

ensure the future care of the historic site, with the association remaining active in an advisory capacity.

H.R. 3434 was introduced on December 6, 2001, by the gentlewoman from Oregon (Ms. HOOLEY). The bill was referred to the Committee on Resources and within the committee to the subcommittee on National Parks, Recreation and Public Lands. On July 16, 2002, the subcommittee held a hearing on the bill. On July 18, 2002, the subcommittee met to mark up the bill. The gentleman from California (Mr. RADANOVICH) offered an amendment in the nature of a substitute to authorize the acquisition of the property but to include it within the boundaries of the Fort Vancouver National Historic Site, rather than create a new unit of the National Park System.

Mr. Speaker, I reserve the balance of my time.

Mr. PEARCE. Mr. Speaker, I yield myself as much time as I may consume.

I do recall those meetings in which those subjects were discussed and compliment both sides of the aisle for cooperating, and we do appreciate the hard work on this; and I would like to congratulate my colleague for his hard work and for the amount of time he consumed here.

Mr. UDALL of New Mexico. Mr. Speaker, I yield as much time as may be consumed to the gentlewoman from Oregon (Ms. HOOLEY).

(Ms. HOOLEY of Oregon asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Mr. Speaker, I am very happy to rise today and make what I hope will be my last statement on the House floor on H.R. 733, the McLoughlin House National Historic Site Act. I have been working on this bill for 3 years; and I want to thank my colleagues, particularly the gentleman from California (Mr. POMBO), the chairman; the gentleman from West Virginia (Mr. RAHALL), the ranking member of the House Committee on Resources; and the gentleman from California (Mr. RADANOVICH), the chairman; and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the ranking member of that committee's Subcommittee on National Parks, Recreation and Public Lands. Without their willingness to work with me on this bill, we would not be passing it today.

In Oregon, this legislation would not have happened without the tireless work of John Williams, former mayor of Oregon City, who came to me with this idea many years ago, and John Salisbury, who has shown his passion for this project by serving as the chairman of the board of the McLoughlin House, and the current mayor of Oregon City, Mayor Alice Norris.

My legislation would do what should have been done 60 years ago, include Dr. John McLoughlin's house in Oregon City as part of the National Park System. Rather than creating a new unit

of the National Park System, this legislation simply adds this historic treasure to the existing Fort Vancouver National Historic Site, which is already administered as part of the National Park System. I believe this addition will preserve in perpetuity the cultural, educational and historical benefits of this historic site for future generations.

I am very happy that we are taking action in this House today and look forward to the day when the President signs this bill and the house of Oregon's Founding Father is preserved for our children and beyond.

Mr. UDALL of New Mexico. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 733.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

HOLDING IN TRUST CERTAIN BUREAU OF LAND MANAGEMENT LANDS FOR PUEBLO OF SANTA CLARA AND PUEBLO OF SAN ILDEFONSO IN NEW MEXICO

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 246) to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico.

The Clerk read as follows:

S. 246

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

SECTION 1. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term "Agreement" means the agreement entitled "Agreement to Affirm Boundary Between Pueblo of Santa Clara and Pueblo of San Ildefonso Aboriginal Lands Within Garcia Canyon Tract", entered into by the Governors on December 20, 2000.

(2) BOUNDARY LINE.—The term "boundary line" means the boundary line established under section 4(a).

(3) GOVERNORS.—The term "Governors" means—

(A) the Governor of the Pueblo of Santa Clara, New Mexico; and

(B) the Governor of the Pueblo of San Ildefonso, New Mexico.

(4) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) PUEBLOS.—The term "Pueblos" means—

(A) the Pueblo of Santa Clara, New Mexico; and

(B) the Pueblo of San Ildefonso, New Mexico.

(6) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(7) TRUST LAND.—The term "trust land" means the land held by the United States in trust under section 2(a) or 3(a).

SEC. 2. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW MEXICO.

