

107TH CONGRESS  
2D SESSION

# S. 3066

To improve programs relating to Indian tribes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 7, 2002

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To improve programs relating to Indian tribes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Indian Technical Corrections Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

### TITLE I—PROGRAMS RELATING TO PARTICULAR INDIAN TRIBES

Sec. 101. Leases of restricted land.

Sec. 102. Lease of tribally-owned land by Assiniboine and Sioux Tribes of the  
Fort Peck Reservation.

Sec. 103. Navajo-Hopi relocation impact study.

Sec. 104. Indian health demonstration project.

- Sec. 105. Fetal alcohol syndrome and fetal alcohol effect grants.  
 Sec. 106. Illegal narcotics traffic on the Tohono O’Odham and St. Regis Reservations.  
 Sec. 107. Rehabilitation of Celilo Indian Village.  
 Sec. 108. Rural health care facility, Fort Berthold Indian Reservation, North Dakota.  
 Sec. 109. Health care funding allocation, Eagle Butte Service Unit.  
 Sec. 110. Oklahoma Native American Cultural Center and Museum.  
 Sec. 111. Certification of rental proceeds.  
 Sec. 112. Waiver of repayment of expert assistance loans to the Oglala Sioux Tribe.  
 Sec. 113. Waiver of repayment of expert assistance loans to the Seminole Tribe of Oklahoma.  
 Sec. 114. Facilitation of construction of pipeline to provide water for emergency fire suppression and other purposes.  
 Sec. 115. Conveyance of Native Alaskan objects.  
 Sec. 116. Shakopee fee land.  
 Sec. 117. Agreement with Dry Prairie Rural Water Association, Incorporated.

TITLE II—COLLABORATION BETWEEN TRIBAL GOVERNMENTS  
AND FOREST SERVICE

- Sec. 201. Short title.  
 Sec. 202. Findings.  
 Sec. 203. Forest legacy program.  
 Sec. 204. Forestry and resource management assistance to Indian tribes.

TITLE III—PUEBLO OF SANTA CLARA AND SAN ILDEFONSO, NEW  
MEXICO

- Sec. 301. Definitions.  
 Sec. 302. Trust for the Pueblo of Santa Clara, New Mexico.  
 Sec. 303. Trust for the Pueblo of San Ildefonso, New Mexico.  
 Sec. 304. Survey and legal descriptions.  
 Sec. 305. Administration of trust land.  
 Sec. 306. Effect.

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

2       In this Act, the term “Secretary” means the Sec-  
 3 retary of the Interior.

**4 TITLE I—PROGRAMS RELATING**  
**5 TO INDIAN TRIBES**

**6 SEC. 101. LEASES OF RESTRICTED LAND.**

7       Subsection (a) of the first section of the Act of Au-  
 8 gust 9, 1955 (25 U.S.C. 415(a)) is amended by adding  
 9 at the end the following: “Notwithstanding any other pro-

1 vision of law, no approval by the Secretary shall be re-  
 2 quired for any new lease, or for renewal of any existing  
 3 lease, of land under this subsection if the lease, including  
 4 all periods covered by any renewal, is for an aggregate  
 5 term of less than 7 years.”.

6 **SEC. 102. LEASE OF TRIBALLY-OWNED LAND BY ASSINI-**  
 7 **BOINE AND SIOUX TRIBES OF THE FORT**  
 8 **PECK RESERVATION.**

9 The first section of the Act of August 9, 1955 (25  
 10 U.S.C. 415) is amended by adding at the end the fol-  
 11 lowing:

12 “(g) LEASE OF TRIBALLY-OWNED LAND BY ASSINI-  
 13 BOINE AND SIOUX TRIBES OF THE FORT PECK RESERVA-  
 14 TION.—

15 “(1) IN GENERAL.—Notwithstanding subsection  
 16 (a) and any regulations under part 162 of title 25,  
 17 Code of Federal Regulations, subject to paragraph  
 18 (2), the Assiniboine and Sioux Tribes of the Fort  
 19 Peck Reservation may lease to the Northern Border  
 20 Pipeline Company tribally-owned land on the Fort  
 21 Peck Indian Reservation for 1 or more interstate gas  
 22 pipelines.

