

113TH CONGRESS
2D SESSION

S. 2480

To require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for certain Indian tribes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 2014

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

A BILL

To require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for certain Indian tribes, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Nevada Native Nations Land Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

TITLE I—ELKO MOTOCROSS LAND CONVEYANCE

Sec. 101. Definitions.

Sec. 102. Conveyance of land to county.

TITLE II—CONVEYANCE OF LAND TO INDIAN TRIBES

Sec. 201. Conveyance of land to be held in trust for certain Indian tribes.

Sec. 202. Administration.

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

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

4 **TITLE I—ELKO MOTOCROSS**
5 **LAND CONVEYANCE**6 **SEC. 101. DEFINITIONS.**

7 In this title:

8 (1) CITY.—The term “city” means the city of
9 Elko, Nevada.

10 (2) COUNTY.—The term “county” means the
11 county of Elko, Nevada.

12 (3) MAP.—The term “map” means the map en-
13 titled “Elko Motocross Park” and dated January 9,
14 2010.

15 **SEC. 102. CONVEYANCE OF LAND TO COUNTY.**

16 (a) IN GENERAL.—As soon as practicable after the
17 date of enactment of this Act, subject to valid existing
18 rights and this section, the Secretary shall convey to the
19 county, without consideration, all right, title, and interest
20 of the United States in and to the land described in sub-
21 section (b).

1 (b) DESCRIPTION OF LAND.—The land referred to in
2 subsection (a) consists of approximately 275 acres of land
3 managed by the Bureau of Land Management, Elko Dis-
4 trict, Nevada, as generally depicted on the map as “Elko
5 Motocross Park”.

6 (c) MAP AND LEGAL DESCRIPTION.—

7 (1) IN GENERAL.—As soon as practicable after
8 the date of enactment of this Act, the Secretary
9 shall finalize the legal description of the parcel to be
10 conveyed under this section.

11 (2) MINOR ERRORS.—The Secretary may cor-
12 rect any minor error in—

13 (A) the map; or

14 (B) the legal description.

15 (3) AVAILABILITY.—The map and legal descrip-
16 tion shall be on file and available for public inspec-
17 tion in the appropriate offices of the Bureau of
18 Land Management.

19 (d) USE OF CONVEYED LAND.—The land conveyed
20 under this section shall be used only as a motocross, bicy-
21 cle, off-highway vehicle, or stock car racing area, or for
22 any other public purpose consistent with uses allowed
23 under the Act of June 14, 1926 (commonly known as the
24 “Recreation and Public Purposes Act”) (43 U.S.C. 869
25 et seq.).

1 (e) ADMINISTRATIVE COSTS.—The Secretary shall
 2 require the county to pay all survey costs and other admin-
 3 istrative costs necessary for the preparation and comple-
 4 tion of any patents for, and transfers of title to, the land
 5 described in subsection (b).

6 (f) REVERSION.—If the land conveyed under this sec-
 7 tion ceases to be used for a public purpose in accordance
 8 with subsection (d), the land shall, at the discretion of the
 9 Secretary, revert to the United States.

10 **TITLE II—CONVEYANCE OF**
 11 **LAND TO INDIAN TRIBES**

12 **SEC. 201. CONVEYANCE OF LAND TO BE HELD IN TRUST**
 13 **FOR CERTAIN INDIAN TRIBES.**

14 (a) TE-MOAK TRIBE OF WESTERN SHOSHONE INDI-
 15 ANS OF NEVADA (ELKO BAND).—

16 (1) DEFINITION OF MAP.—In this subsection,
 17 the term “map” means the map entitled “Te-moak
 18 Tribal Land Expansion”, dated September 30, 2008,
 19 and on file and available for public inspection in the
 20 appropriate offices of the Bureau of Land Manage-
 21 ment.

22 (2) CONVEYANCE OF LAND.—Subject to valid
 23 existing rights, all right, title, and interest of the
 24 United States in and to the land described in para-
 25 graph (3)—

1 (A) is held in trust by the United States
2 for the benefit of the Te-Moak Tribe of Western
3 Shoshone Indians of Nevada (Elko Band); and

4 (B) shall be part of the reservation of the
5 Te-Moak Tribe of Western Shoshone Indians of
6 Nevada (Elko Band).

7 (3) DESCRIPTION OF LAND.—The land referred
8 to in paragraph (2) is the approximately 373 acres
9 of land administered by the Bureau of Land Man-
10 agement as generally depicted on the map as
11 “Lands to be Held in Trust”.

12 (b) CONVEYANCE OF LAND TO BE HELD IN TRUST
13 FOR THE FORT McDERMITT PAIUTE AND SHOSHONE
14 TRIBE.—

15 (1) DEFINITION OF MAP.—In this subsection,
16 the term “map” means the map entitled “Fort
17 McDermitt Indian Reservation Expansion Act”,
18 dated February 21, 2013, and on file and available
19 for public inspection in the appropriate offices of the
20 Bureau of Land Management.

