

112TH CONGRESS  
2D SESSION

# H. R. 4187

To direct the Secretary of the Interior to place certain lands in trust for the Zuni Tribe and Navajo Nation and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2012

Mr. PEARCE introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To direct the Secretary of the Interior to place certain lands in trust for the Zuni Tribe and Navajo Nation 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.**

4       This Act may be cited as the “Return of Certain  
5 Lands At Fort Wingate to The Original Inhabitants Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) In January 1993, the active mission of the  
9       former Fort Wingate Depot Activity (referred to in  
10       this Act as the “FWDA”) in New Mexico ceased and

1 the installation was closed pursuant to the Defense  
2 Authorization Amendments and Base Closure and  
3 Realignment Act of 1988.

4 (2) The lands occupied by the FWDA were  
5 originally the ancestral lands of the Zuni Tribe and  
6 Navajo Nation, as indicated by the large number of  
7 archeological and cultural sites identified on such  
8 lands.

9 (3) Because of the long-term operation of the  
10 FWDA for the receipt, storage, and shipment of mu-  
11 nitions, and the disposal of obsolete or deteriorated  
12 explosives and military munitions, the lands occupied  
13 by the FWDA required substantial environmental  
14 remediation before they could be transferred from  
15 control by the Department of the Army and used for  
16 other purposes.

17 (4) The Department of the Interior and the De-  
18 partment of the Army, with the support of the two  
19 Indian tribes and other concerned parties, deter-  
20 mined that, upon completion of the remediation ef-  
21 fort, control over those lands no longer needed by  
22 the Department of the Army should be transferred  
23 to the Secretary of the Interior and held in trust by  
24 the United States for the benefit of the Zuni Tribe  
25 of the Zuni Reservation and the Navajo Nation.

1           (5) For purposes of scheduling the remediation  
2           and future use of the lands, the Department of the  
3           Army divided the FWDA installation into 25 reuse  
4           parcels.

5           (6) Reuse parcels 1, 15, and 17, totaling 5,854  
6           acres, have been remediated to the standards estab-  
7           lished by the New Mexico Environment Department  
8           and transferred to the Secretary of the Interior.

9           (b) PURPOSE.—The purposes of this Act include to  
10          implement the objective of returning to the Zuni Tribe and  
11          the Navajo Nation certain lands formerly occupied by the  
12          FWDA, by declaring the three reuse parcels that have  
13          been remediated and transferred to the Secretary of the  
14          Interior to be held in trust for the Zuni Tribe and Navajo  
15          Nation and returning use of these parcels to those Indian  
16          tribes.

17          **SEC. 3. CONVEYANCE.**

18          (a) ZUNI TRIBE OF THE ZUNI RESERVATION.—Sub-  
19          ject to existing rights and to easements reserved under  
20          section 4, all right, title, and interest in the lands referred  
21          to as Reuse Parcel 1 of the FWDA that are owned by  
22          the United States are hereby declared to be held by the  
23          Secretary of the Interior in trust for the Zuni Tribe of  
24          the Zuni Reservation and part of the Zuni Reservation.

1           (b) NAVAJO NATION.—Subject to existing rights and  
2 to easements reserved under section 4, all right, title, and  
3 interest in the lands referred to as Reuse Parcels 15 and  
4 17 of the FWDA that are owned by the United States  
5 are hereby declared to be held by the Secretary of the Inte-  
6 rior in trust for the Navajo Nation and part of the Navajo  
7 Reservation.

8 **SEC. 4. EASEMENTS.**

9           The lands held in trust pursuant to this Act shall  
10 be held subject to reservation to the United States of such  
11 easements as are required for access to the Fort Wingate  
12 Launch Complex and for administrative and environ-  
13 mental remediation purposes.

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