23 “(2) CONDITIONS.—A lease entered into under  
 24 paragraph (1)—

1           “(A) shall commence during fiscal year  
2           2011 for an initial term of 25 years;

3           “(B) may be renewed for an additional  
4           term of 25 years; and

5           “(C) shall specify in the terms of the lease  
6           an annual rental rate—

7                   “(i) which rate shall be increased by  
8                   3 percent for each 5-year period; and

9                   “(ii) the adjustment of which in ac-  
10                  cordance with clause (i) shall be considered  
11                  to satisfy any review requirement under  
12                  part 162 of title 25, Code of Federal Regu-  
13                  lations.”.

14 **SEC. 103. NAVAJO-HOPI RELOCATION IMPACT STUDY.**

15           (a) IN GENERAL.—Section 34 of Public Law 93–531  
16 (commonly known as the “Navajo-Hopi Land Settlement  
17 Act of 1974”) (25 U.S.C. 640d et seq.) (as added by sec-  
18 tion 203 of the Indian Programs Reauthorization and  
19 Technical Amendments Act of 2002) is amended to read  
20 as follows:

21 **“SEC. 34. NAVAJO-HOPI RELOCATION IMPACT STUDY.**

22           “(a) IN GENERAL.—Not later than 120 days after  
23 the date of enactment of this section, the Office of Navajo  
24 and Hopi Indian Relocation shall enter into a contract  
25 with an independent contractor under which the inde-

1 pendent contractor shall complete, not later than 18  
2 months after the date of enactment of this section, a study  
3 to determine whether—

4 “(1) the purposes of this Act have been  
5 achieved; and

6 “(2) recommended activities should be carried  
7 out to mitigate the consequences of the implementa-  
8 tion of this Act.

9 “(b) SCOPE.—The study conducted under subsection  
10 (a) shall include an analysis of—

11 “(1) the long-term effects of the relocation pro-  
12 grams under this Act on the Hopi Tribe and the  
13 Navajo Nation;

14 “(2) the ongoing needs of the Hopi and Navajo  
15 populations relocated under this Act;

16 “(3) the ongoing needs of the other commu-  
17 nities affected by relocations under this Act (includ-  
18 ing communities affected by section 10(f) and com-  
19 munities on Hopi partitioned land and Navajo parti-  
20 tioned land);

21 “(4) the effects of termination of the relocation  
22 programs under this Act, including the effects of—

23 “(A) closure of the Office of Navajo and  
24 Hopi Indian Relocation; and

1           “(B) transfer of responsibilities of that Of-  
2           fice to other Federal agencies, the Hopi Tribe,  
3           and the Navajo Nation in accordance with ap-  
4           plicable provisions of the Indian Self-Deter-  
5           mination and Education Assistance Act (25  
6           U.S.C. 450 et seq.); and

7           “(5) other appropriate factors, as determined  
8           by the Office of Navajo and Hopi Indian Relocation.

9           “(c) RESTRICTION ON STUDY.—The study conducted  
10          under subsection (a) shall neither address, nor make any  
11          recommendations relating to, the relocation requirements  
12          for Navajos and Hopis under this Act, including any pro-  
13          posals for the return of Navajos or Hopis.

14          “(d) REPORT.—Not later than 2 years after the date  
15          of enactment of this section, the Office of Navajo and  
16          Hopi Relocation shall submit to Congress, the Hopi Tribe,  
17          and the Navajo Nation a report that describes the results  
18          of the study conducted under subsection (a).

19          “(e) FUNDING.—Of amounts made available to the  
20          Office of Navajo and Hopi Indian Relocation, not more  
21          than \$1,000,000 shall be made available to carry out this  
22          section.”.

23          (b) EFFECTIVE DATE.—The amendment made by  
24          this section takes effect on the later of—

25                 (1) the date of enactment of this Act; or

1           (2) the date of enactment of the Indian Pro-  
2           grams Reauthorization and Technical Amendments  
3           Act of 2002.

4 **SEC. 104. INDIAN HEALTH DEMONSTRATION PROJECT.**

5           Section 10 of the Ponca Restoration Act (25 U.S.C.  
6 983h) is amended by adding at the end the following:

7           “(e) DEMONSTRATION PROJECT.—The Director of  
8 the Indian Health Service shall direct the Aberdeen Area  
9 Office of the Indian Health Service to carry out, in coordi-  
10 nation with the Tribe, a demonstration project to deter-  
11 mine—

12           “(1) the ability of an urban, restored facility of  
13 the Tribe to provide health services to members re-  
14 siding in Douglas County and Sarpy County, Ne-  
15 braska, and Pottawattamie County, Iowa;

16           “(2) the viability of using third-party billing to  
17 enable a facility described in paragraph (1) to be-  
18 come self-sustaining; and

19           “(3) the effectiveness of using a computer-reg-  
20 istered patient management system in the counties  
21 specified in paragraph (1).”.

