

107TH CONGRESS
2^D SESSION

H. R. 5237

To declare that the United States holds certain public domain lands in trust for the Pueblos of San Ildefonso and Santa Clara.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2002

Mr. UDALL of New Mexico introduced the following bill; which was referred to the Committee on Resources

A BILL

To declare that the United States holds certain public domain lands in trust for the Pueblos of San Ildefonso and Santa Clara.

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. TRANSFER OF LANDS INTO TRUST FOR PUEB-**
4 **LOS OF SAN ILDEFONSO AND SANTA CLARA,**
5 **NEW MEXICO.**

6 (a) LANDS HELD IN TRUST FOR PUEBLO OF SANTA
7 CLARA.—All right, title, and interest of the United States
8 in the lands described in subsection (b), including all im-
9 provements thereon and appurtenances thereto and rights
10 to all minerals, including oil and gas, are hereby declared

1 to be held by the United States in trust for the Pueblo
2 of Santa Clara.

3 (b) LAND DESCRIPTION.—The lands referred to in
4 subsection (a) consist of approximately 2,484 acres of land
5 presently under the jurisdiction of the Bureau of Land
6 Management of the Department of the Interior situated
7 within Rio Arriba County, New Mexico, and are more par-
8 ticularly described as follows:

9 That portion of Section 22, Township 20
10 North, Range 7 East, New Mexico Principal Merid-
11 ian, that is north of the line established in accord-
12 ance with the provisions of Section 2(a) of this Act.

13 South half of Section 23, Township 20 North,
14 Range 7 East, New Mexico Principal Meridian.

15 South half of Section 24, Township 20 North,
16 Range 7 East, New Mexico Principal Meridian.

17 All of Section 25, Township 20 North, Range
18 7 East, New Mexico Principal Meridian, except for
19 the 5 acre tract in the Southeast quarter owned by
20 San Ildefonso Pueblo.

21 That portion of Section 26, Township 20
22 North, Range 7 East, New Mexico Principal Merid-
23 ian, that is north and east of the line established in
24 accordance with the provisions of Section 2(a) of
25 this Act.

1 That portion of Section 27, Township 20
2 North, Range 7 East, New Mexico Principal Merid-
3 ian, that is north of the line established in accord-
4 ance with the provisions of Section 2(a) of this Act.

5 That portion of Section 19, Township 20
6 North, Range 8 East, New Mexico Principal Merid-
7 ian, that is not included within the Santa Clara
8 Pueblo Grant or the Santa Clara Indian Reserva-
9 tion.

10 That portion of Section 30, Township 20
11 North, Range 8 East, New Mexico Principal Merid-
12 ian, that is not included within the Santa Clara
13 Pueblo Grant or the San Ildefonso Grant.

14 (c) LANDS HELD IN TRUST FOR PUEBLO OF SAN
15 ILDEFONSO.—All right, title, and interest of the United
16 States in the lands described in subsection (d), including
17 all improvements thereon and appurtenances thereto and
18 rights to all minerals, including oil and gas, are hereby
19 declared to be held by the United States in trust for the
20 Pueblo of San Ildefonso.

21 (d) LAND DESCRIPTION.—The lands referred to in
22 subsection (c) consist of approximately 2,000 acres of land
23 presently under the jurisdiction of the Bureau of Land
24 Management of the Department of the Interior situated

1 within Rio Arriba and Santa Fe Counties, New Mexico,
2 and are more particularly described as follows:

3 That portion of Section 22, Township 20
4 North, Range 7 East, New Mexico Principal Merid-
5 ian, that is south of the line established in accord-
6 ance with the provisions of Section 2 (a) of this Act.

7 That portion of Section 26, Township 20
8 North, Range 7 East, New Mexico Principal Merid-
9 ian, that is south and west of the line established in
10 accordance with the provisions of Section 2(a) of
11 this Act.

12 That portion of Section 27, Township 20
13 North, Range 7 East, New Mexico Principal Merid-
14 ian, that is south of the line established in accord-
15 ance with the provisions of Section 2(a) of this Act.

16 All of Section 34, Township 20 North, Range
17 7 East, New Mexico Principal Meridian.

18 That portion of Section 35, Township 20
19 North, Range 7 East, New Mexico Principal Merid-
20 ian, that is not included within the San Ildefonso
21 Pueblo Grant.

