

**TESTIMONY OF  
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UNITED STATES DEPARTMENT OF THE INTERIOR  
BEFORE THE  
COMMITTEE ON INDIAN AFFAIRS  
UNITED STATE SENATE  
ON S. 2465**

**July 9, 2014**

Good afternoon Chairman Tester and Vice Chairman Barrasso, and Members of the Committee. Thank you for the opportunity to provide testimony on behalf of the Department on S. 2465, a bill to require the Secretary of the Interior to take into trust four (4) parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 2465 deals with the status of certain lands as they directly relate to the Secretary of the Department's authority to receive through a transfer of federal lands and take such lands into trust for federally recognized Indian tribes. President Obama committed to work with the federally recognized Indian tribes on a government-to-government basis on matters that affect such federally recognized Indian tribes. It is in the spirit of this commitment that the Department looks forward to the opportunity to work with this Committee and members of Congress, the nineteen (19) Pueblos in New Mexico, as identified in S. 2465 to achieve the goals of S. 2465.

S. 2465 directs the Secretary for the Department of the Interior to transfer four (4) parcels of land into trust for the benefit of the nineteen (19) Pueblos in New Mexico, as defined in the bill, comprising approximately 11.11 acres of Federal land located in Albuquerque, New Mexico. S. 2465 also provides that these lands, once transferred into trust, shall be used by the nineteen (19) Pueblos for the educational, health, cultural, business, and economic development of the nineteen (19) Pueblos, and any private or municipal encumbrance, right-of-way, restriction, easement of record, or utility service agreement in effect on the date of enactment of S. 2465, shall remain. The bill also prohibits Class I gaming, Class II gaming, or class III gaming. The Department supports S. 2465, but has several concerns regarding the bill as it is currently drafted.

The nineteen (19) Pueblos, as defined in the bill, were previously transferred similar parcels of federal land, approximately 8.4 acres, in trust for their benefit in 2008. Public Law 110-453. While S. 2465 does provide a definition of the property in Sec. 3, the Department does have a map and legal description of the land referred to in S. 2465 that is more specific and recommends that language be inserted into S. 2465 to reflect this map and legal description (Attachment A). The Department appreciates the opportunity, provided in the bill, to conduct a survey satisfactory to the Secretary of the Department to determine the exact acreage and legal description of the land.

The Department is concerned that the “limitations and conditions” language in Sec. 3(e) of S. 2465 is not specific enough for the Bureau of Indian Affairs (BIA), to continue utilizing those parcels while the parcels are held in trust for the nine (9) Pueblos. The BIA currently utilizes one parcel to house the fire program for the Southern Pueblos Agency and the other parcel has a warehouse and an equipment storage yard, again for the Southern Pueblos Agency. The warehouse and yard store construction and transportation equipment for the BIA Roads Program and Natural Resources Program in the BIA Southwest Regional Office. The Department recommends inserting language that allows the BIA to continue to utilize these parcels for current BIA purposes.

This concludes my prepared statement. I will be happy to answer any questions the Committee may have.