

112TH CONGRESS  
1ST SESSION

# S. 988

To ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

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## IN THE SENATE OF THE UNITED STATES

MAY 12, 2011

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian.

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 “Land-In-Trust Schools  
5 and Local Governments Equitable Compensation Act”.

1 **SEC. 2. MANDATORY PAYMENTS FOR CERTAIN LAND HELD**  
2 **IN TRUST.**

3 (a) AGREEMENT.—As soon as practicable after the  
4 date of enactment of this Act, the Secretary of the Interior  
5 (referred to in this section as the “Secretary”) shall at-  
6 tempt to negotiate an agreement among the applicable  
7 local education agency or unit of local government, the  
8 Secretary, the appropriate State, and, if appropriate, any  
9 federally recognized Indian tribe or individual Indian,  
10 under which all parties agree that the amounts described  
11 in subsection (b) shall be—

12 (1) waived in whole or in part;

13 (2) limited for an agreed upon number of years;

14 or

15 (3) otherwise adjusted, including adjusting the  
16 timing of any payments.

17 (b) TRANSFER OF AMOUNTS.—If an agreement is not  
18 entered into under subsection (a), for the first fiscal year  
19 beginning after the date of enactment of this Act and each  
20 fiscal year thereafter, the Secretary of the Treasury shall  
21 transfer directly to the Secretary of Interior from the gen-  
22 eral fund of the Treasury, without further appropriation,  
23 such amounts as are necessary, after taking into account  
24 any other amounts appropriated to make payments under  
25 this subsection, to make payments from the Secretary to  
26 the applicable local educational agency or unit of local gov-

1 ernment in an amount necessary to ensure that the local  
2 educational agency or unit of local government receives  
3 full payment for the amount of property tax revenues lost  
4 as a result of land under the jurisdiction of the local edu-  
5 cational agency or unit of local government being held in  
6 trust by the United States for the benefit of a federally  
7 recognized Indian tribe or an individual Indian, to be cal-  
8 culated in a manner that provides that the taxes (other-  
9 wise payable but for the status of the land being held in  
10 trust) shall be assessed and paid annually at the same rate  
11 as the taxes would be assessed and paid if not in trust.

12 **SEC. 3. EFFECTIVE DATE.**

13       This Act shall apply to all land taken into trust by  
14 the United States for the benefit of a federally recognized  
15 Indian tribe or an individual Indian on or after October  
16 1, 2008.

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