22 **SEC. 105. FETAL ALCOHOL SYNDROME AND FETAL ALCO-**  
23 **HOL EFFECT GRANTS.**

24           Section 708(f)(2) of the Indian Health Care Improve-  
25 ment Act (25 U.S.C. 1665g(f)(2)) (as amended by section

1 103(g)(1)(C) of the Indian Programs Reauthorization and  
 2 Technical Amendments Act of 2002) is amended by insert-  
 3 ing before the period at the end the following: “(including  
 4 to carry out demonstration projects that involve 1 or more  
 5 Indian tribes, tribal organizations, or urban Indian organi-  
 6 zations working with organizations such as the National  
 7 Organization on Fetal Alcohol Syndrome to carry out sub-  
 8 paragraphs (A) and (F) of subsection (a)(2))”.

9 **SEC. 106. ILLEGAL NARCOTICS TRAFFIC ON THE TOHONO**  
 10 **O’ODHAM AND ST. REGIS RESERVATIONS.**

11 (a) IN GENERAL.—Section 4216(a)(3) of the Indian  
 12 Alcohol and Substance Abuse Prevention and Treatment  
 13 Act of 1986 (25 U.S.C. 2442(a)(3)) (as amended by sec-  
 14 tion 104(e)(1) of the Indian Programs Reauthorization  
 15 and Technical Amendments Act of 2002) is amended by  
 16 striking paragraph (3) and inserting the following:

17 “(3) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated—

19 “(A) to carry out paragraph (1)(A),  
 20 \$1,000,000 for each of fiscal years 2002  
 21 through 2006; and

22 “(B) to carry out provisions of this sub-  
 23 section other than paragraph (1)(A), such sums  
 24 as are necessary for each of fiscal years 2002  
 25 through 2006.”.



1 (b) EFFECTIVE DATE.—The amendment made by  
2 this section takes effect on the later of—

3 (1) the date of enactment of this Act; or

4 (2) the date of enactment of the Indian Pro-  
5 grams Reauthorization and Technical Amendments  
6 Act of 2002.

7 **SEC. 107. REHABILITATION OF CELILO INDIAN VILLAGE.**

8 Section 401(b)(3) of Public Law 100–581 (102 Stat.  
9 2944) is amended by inserting “Celilo Village and other”  
10 before “existing sites”.

11 **SEC. 108. RURAL HEALTH CARE FACILITY, FORT BERTHOLD**  
12 **INDIAN RESERVATION, NORTH DAKOTA.**

13 The Three Affiliated Tribes and Standing Rock Sioux  
14 Tribe Equitable Compensation Act is amended—

15 (1) in section 3504 (106 Stat. 4732), by adding  
16 at the end the following:

17 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated such sums as are nec-  
19 essary to carry out this section.”; and

20 (2) by striking section 3511 (106 Stat. 4739)  
21 and inserting the following:

1 **“SEC. 3511. RURAL HEALTH CARE FACILITY, FORT**  
 2 **BERTHOLD INDIAN RESERVATION, NORTH**  
 3 **DAKOTA.**

4       “There is authorized to be appropriated to the Sec-  
 5 retary of Health and Human Services for the construction  
 6 of a rural health care facility on the Fort Berthold Indian  
 7 Reservation of the Three Affiliated Tribes, North Dakota,  
 8 \$20,000,000.”.

9 **SEC. 109. HEALTH CARE FUNDING ALLOCATION, EAGLE**  
 10 **BUTTE SERVICE UNIT.**

11       Section 117 of the Indian Health Care Improvement  
 12 Act (25 U.S.C. 1616j) is amended by adding at the end  
 13 the following:

14       “(g) CHEYENNE RIVER SIOUX TRIBE BONUS PAY-  
 15 MENT.—

16           “(1) IN GENERAL.—Notwithstanding any other  
 17 provision of law, to promote more efficient use of the  
 18 health care funding allocation for fiscal year 2003,  
 19 the Eagle Butte Service Unit of the Indian Health  
 20 Service, at the request of the Cheyenne River Sioux  
 21 Tribe, may carry out a program under which a  
 22 health professional may be paid—

23           “(A) a base salary in an amount up to the  
 24 highest grade and step available to a physician,  
 25 pharmacist, or other health professional, as the  
 26 case may be; and

1           “(B) a recruitment or retention bonus of  
2           up to 25 percent of the base salary rate of the  
3           health professional.