21 (2) CONVEYANCE OF LAND.—Subject to valid
22 existing rights, all right, title, and interest of the
23 United States in and to the land described in para-
24 graph (3)—

1 (A) is held in trust by the United States
2 for the benefit of the Fort McDermitt Paiute
3 and Shoshone Tribe; and

4 (B) shall be part of the reservation of the
5 Fort McDermitt Paiute and Shoshone Tribe.

6 (3) DESCRIPTION OF LAND.—The land referred
7 to in paragraph (2) is the approximately 19,094
8 acres of land administered by the Bureau of Land
9 Management as generally depicted on the map as
10 “Reservation Expansion Lands”.

11 (c) CONVEYANCE OF LAND TO BE HELD IN TRUST
12 FOR THE SHOSHONE PAIUTE TRIBES.—

13 (1) DEFINITION OF MAP.—In this subsection,
14 the term “map” means the map entitled “Mountain
15 City Administrative Site Proposed Acquisition”,
16 dated July 29, 2013, and on file and available for
17 public inspection in the appropriate offices of the
18 Forest Service.

19 (2) CONVEYANCE OF LAND.—Subject to valid
20 existing rights, all right, title, and interest of the
21 United States in and to the land described in para-
22 graph (3)—

23 (A) is held in trust by the United States
24 for the benefit of the Shoshone Paiute Tribes of
25 the Duck Valley Indian Reservation; and

1 (B) shall be part of the reservation of the
2 Shoshone Paiute Tribes of the Duck Valley In-
3 dian Reservation.

4 (3) DESCRIPTION OF LAND.—The land referred
5 to in paragraph (2) is the approximately 82 acres of
6 land administered by the Forest Service as generally
7 depicted on the map as “Proposed Acquisition Site”.

8 (d) TRANSFER OF LAND TO BE HELD IN TRUST FOR
9 THE SUMMIT LAKE PAIUTE TRIBE.—

10 (1) DEFINITION OF MAP.—In this section, the
11 term “map” means the map entitled “Summit Lake
12 Indian Reservation Conveyance”, dated February
13 28, 2013, and on file and available for public inspec-
14 tion in the appropriate offices of the Bureau of
15 Land Management.

16 (2) CONVEYANCE OF LAND.—Subject to valid
17 existing rights, all right, title, and interest of the
18 United States in and to the land described in para-
19 graph (3)—

20 (A) is held in trust by the United States
21 for the benefit of the Summit Lake Paiute
22 Tribe; and

23 (B) shall be part of the reservation of the
24 Summit Lake Paiute Tribe.

1 (3) DESCRIPTION OF LAND.—The land referred
 2 to in paragraph (2) is the approximately 941 acres
 3 of land administered by the Bureau of Land Man-
 4 agement as generally depicted on the map as “Res-
 5 ervation Conveyance Lands”.

6 (e) TRANSFER OF LAND TO BE HELD IN TRUST FOR
 7 THE RENO-SPARKS INDIAN COLONY LAND.—

8 (1) DEFINITION OF MAP.—In this subsection,
 9 the term “map” means the map entitled “Reno-
 10 Sparks Indian Colony Expansion”, dated June 11,
 11 2014, and on file and available for public inspection
 12 in the appropriate offices of the Bureau of Land
 13 Management.

14 (2) CONVEYANCE OF LAND.—Subject to valid
 15 existing rights, all right, title, and interest of the
 16 United States in and to the land described in para-
 17 graph (3)—

18 (A) is held in trust by the United States
 19 for the benefit of the Reno-Sparks Indian Col-
 20 ony; and

21 (B) shall be part of the reservation of the
 22 Reno-Sparks Indian Colony.

23 (3) DESCRIPTION OF LAND.—The land referred
 24 to in paragraph (2) is the approximately 13,434
 25 acres of land administered by the Bureau of Land

1 Management as generally depicted on the map as
2 “RSIC Amended Boundary”.

3 (f) TRANSFER OF LAND TO BE HELD IN TRUST FOR
4 THE PYRAMID LAKE PAIUTE TRIBE.—

5 (1) MAP.—In this subsection, the term “map”
6 means the map entitled “Pyramid Lake Indian Res-
7 ervation Expansion”, dated June 9, 2014, and on
8 file and available for public inspection in the appro-
9 priate offices of the Bureau of Land Management.

10 (2) CONVEYANCE OF LAND.—Subject to valid
11 existing rights, all right, title, and interest of the
12 United States in and to the land described in para-
13 graph (1)—

14 (A) is held in trust by the United States
15 for the benefit of the Pyramid Lake Paiute
16 Tribe; and

17 (B) shall be part of the reservation of the
18 Pyramid Lake Paiute Tribe.