(a) IN GENERAL.—All right, title, and interest of the United States in and to the land described in subsection (b), including improvements on, appurtenances to, and mineral rights (including rights to oil and gas) to the land, shall be held by the United States in trust for the Pueblo of Santa Clara, New Mexico, as part of the Santa Clara Reservation.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 2,484 acres of Bureau of Land Management land located in Rio Arriba County, New Mexico, and more particularly described as—

(1) the portion of T. 20 N., R. 7 E., Sec. 22, New Mexico Principal Meridian, that is located north of the boundary line;

(2) the southern half of T. 20 N., R. 7 E., Sec. 23, New Mexico Principal Meridian;

(3) the southern half of T. 20 N., R. 7 E., Sec. 24, New Mexico Principal Meridian;

(4) T. 20 N., R. 7 E., Sec. 25, excluding the 5-acre tract in the southeast quarter owned by the Pueblo of San Ildefonso;

(5) the portion of T. 20 N., R. 7 E., Sec. 26, New Mexico Principal Meridian, that is located north and east of the boundary line;

(6) the portion of T. 20 N., R. 7 E., Sec. 27, New Mexico Principal Meridian, that is located north of the boundary line;

(7) the portion of T. 20 N., R. 8 E., Sec. 19, New Mexico Principal Meridian, that is not included in the Santa Clara Pueblo Grant or the Santa Clara Indian Reservation; and

(8) the portion of T. 20 N., R. 8 E., Sec. 30, that is not included in the Santa Clara Pueblo Grant or the San Ildefonso Grant.

SEC. 3. TRUST FOR THE PUEBLO OF SAN ILDEFONSO, NEW MEXICO.

(a) IN GENERAL.—All right, title, and interest of the United States in and to the land described in subsection (b), including improvements on, appurtenances to, and mineral rights (including rights to oil and gas) to the land, shall be held by the United States in trust for the Pueblo of San Ildefonso, New Mexico, as part of the San Ildefonso Reservation.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 2,000 acres of Bureau of Land Management land located in Rio Arriba County and Santa Fe County in the State of New Mexico, and more particularly described as—

(1) the portion of T. 20 N., R. 7 E., Sec. 22, New Mexico Principal Meridian, that is located south of the boundary line;

(2) the portion of T. 20 N., R. 7 E., Sec. 26, New Mexico Principal Meridian, that is located south and west of the boundary line;

(3) the portion of T. 20 N., R. 7 E., Sec. 27, New Mexico Principal Meridian, that is located south of the boundary line;

(4) T. 20 N., R. 7 E., Sec. 34, New Mexico Principal Meridian; and

(5) the portion of T. 20 N., R. 7 E., Sec. 35, New Mexico Principal Meridian, that is not included in the San Ildefonso Pueblo Grant.

SEC. 4. SURVEY AND LEGAL DESCRIPTIONS.

(a) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Office of Cadastral Survey of the Bureau of Land Management shall, in accordance with the Agreement, complete a survey of the boundary line established under the Agreement for the purpose of establishing, in accordance with sections 2(b) and 3(b), the boundaries of the trust land.

(b) LEGAL DESCRIPTIONS.—

(1) PUBLICATION.—On approval by the Governors of the survey completed under subsection (a), the Secretary shall publish in the Federal Register—

(A) a legal description of the boundary line; and

(B) legal descriptions of the trust land.

(2) TECHNICAL CORRECTIONS.—Before the date on which the legal descriptions are published under paragraph (1)(B), the Secretary may correct any technical errors in the descriptions of the trust land provided in sections 2(b) and 3(b) to ensure that the descriptions are consistent with the terms of the Agreement.

(3) EFFECT.—Beginning on the date on which the legal descriptions are published under paragraph (1)(B), the legal descriptions shall be the official legal descriptions of the trust land.

SEC. 5. ADMINISTRATION OF TRUST LAND.

(a) APPLICABLE LAW.—The trust land shall be administered in accordance with laws generally applicable to property held in trust by the United States for Indian tribes.

(b) PUEBLO LANDS ACT.—The following shall be subject to section 17 of the Act of June 7, 1924 (25 U.S.C. 331 note; commonly known as the "Pueblo Lands Act"):

(1) The trust land.

(2) Any land owned as of the date of enactment of this Act or acquired after the date of enactment of this Act by the Pueblo of Santa Clara in the Santa Clara Pueblo Grant.

(3) Any land owned as of the date of enactment of this Act or acquired after the date of enactment of this Act by the Pueblo of Santa Ildefonso in the San Ildefonso Pueblo Grant.

(c) USE OF TRUST LAND.—Subject to criteria developed by the Pueblos in concert with the Secretary, the trust land may be used only for traditional and customary uses or stewardship conservation for the benefit of the Pueblo for which the trust land is held in trust. Beginning on the date of enactment of this Act, the trust land shall not be used for any new commercial developments.

SEC. 6. EFFECT.