4           “(2) MONITORING AND REPORTING.—If the  
5           Service implements the program under paragraph  
6           (1), the Service shall—

7                   “(A) monitor the program closely; and

8                   “(B) not later than September 30, 2003,  
9           submit to the Committee on Indian Affairs of  
10          the Senate and the Committee on Resources  
11          and the Committee on Energy and Commerce  
12          of the House of Representatives a report that  
13          includes an evaluation of the program.”.

14 **SEC. 110. OKLAHOMA NATIVE AMERICAN CULTURAL CEN-**  
15 **TER AND MUSEUM.**

16          Section 1 of the Act entitled “An Act to authorize  
17          the construction of a Native American Cultural Center  
18          and Museum in Oklahoma City, Oklahoma” is amended—

19               (1) by striking subsection (c)(3) and inserting  
20          the following:

21                   “(3) DIRECTOR.—The term ‘Director’ means  
22          the Director of the Institute of Museum and Library  
23          Services.”; and

24               (2) by striking “Secretary” each place it ap-  
25          pears and inserting “Director”.

1 **SEC. 111. CERTIFICATION OF RENTAL PROCEEDS.**

2 Notwithstanding any other provision of law, any ac-  
3 tual rental proceeds from the lease of land acquired under  
4 section 1 of Public Law 91–229 (25 U.S.C. 488) certified  
5 by the Secretary of the Interior shall be deemed—

6 (1) to constitute the rental value of that land;

7 and

8 (2) to satisfy the requirement for appraisal of  
9 that land.

10 **SEC. 112. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE**  
11 **LOANS TO THE OGLALA SIOUX TRIBE.**

12 Notwithstanding any other provision of law—

13 (1) the balances of all outstanding expert as-  
14 sistance loans made to the Oglala Sioux Tribe under  
15 Public Law 88–168 (77 Stat. 301), and relating to  
16 Oglala Sioux Tribe v. United States (Docket No.  
17 117 of the United States Court of Federal Claims),  
18 including all principal and interest, are canceled; and

19 (2) the Secretary of the Interior shall take such  
20 action as is necessary to—

21 (A) document the cancellation under para-  
22 graph (1); and

23 (B) release the Oglala Sioux Tribe from  
24 any liability associated with any loan described  
25 in paragraph (1).

1 **SEC. 113. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE**  
2 **LOANS TO THE SEMINOLE TRIBE OF OKLA-**  
3 **HOMA.**

4 Notwithstanding any other provision of law—

5 (1) the balances of all outstanding expert as-  
6 sistance loans made to the Seminole Tribe of Okla-  
7 homa under Public Law 88–168 (77 Stat. 301), and  
8 relating to Seminole Tribe of Oklahoma v. United  
9 States (Docket No. 247 of the United States Court  
10 of Federal Claims), including all principal and inter-  
11 est, are canceled; and

12 (2) the Secretary of the Interior shall take such  
13 action as is necessary to—

14 (A) document the cancellation under para-  
15 graph (1); and

16 (B) release the Seminole Tribe of Okla-  
17 homa from any liability associated with any  
18 loan described in paragraph (1).

19 **SEC. 114. FACILITATION OF CONSTRUCTION OF PIPELINE**  
20 **TO PROVIDE WATER FOR EMERGENCY FIRE**  
21 **SUPPRESSION AND OTHER PURPOSES.**

22 (a) **IN GENERAL.**—Notwithstanding any other provi-  
23 sion of law, subject to valid existing rights under Federal  
24 and State law, the land described in subsection (b), fee  
25 title to which is held by the Barona Band of Mission Indi-

1 ans of California (referred to in this section as the  
2 “Band”)—

3 (1) is declared to be held in trust by the United  
4 States for the benefit of the Band; and

5 (2) shall be considered to be a portion of the  
6 reservation of the Band.

7 (b) LAND.—The land referred to in subsection (a) is  
8 land comprising approximately 85 acres in San Diego  
9 County, California, and described more particularly as fol-  
10 lows: San Bernardino Base and Meridian; T. 14 S., R.  
11 1 E.; sec. 21: W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, 68 acres; NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, 17 acres.