22 **SEC. 2. SURVEY OF BOUNDARY LINE; PUBLICATION OF DE-**
23 **SCRIPTION IN FEDERAL REGISTER.**

24 (a) SURVEY OF BOUNDARY LINE.—In order to accu-
25 rately establish on the ground the boundary of the lands

1 declared to be held in trust for the Pueblo of Santa Clara
2 and the boundary of the lands declared to be held in trust
3 for the Pueblo of San Ildefonso as described in section
4 1 of this Act, the Secretary of Interior shall, by the date
5 that is 180 days after the date of enactment of this Act,
6 cause a survey to be conducted by the Office of Cadastral
7 Survey of the Bureau of Land Management of the bound-
8 ary lines established under the provisions of the Agree-
9 ment to Affirm Boundary Between Pueblo of Santa Clara
10 and Pueblo of San Ildefonso Aboriginal Lands Within
11 Garcia Canyon Tract, that was executed on December 20,
12 2000, by the respective Governors of the two Pueblos,
13 which survey shall be undertaken in accordance with the
14 provisions of such Agreement.

15 (b) PUBLICATION OF LAND DESCRIPTIONS IN FED-
16 ERAL REGISTER.—Upon completion of the survey de-
17 scribed in subsection (a), and its acceptance by the respec-
18 tive Governors of the 2 Pueblos, the Secretary shall cause
19 the full metes and bounds description of the lines thus
20 established, together with a full and accurate description
21 of the lands declared to be held in trust for each Pueblo
22 by Section 1 of this Act, respectively, to be published in
23 the Federal Register, and such descriptions shall, upon
24 their publication, constitute the official descriptions of the
25 lands transferred into trust hereunder. In preparing such

1 publication, the Secretary is authorized to correct any
2 technical errors in the legal descriptions contained in this
3 Act, so as to make the descriptions of the lands declared
4 to be held in trust for the two Pueblos consistent with
5 the terms of the Agreement described in subsection (a).

6 **SEC. 3. ADMINISTRATION OF LANDS DECLARED TO BE**
7 **HELD IN TRUST.**

8 Upon the enactment of this Act, and subject to the
9 other provisions of this Act, the lands described in section
10 1(b) are hereby declared to be part of the Pueblo of Santa
11 Clara's reservation and the lands described in section 1(d)
12 are hereby declared to be part of the Pueblo of San
13 Ildefonso's reservation. All lands described in Section 1
14 shall be administered in accordance with the laws and
15 rules of law generally applicable to property held in trust
16 by the United States for Indian tribes.

17 **SEC. 4. VALID EXISTING RIGHTS PRESERVED.**

18 Nothing in this Act shall deprive any person (other
19 than the United States) of any legal existing right-of-way,
20 lease, permit, mining claim, grazing permit, water right,
21 or any other right or interest which such person may have
22 in any of the trust lands within the purview of this Act
23 on the date preceding the date of enactment of this Act.
24 No existing right or claim of either Pueblo to any lands
25 or interest in lands based upon Aboriginal or Indian title

1 shall be enlarged, impaired or other wise affected by this
2 Act.

3 **SEC. 5. LANDS SUBJECT TO SECTION 17 OF PUEBLO LANDS**

4 **ACT.**

5 The lands described in section 1, and all lands owned
6 or acquired by the Pueblo of Santa Clara within the Santa
7 Clara Pueblo Grant, and all lands owned or acquired by
8 the Pueblo of San Ildefonso within the San Ildefonso
9 Pueblo Grant, shall be fully subject to the provisions of
10 Section 17 of the Act of June 7, 1924 (43 Stat. 641; com-
11 monly referred to as the “Pueblo Lands Act”).

12 **SEC. 6. USE OF LANDS.**

13 Land conveyed under this Act may only be used for
14 traditional and customary uses or stewardship conserva-
15 tion for the benefit of the Pueblo of San Ildefonso or the
16 Pueblo of Sanat Clara for whom the land is held in trust.
17 The Secretary of the Interior shall work with the Pueblos
18 to develop appropriate criteria for use of the land to en-
19 sure that the land is preserved for traditional and cus-
20 tomary uses or stewardship conservation.

21 **SEC. 7. WATER.**

22 Nothing in this Act shall constitute or be construed
23 to constitute—

1 (1) an express or implied reservation of water
2 or water rights with respect to the land conveyed
3 under this Act; or

4 (2) a creation, recognition, disclaimer, relin-
5 quishment, or reduction of any water rights of Pueb-
6 lo of San Ildefonso or the Pueblo Santa Clara exist-
7 ing prior to the date of the enactment of this Act.

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