Nothing in this Act—

(1) affects any valid right-of-way, lease, permit, mining claim, grazing permit, water right, or other right or interest of any person or entity (other than the United States) in or to the trust land that is in existence before the date of enactment of this Act;

(2) enlarges, impairs, or otherwise affects a right or claim of the Pueblos to any land or interest in land based on Aboriginal or Indian title that is in existence before the date of enactment of this Act;

(3) constitutes an express or implied reservation of water or water right for any purpose with respect to the trust land; or

(4) affects any water right of the Pueblos in existence before the date of enactment of this act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

(Mr. PEARCE asked and was given permission to revise and extend his remarks.)

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a New Mexico day on the floor of the House, and my colleague and I are here to recommend that Senate 246 be passed. It places

4,484 acres of Federal land managed by the Bureau of Lands Management in trust for two pueblos in the State of New Mexico. Specifically 2,484 acres will be added to the Santa Clara Reservation and 2,000 acres to the San Ildefonso Reservation.

The gentleman from New Mexico (Mr. UDALL) and the gentlewoman from New Mexico (Mrs. WILSON) are cosponsors of H.R. 508, the House companion to this noncontroversial measure. The lands being transferred to the pueblos are basically surplus land that the BLM has classified as "disposal property." These lands are situated between the two pueblos in a manner that is not conducive to public access or use, and they are difficult for the BLM to manage. In fact, there has reportedly been almost no use of these lands except by the pueblos for cultural purposes.

While the lands are deemed to be disposable property in the eyes of the Federal Government, they are valuable in the hearts of the two pueblos which have always asserted rights to them. Congress will be restoring land to the pueblos claimed as their ancestral homelands before the European settlers arrived. Recognizing the cultural, traditional, and religious importance of the land of the pueblos, the bill forbids any new commercial development as of the date of enactment. Otherwise, the pueblos will have control over managing the property for its intended purposes.

The bill specifies which lands are to be transferred based on an agreement worked out between the two pueblos. The transfer is subject to any valid existing rights, and there is a provision to ensure that enactment does not affect any pending land plans by the pueblos.

Similar legislation had been considered in the last Congress. It is supported by local governments in New Mexico and by the administration. We should ensure it is finally sent to the President after we pass it today.

Mr. Speaker I reserve the balance of my time.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise today in strong support of S. 246, a bill declaring that the United States hold certain Bureau of Land Management land in trust for the pueblos of San Ildefonso and Santa Clara in New Mexico. I originally introduced a similar bill in the 107th Congress and introduced H.R. 507, companion legislation to S. 246, at the beginning of the 108th Congress. Last Congress, Senators DOMENICI and JEFF BINGAMAN sponsored the Senate companion and were successful in incorporating it into S. 2711, the Indian Programs Reauthorization and Technical Amendments Act of 2002, during the closing days of the 107th Congress.

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Unfortunately, the House was unable to take up this legislation prior to its adjournment. Accordingly, I am delighted today that the House will finally have the opportunity to vote on this important legislation.

S. 246 will formally restore control and tribal authority of nearly 4,500 acres of remote surplus Federal property to the two Pueblos. This land is culturally significant to San Ildefonso and Santa Clara. The bill will transfer roughly 2,000 acres of land located within its aboriginal domain to the San Ildefonso Pueblo and approximately 2,484 acres to Santa Clara's Pueblo aboriginal lands will also be transferred to that Pueblo.

This transfer is the result of years of negotiations between the two Pueblos and between the Pueblos and the Department of the Interior and the Bureau of Land Management.

The Pueblos intend to maintain the natural quality of the land and restore the health of the ecosystem of their traditional ancestral lands. In addition, the lands will be used for ceremonial and other traditional purposes.

Finally, the acquisition and transfer of these remote, surplus Federal lands has the support of the surrounding communities and other groups. Specifically, this includes the Counties of Santa Fe, Rio Arriba and Los Alamos. It also has the support of the National Congress of American Indians, the National Audubon Society's New Mexico State office, the Quivira Coalition and the Santa Fe Group of the Sierra Club.

Once again, I am very pleased that we have the opportunity to pass this important legislation. I ask all of my colleagues today to support the return of this culturally significant land to the people of the San Ildefonso and Santa Clara Pueblos, and I thank the gentleman from New Mexico (Mr. PEARCE) for his participation on this issue.

Mr. Speaker, having no additional speakers, we yield back the balance of our time.

Mr. PEARCE. Mr. Speaker, I yield myself such time as I may consume.

As I was listening to my colleague from New Mexico, I am completely unfamiliar with the previous attempts to pass this legislation, and though I do not take credit for it, I am glad to be a part of breaking this logjam and getting this legislation to the next level.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the Senate bill, S. 246.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.