12 (c) GAMING.—The land taken into trust by sub-  
13 section (a) shall neither be considered to have been taken  
14 into trust for gaming, nor be used for gaming (as that  
15 term is used in the Indian Gaming Regulatory Act (25  
16 U.S.C. 2701 et seq.).

17 **SEC. 115. CONVEYANCE OF NATIVE ALASKAN OBJECTS.**

18 Notwithstanding any provision of law affecting the  
19 disposal of Federal property, on the request of the Chu-  
20 gach Alaska Corporation or Sealaska Corporation, the  
21 Secretary of Agriculture shall convey to whichever of those  
22 corporations that has received title to a cemetery site or  
23 historical place on National Forest System land conveyed  
24 under section 14(h)(1) of the Alaska Native Claims Settle-

1 ment Act (43 U.S.C. 1613(h)(1)) all artifacts, physical re-  
2 mains, and copies of any available field records that—

3 (1)(A) are in the possession of the Secretary of  
4 Agriculture; and

5 (B) have been collected from the cemetery site  
6 or historical place; but

7 (2) are not required to be conveyed in accord-  
8 ance with the Native American Graves Protection  
9 Act and Repatriation Act (25 U.S.C. 3001 et seq.)  
10 or any other applicable law.

11 **SEC. 116. SHAKOPEE FEE LAND.**

12 (a) IN GENERAL.—Notwithstanding any other provi-  
13 sion of law, without further authorization by the United  
14 States, the Shakopee Mdewakanton Sioux Community in  
15 the State of Minnesota (referred to in this section as the  
16 “Community”) may lease, sell, convey, warrant, or other-  
17 wise transfer all or any part of the interest of the Commu-  
18 nity in or to any real property that is not held in trust  
19 by the United States for the benefit of the Community.

20 (b) TRUST LAND NOT AFFECTED.—Nothing in this  
21 section—

22 (1) authorizes the Community to lease, sell,  
23 convey, warrant, or otherwise transfer all or part of  
24 an interest in any real property that is held in trust

1 by the United States for the benefit of the Commu-  
 2 nity; or

3 (2) affects the operation of any law governing  
 4 leasing, selling, conveying, warranting, or otherwise  
 5 transferring any interest in that trust land.

6 **SEC. 117. AGREEMENT WITH DRY PRAIRIE RURAL WATER**  
 7 **ASSOCIATION, INCORPORATED.**

8 (a) IN GENERAL.—Any agreement between the Tribe  
 9 and Dry Prairie Rural Water Association, Incorporated  
 10 (or any non-Federal successor entity) for the use of water  
 11 to meet the needs of the Dry Prairie system that is entered  
 12 into under section 5 of the Fort Peck Reservation Rural  
 13 Water System Act of 2000 (114 Stat. 1454)—

14 (1) is approved by Congress; and

15 (2) shall be approved and executed by the Sec-  
 16 retary.

17 **TITLE II—COLLABORATION BE-**  
 18 **TWEEN TRIBAL GOVERN-**  
 19 **MENTS AND FOREST SERVICE**

20 **SEC. 201. SHORT TITLE.**

21 This title may be cited as the “Tribal Governments  
 22 and Forest Service Collaboration Act of 2002”.

23 **SEC. 202. FINDINGS.**

24 Congress finds that—



1           (1) Indian tribes, members of Indian tribes, and  
2           Alaska Natives hold 100,600,000 acres of land  
3           (56,600,000 acres in the lower 48 States and  
4           44,000,000 acres in Alaska), equaling 4.2 percent of  
5           the land area of the United States;

6           (2) land held in trust for Indian tribes shares  
7           thousands of miles of common boundary with Na-  
8           tional Forest System land;

9           (3) Indian tribes have reserved rights and inter-  
10          ests that affect the management of hundreds of  
11          thousands of acres of National Forest System land;

12          (4) National Forest System land contains hun-  
13          dreds of thousands of acres in which Indian tribes  
14          have cultural, religious, and traditional interests, in-  
15          cluding interests recognized in—

16                 (A) the Native American Graves Protection  
17                 and Repatriation Act (25 U.S.C. 3001 et seq.);  
18                 and

19                 (B) the Act of August 11, 1978 (42 U.S.C.  
20                 1996 et seq.) (commonly referred to as the  
21                 “American Indian Religious Freedom Act”);

22          (5) tribal land and National Forest System  
23          land share natural resource attributes in many com-  
24          mon ecosystems, including biodiversity of plant and

1 animal fauna, timber, fish, wildlife, range, soils,  
2 recreation attributes, airsheds, and watersheds;