19 (3) DESCRIPTION OF LAND.—The land referred
20 to in paragraph (2) is the approximately 30,669
21 acres of land administered by the Bureau of Land
22 Management as generally depicted on the map as
23 “Reservation Expansion Lands”.

1 (g) TRANSFER OF LAND TO BE HELD IN TRUST FOR
2 THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS
3 OF NEVADA (SOUTH FORK BAND).—

4 (1) RELEASE OF WILDERNESS STUDY AREA.—

5 (A) FINDING.—Congress finds that, for
6 the purposes of section 603(c) of the Federal
7 Land Policy and Management Act of 1976 (43
8 U.S.C. 1782(c)), the Red Spring wilderness
9 study area has been adequately studied for wil-
10 derness designation.

11 (B) RELEASE.—The public land described
12 in subparagraph (A) is no longer subject to sec-
13 tion 603(c) of the Federal Land Policy and
14 Management Act of 1976 (43 U.S.C. 1782(c)).

15 (2) TRANSFER OF LAND TO BE HELD IN TRUST
16 FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE
17 INDIANS OF NEVADA (SOUTH FORK BAND).—

18 (A) DEFINITION OF MAP.—In this para-
19 graph, the term “map” means the map entitled
20 “South Fork Indian Reservation Expansion”,
21 dated June 9, 2014, and on file and available
22 for public inspection in the appropriate offices
23 of the Bureau of Land Management.

24 (B) CONVEYANCE OF LAND.—

1 (i) IN GENERAL.—Subject to clause
2 (ii) and all valid existing rights, all right,
3 title, and interest of the United States in
4 and to the land described in subparagraph
5 (C)—

6 (I) is held in trust by the United
7 States for the benefit of the Te-Moak
8 Tribe of Western Shoshone Indians of
9 Nevada (South Fork Band); and

10 (II) shall be part of the reserva-
11 tion of the Te-Moak Tribe of Western
12 Shoshone Indians of Nevada (South
13 Fork Band).

14 (ii) EXCEPTION.—The oversight and
15 renewal of all oil and gas leases in exist-
16 ence on the date of the enactment of this
17 Act shall remain the responsibility of the
18 Bureau of Land Management in consulta-
19 tion with the South Fork Band Council.

20 (C) DESCRIPTION OF LAND.—The land re-
21 ferred to in subparagraph (B) is the approxi-
22 mately 28,162 acres of land administered by
23 the Bureau of Land Management as generally
24 depicted on the map as “Reservation Expansion
25 Lands”.

1 **SEC. 202. ADMINISTRATION.**

2 (a) SURVEY.—Not later than 180 days after the date
3 of enactment of this Act, the Secretary shall complete a
4 survey of the boundary lines to establish the boundaries
5 of the land taken into trust for each Indian tribe under
6 section 201.

7 (b) USE OF TRUST LAND.—

8 (1) GAMING.—Land taken into trust under sec-
9 tion 201 shall not be eligible, or considered to have
10 been taken into trust, for class II gaming or class
11 III gaming (as those terms are defined in section 4
12 of the Indian Gaming Regulatory Act (25 U.S.C.
13 2703)).

14 (2) GENERAL USES.—

15 (A) IN GENERAL.—Each Indian tribe for
16 which land is taken into trust under section
17 201 shall use the land taken into trust under
18 that section only for—

19 (i) traditional and customary uses;

20 (ii) stewardship conservation for the
21 benefit of the Indian tribe;

22 (iii) residential or recreational devel-
23 opment;

24 (iv) renewable energy development; or

25 (v) mineral development.

1 (B) OTHER USES.—If an Indian tribe for
2 which land is taken into trust under section
3 201 uses any portion of the land taken into
4 trust under that section for a purpose other
5 than a purpose described in subparagraph (A),
6 that Indian tribe shall pay to the Secretary an
7 amount that is equal to the fair market value
8 of the portion of the land, as determined by an
9 appraisal.

10 (C) APPRAISAL.—The Secretary shall de-
11 termine the fair market value of the land under
12 paragraph (2)(B) based on an appraisal that is
13 performed in accordance with—

14 (i) the Uniform Appraisal Standards
15 for Federal Land Acquisitions;

16 (ii) the Uniform Standards of Profes-
17 sional Appraisal Practices; and

18 (iii) any other applicable law (includ-
19 ing regulations).

20 (3) THINNING; LANDSCAPE RESTORATION.—

21 With respect to the land taken into trust under sec-
22 tion 201, the Secretary, in consultation and coordi-
23 nation with the applicable Indian tribe, may carry
24 out any fuel reduction and other landscape restora-
25 tion activities, including restoration of sage grouse

- 1 habitat, on the land that is beneficial to the Indian
- 2 tribe and the Bureau of Land Management.

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