

Calendar No. 685

114TH CONGRESS
2D SESSION**S. 2643****[Report No. 114–381]**

To improve the implementation of the settlement agreement reached between the Pueblo de Cochiti of New Mexico and the Corps of Engineers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2016

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

NOVEMBER 17, 2016

Reported by Mr. BARRASSO, with an amendment

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

A BILL

To improve the implementation of the settlement agreement reached between the Pueblo de Cochiti of New Mexico and the Corps of Engineers, 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 “Pueblo de Cochiti Self-
5 Governance Act”.

1 **SEC. 2. AMENDMENTS.**

2 (a) GENERAL AUTHORIZATION.—Section 1 of the Act
3 of August 26, 1992 (Public Law 102–358; 106 Stat. 960;
4 118 Stat. 543), is amended—

5 (1) by striking paragraph (2);

6 (2) in paragraph (1), by striking “; and” at the
7 end and inserting a period;

8 (3) in the matter preceding paragraph (1)—

9 (A) by striking “The Secretary” and in-
10 serting the following:

11 “(a) IN GENERAL.—The Secretary”; and

12 (B) by striking “implement—” and all
13 that follows through “the settlement” in para-
14 graph (1) and inserting “implement the settle-
15 ment”; and

16 (4) by adding at the end the following:

17 “(b) RATIFICATION.—Congress ratifies and approves
18 the modifications regarding the use of the settlement
19 funds and transfer of responsibility for the drainage sys-
20 tem, as described in the agreement known as ‘Amendment
21 to the Settlement Agreement for Implementation of
22 Cochiti Wetfields Solution’, executed on—

23 “(1) October 15, 2015, by the Department of
24 the Interior;

25 “(2) October 21, 2015, by the Corps of Engi-
26 neers; and

1 “(3) October 27, 2015, by the Pueblo de
2 Cochiti of New Mexico.”.

3 (b) DUTIES OF THE SECRETARY.—Section 2 of the
4 Act of August 26, 1992 (Public Law 102–358; 106 Stat.
5 960), is amended to read as follows:

6 **“SEC. 2. DUTIES OF THE SECRETARY OF THE INTERIOR.**

7 “(a) IN GENERAL.—In accordance with the settle-
8 ment agreement and pursuant to the government-to-gov-
9 ernment relationship between the United States and the
10 Pueblo de Cochiti of New Mexico and the modifications
11 to the settlement agreement under section 1(b), the Pueb-
12 lo de Cochiti of New Mexico, as an exercise of self-deter-
13 mination, assumes any and all legal and financial respon-
14 sibility for the operation, maintenance, repair, and re-
15 placement of the drainage system.

16 “(b) NO RESPONSIBILITY FOR DRAINAGE SYSTEM.—
17 The United States shall have no further legal or financial
18 responsibility for the operation, maintenance, repair, or re-
19 placement of the drainage system.

20 “(c) RELEASE FROM LIABILITY.—Effective begin-
21 ning on the date on which the Pueblo de Cochiti of New
22 Mexico assumes all legal and financial responsibility for
23 the operation, maintenance, repair, and replacement of the
24 drainage system under subsection (a), the Pueblo de
25 Cochiti of New Mexico, on behalf of the Pueblo de Cochiti

1 of New Mexico and the members of the Pueblo de Cochiti
 2 of New Mexico, waives and releases the United States
 3 from all past, present, and future liability for any claim
 4 relating to the operation, maintenance, repair, or replace-
 5 ~~ment of the drainage system.”.~~

6 *ment of the drainage system.*

7 “(d) *PROHIBITION ON GAMING.—Notwithstanding any*
 8 *other provision of law, no class I gaming, class II gaming,*
 9 *or class III gaming (as those terms are defined in section*
 10 *4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703))*
 11 *may be carried out on any land acquired through the use*
 12 *of the settlement funds, as described in the agreement enti-*
 13 *tled ‘Amendment to the Settlement Agreement for Imple-*
 14 *mentation of Cochiti Wetfields Solution’.”.*

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