3 (6) effective ecosystem management—

4 (A) integrates ecological principles and  
5 economic and social factors; and

6 (B) safeguards ecological sustainability,  
7 biodiversity, and productivity;

8 (7) Federal land management activities on Na-  
9 tional Forest System land are affecting ecosystems  
10 that encompass National Forest System land and  
11 tribal land;

12 (8) collaborative planning and management be-  
13 tween Indian tribes and the Forest Service needs to  
14 be strengthened;

15 (9) management practices on National Forest  
16 System land can—

17 (A) adversely affect tribal trust, cultural,  
18 religious, and traditional resources on National  
19 Forest System land; and

20 (B) place tribal land and resources at risk;

21 (10) Indian tribal land managers and National  
22 Forest System land managers have shared interests  
23 in maintaining the health of the forests and in co-  
24 ordinating and sustaining the timber supply from  
25 National Forest System land and tribal trust land in

1 order to jointly contribute to the economic stability  
2 of local, timber-dependent communities;

3 (11) cross-boundary management collaboration  
4 is needed to address forest health emergencies that  
5 currently exist on Federal and tribal forest land be-  
6 cause of substantial areas of dead and dying trees  
7 resulting from drought, insects, fire, windstorm, or  
8 other causes;

9 (12) tribal communities possess unique tradi-  
10 tional knowledge and technical expertise that can  
11 provide valuable insight and guidance in the man-  
12 agement of land and resources contained within the  
13 National Forest System;

14 (13) the Forest Service lacks comprehensive au-  
15 thorities to work with tribal neighbors on collabo-  
16 rative or other issues;

17 (14)(A) in recognition of that goal, in October  
18 1999, the Chief Operating Officer of the Forest  
19 Service commissioned a National Tribal Relations  
20 Program Task Force to develop recommendations to  
21 improve working relationships with Indian tribes;  
22 and

23 (B) the Task Force issued a final report in Au-  
24 gust 2000, including administrative and legislative  
25 recommendations on which this title is based;

1           (15) Indian tribes and National Forests would  
2 benefit from improved coordination and integration  
3 in application of wildland fire resources, including  
4 Native American fire crews; and

5           (16) the Forest and Rangeland Renewable Re-  
6 sources Research Act of 1978 (16 U.S.C. 1600 et  
7 seq.) does not contain specific authority for the Sec-  
8 retary to enter into cooperative research and devel-  
9 opment agreements with tribal governments.

10 **SEC. 203. FOREST LEGACY PROGRAM.**

11           (a) PARTICIPATION BY INDIAN TRIBES.—Section 7  
12 of the Cooperative Forestry Assistance Act of 1978 (16  
13 U.S.C. 2103c) is amended—

14           (1) in the first sentence of subsection (a), by in-  
15 serting “, and Indian tribes,” after “government”;

16           (2) in subsection (b), by inserting “and pro-  
17 grams of Indian tribes” after “regional programs”;

18           (3) in the second sentence of subsection (f), by  
19 striking “other appropriate State or regional natural  
20 resource management agency” and inserting “other  
21 appropriate natural resource management agency of  
22 a State, region, or Indian tribe”;

23           (4) in subsection (h)(2), by inserting “or Indian  
24 tribe” before the period at the end; and

1           (5) in the first sentence of subsection (j)(2), by  
2       inserting “Indian tribes,” after “governmental  
3       units,”.

4       (b) OPTIONAL STATE AND TRIBAL GRANT PRO-  
5       GRAM.—

6           “(1) IN GENERAL.—Section 7 of the Coopera-  
7       tive Forestry Assistance Act of 1978 (16 U.S.C.  
8       2103c) is amended by striking subsection (l) and in-  
9       serting the following:

10       “(l) OPTIONAL STATE AND TRIBAL GRANTS.—

11           “(1) DEFINITION OF INDIAN TRIBE.—In this  
12       subsection, the term ‘Indian tribe’ has the meaning  
13       given the term in section 4 of the Indian Self-Deter-  
14       mination and Education Assistance Act (25 U.S.C.  
15       450b).

16           “(2) GRANTS.—At the request of a partici-  
17       pating State or participating Indian tribe, the Sec-  
18       retary shall provide a grant to the State or Indian  
19       tribe to carry out the Forest Legacy Program.

