of Federal
9 land, the combined acreage of which is approximately
10 11.11 acres, that were historically part of the Albuquerque
11 Indian School, more particularly described as follows:

12 (1) ABANDONED INDIAN SCHOOL ROAD.—The
13 approximately 0.83 acres located in sec. 7 and sec.
14 8 of T. 10 N., R. 3 E., of the New Mexico Principal
15 Meridian in Albuquerque, New Mexico, as identified
16 on the map.

17 (2) SOUTHERN PART TRACT D.—The approxi-
18 mately 6.18 acres located in sec. 7 of T. 10 N., R.
19 3 E., of the New Mexico Principal Meridian in Albu-
20 querque, New Mexico, as identified on the map.

21 (3) TRACT 1.—The approximately 0.41 acres lo-
22 cated in sec. 7 of T. 10 N., R. 3 E., of the New
23 Mexico Principal Meridian in Albuquerque, New
24 Mexico, as identified on the map.

1 (4) WESTERN PART TRACT B.—The approxi-
 2 mately 3.69 acres located in sec. 7 of T. 10 N., R.
 3 3 E., of the New Mexico Principal Meridian in Albu-
 4 querque, Mexico, as identified on the map.

5 (c) SURVEY.—The Secretary shall conduct a survey
 6 of the Federal land to be transferred consistent with sub-
 7 section (b) and may make minor corrections to the survey
 8 and legal description of the Federal land described in sub-
 9 section (b) as the Secretary determines to be necessary
 10 to correct clerical, typographical, and surveying errors.

11 (d) USE OF LAND.—The Federal land taken into
 12 trust under subsection (a) shall be used for the edu-
 13 cational, health, cultural, business, and economic develop-
 14 ment of the 19 Pueblos.

15 (e) LIMITATIONS AND CONDITIONS.—The Federal
 16 land taken into trust under subsection (a) shall remain
 17 subject to any private or municipal encumbrance, right-
 18 of-way, restriction, easement of record, or utility service
 19 agreement in effect on the date of enactment of this Act.

20 (f) *BUREAU OF INDIAN AFFAIRS USE.*—

21 (1) *IN GENERAL.*—*The 19 Pueblos shall allow the*
 22 *Bureau of Indian Affairs to continue to use the land*
 23 *taken into trust under subsection (a) for the facilities*
 24 *and purposes as in existence on the date of enactment*
 25 *of this Act, in accordance with paragraph (2).*

1 (2) *REQUIREMENTS.*—*The use by the Bureau of*
2 *Indian Affairs under paragraph (1) shall—*
3 *(A) be free of any rental charge; and*
4 *(B) continue until such time as the Sec-*
5 *retary determines there is no further need for the*
6 *existing Bureau of Indian Affairs facilities.*

7 **SEC. 4. EFFECT OF OTHER LAWS.**

8 (a) *IN GENERAL.*—Subject to subsection (b), Federal
9 land taken into trust under section 3(a) shall be subject
10 to Federal laws relating to Indian land.

11 (b) *GAMING.*—No class I gaming, class II gaming,
12 or class III gaming (as defined in section 4 of the Indian
13 Gaming Regulatory Act (25 U.S.C. 2703)) shall be carried
14 out on the Federal land taken into trust under section
15 3(a).

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