20           “(3) ADMINISTRATION.—If a State or Indian  
21       tribe elects to receive a grant under this sub-  
22       section—

23           “(A) the Secretary shall use a portion of  
24       the funds made available under subsection (m),

1 as determined by the Secretary, to provide the  
2 grant to the State or Indian tribe; and

3 “(B) the State or Indian tribe shall use the  
4 grant to carry out the Forest Legacy Pro-  
5 gram.”.

6 (2) CONFORMING AMENDMENTS.—Section 7 of  
7 the Cooperative Forestry Assistance Act of 1978 (16  
8 U.S.C. 2103c) is amended—

9 (A) in subsection (i), by striking “sub-  
10 section (b)” and inserting “this section”;

11 (B) in subsection (j)(1), by striking the  
12 first sentence and inserting the following: “Fair  
13 market value shall be paid for any property in-  
14 terest acquired under this section.”; and

15 (C) in subsection (k)(2), by striking  
16 “United States or its” and inserting “United  
17 States, a State, Indian tribe, or other entity, or  
18 their”.

19 **SEC. 204. FORESTRY AND RESOURCE MANAGEMENT AS-**  
20 **SISTANCE TO INDIAN TRIBES.**

21 (a) AUTHORITY TO PROVIDE ASSISTANCE.—The Sec-  
22 retary of Agriculture may provide financial, technical, edu-  
23 cational, and related assistance to an Indian tribe (as de-  
24 fined in section 4 of the Indian Self-Determination and  
25 Education Assistance Act (25 U.S.C. 450b)) for—

1           (1) tribal consultation and coordination with  
2 the Forest Service on issues relating to—

3           (A) access by members of the Indian tribe  
4 to National Forest System land for traditional,  
5 religious, and cultural purposes;

6           (B) coordinated or cooperative manage-  
7 ment of resources shared by the Forest Service  
8 and the Indian tribe; and

9           (C) provision of tribal traditional, cultural,  
10 or other expertise or knowledge;

11          (2) projects and activities for conservation edu-  
12 cation and awareness with respect to forest land and  
13 grassland under the jurisdiction of the Indian tribe;  
14 and

15          (3) technical assistance for forest resources  
16 planning, management, and conservation on land  
17 under the jurisdiction of the Indian tribe.

18       (b) IMPLEMENTATION.—

19           (1) IN GENERAL.—Not later than 18 months  
20 after the date of enactment of this Act, the Sec-  
21 retary of Agriculture shall promulgate regulations to  
22 implement subsection (a), including rules for deter-  
23 mining the distribution of assistance under that sub-  
24 section.

1           (2) CONSULTATION.—In carrying out para-  
 2           graph (1), the Secretary shall engage in full, open,  
 3           and substantive consultation with Indian tribes and  
 4           representatives of Indian tribes.

5           (c) COORDINATION WITH THE SECRETARY OF THE  
 6 INTERIOR.—The Secretary of Agriculture shall coordinate  
 7 with the Secretary of the Interior during the establish-  
 8 ment, implementation, and administration of subsection  
 9 (a) to ensure that programs under that subsection—

10           (1) do not conflict with tribal programs pro-  
 11           vided under the authority of the Department of the  
 12           Interior; and

13           (2) meet the goals of the Indian tribes.

14           (d) AUTHORIZATION OF APPROPRIATIONS.—There  
 15 are authorized to be appropriated such sums as are nec-  
 16 essary to carry out this section.

17 **TITLE III—PUEBLO OF SANTA**  
 18 **CLARA AND SAN ILDEFONSO,**  
 19 **NEW MEXICO**

20 **SEC. 301. DEFINITIONS.**

21 In this title:

22           (1) AGREEMENT.—The term “Agreement”  
 23 means the agreement entitled “Agreement to Affirm  
 24 Boundary Between Pueblo of Santa Clara and Pueb-  
 25 lo of San Ildefonso Aboriginal Lands Within Garcia



1 Canyon Tract”, entered into by the Governors on  
2 December 20, 2000.

3 (2) BOUNDARY LINE.—The term “boundary  
4 line” means the boundary line established under sec-  
5 tion 304(a).

6 (3) GOVERNORS.—The term “Governors”  
7 means—

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

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

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

16 (5) PUEBLOS.—The term “Pueblos” means—

17 (A) the Pueblo of Santa Clara, New Mex-  
18 ico; and

19 (B) the Pueblo of San Ildefonso, New Mex-  
20 ico.

21 (6) TRUST LAND.—The term “trust land”  
22 means the land held by the United States in trust  
23 under section 302(a) or 303(a).

1 **SEC. 302. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW**  
2 **MEXICO.**

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

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

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

17 (2) the southern half of T. 20 N., R. 7 E., sec.  
18 23, New Mexico Principal Meridian;

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

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

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

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

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

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

11 **SEC. 303. TRUST FOR THE PUEBLO OF SAN ILDEFONSO,**  
12                                   **NEW MEXICO.**

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

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

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

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

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

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

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

15 **SEC. 304. SURVEY AND LEGAL DESCRIPTIONS.**

16          (a) SURVEY.—Not later than 180 days after the date  
17 of enactment of this Act, the Office of Cadastral Survey  
18 of the Bureau of Land Management shall, in accordance  
19 with the Agreement, complete a survey of the boundary  
20 line established under the Agreement for the purpose of  
21 establishing, in accordance with sections 302(b) and  
22 303(b), the boundaries of the trust land.

23          (b) LEGAL DESCRIPTIONS.—

1           (1) PUBLICATION.—On approval by the Gov-  
2           ernors of the survey completed under subsection (a),  
3           the Secretary shall publish in the Federal Register—

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

6                   (B) legal descriptions of the trust land.

7           (2) TECHNICAL CORRECTIONS.—Before the  
8           date on which the legal descriptions are published  
9           under paragraph (1)(B), the Secretary may correct  
10          any technical errors in the descriptions of the trust  
11          land provided in sections 302(b) and 303(b) to en-  
12          sure that the descriptions are consistent with the  
13          terms of the Agreement.

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

18 **SEC. 305. ADMINISTRATION OF TRUST LAND.**

19          (a) IN GENERAL.—Effective beginning on the date  
20          of enactment of this Act—

21                   (1) the land held in trust under section 302(a)  
22          shall be declared to be a part of the Santa Clara In-  
23          dian Reservation; and

1           (2) the land held in trust under section 303(a)  
2 shall be declared to be a part of the San Ildefonso  
3 Indian Reservation.

4 (b) APPLICABLE LAW.—

5           (1) IN GENERAL.—The trust land shall be ad-  
6 ministered in accordance with any law (including  
7 regulations) or court order generally applicable to  
8 property held in trust by the United States for In-  
9 dian tribes.

10           (2) PUEBLO LANDS ACT.—The following shall  
11 be subject to section 17 of the Act of June 7, 1924  
12 (commonly known as the “Pueblo Lands Act”) (25  
13 U.S.C. 331 note):

14           (A) The trust land.

15           (B) Any land owned as of the date of en-  
16 actment of this Act or acquired after the date  
17 of enactment of this Act by the Pueblo of Santa  
18 Clara in the Santa Clara Pueblo Grant.

19           (C) Any land owned as of the date of en-  
20 actment of this Act or acquired after the date  
21 of enactment of this Act by the Pueblo of San  
22 Ildefonso in the San Ildefonso Pueblo Grant.

23 (c) USE OF TRUST LAND.—

1           (1) IN GENERAL.—Subject to the criteria devel-  
2           oped under paragraph (2), the trust land may be  
3           used only for—

4                   (A) traditional and customary uses; or

5                   (B) stewardship conservation for the ben-  
6           efit of the Pueblo for which the trust land is  
7           held in trust.

8           (2) CRITERIA.—The Secretary shall work with  
9           the Pueblos to develop appropriate criteria for using  
10          the trust land in a manner that preserves the trust  
11          land for traditional and customary uses or steward-  
12          ship conservation.

13          (3) LIMITATION.—Beginning on the date of en-  
14          actment of this Act, the trust land shall not be used  
15          for any new commercial developments.

16 **SEC. 306. EFFECT.**

17          Nothing in this title—

18               (1) affects any valid right-of-way, lease, permit,  
19               mining claim, grazing permit, water right, or other  
20               right or interest of a person or entity (other than  
21               the United States) that is—

22                   (A) in or to the trust land; and

23                   (B) in existence before the date of enact-  
24               ment of this Act;

1           (2) enlarges, impairs, or otherwise affects a  
2 right or claim of the Pueblos to any land or interest  
3 in land that is—

4                   (A) based on Aboriginal or Indian title;  
5           and

6                   (B) in existence before the date of enact-  
7           ment of this Act;

8           (3) constitutes an express or implied reservation  
9 of water or water right with respect to the trust  
10 land; or

11           (4) affects any water right of the Pueblos in ex-  
12           istence before the date of enactment of this Act.

○