

## Union Calendar No.

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4685

[Report No. 114-]

To take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, and for other purposes.

---

### IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2016

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

JULY --, 2016

Committed to the Committee of the Whole House on the State of the Union,  
and ordered to be printed

# **A BILL**

To take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, 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 “Tule River Indian Res-  
5 ervation Land Trust, Health, and Economic Development  
6 Act”.

7 **SEC. 2. LANDS TO BE TAKEN INTO TRUST.**

8        (a) IN GENERAL.—Subject to subsection (b), valid,  
9 existing rights, and management agreements related to  
10 easements and rights-of-way, all right, title, and interest  
11 (including improvements and appurtenances) of the  
12 United States in and to the approximately 34 acres of  
13 Federal lands generally depicted on the map titled “Pro-  
14 posed Lands to be Held in Trust for the Tule River Tribe”  
15 and dated May 14, 2015, are hereby held in trust by the  
16 United States for the benefit of the Tule River Indian  
17 Tribe.

18        (b) EASEMENTS AND RIGHTS-OF-WAY.—For the pur-  
19 poses of subsection (a), valid, existing rights include any  
20 easement or right-of-way for which an application is pend-  
21 ing with the Bureau of Land Management on the date  
22 of the enactment of this Act. If such application is denied  
23 upon final action, the valid, existing right related to the  
24 application shall cease to exist.

1           (c) AVAILABILITY OF MAP.—The map referred to in  
2 subsection (a) shall be on file and available for public in-  
3 spection at the office of the California State Director, Bu-  
4 reau of Land Management.

5           (d) CONVERSION OF VALID, EXISTING RIGHTS.—

6               (1) CONTINUITY OF USE.—Any person claiming  
7 in good faith to have valid, existing rights to lands  
8 taken into trust by this Act may continue to exercise  
9 such rights to the same extent that the rights were  
10 exercised before the date of the enactment of this  
11 Act until the Secretary makes a determination on an  
12 application submitted under paragraph (2)(B) or the  
13 application is deemed to be granted under paragraph  
14 (3).

15               (2) NOTICE AND APPLICATION.—Consistent  
16 with sections 2800 through 2880 of title 43, Code  
17 of Federal Regulations, as soon as practicable after  
18 the date of the enactment of this Act, the Secretary  
19 of the Interior shall notify any person that claims to  
20 have valid, existing rights, such as a management  
21 agreement, easement, or other right-of-way, to lands  
22 taken into trust under subsection (a) that—

23                       (A) such lands have been taken into trust;  
24                       and

1           (B) the person claiming the valid, existing  
2           rights has 60 days to submit an application to  
3           the Secretary requesting that the valid, existing  
4           rights be converted to a long-term easement or  
5           other right-of-way.

6           (3) DETERMINATION.—The Secretary of the In-  
7           terior shall grant or deny an application submitted  
8           under paragraph (2)(B) not later than 180 days  
9           after the application is submitted. Such a determina-  
10          tion shall be considered a final action. If the Sec-  
11          retary does not make a determination within 180  
12          days after the application is submitted, the applica-  
13          tion shall be deemed to be granted.

14          (e) RESTRICTION ON GAMING.—Lands taken into  
15          trust pursuant to subsection (a) shall not be considered  
16          to have been taken into trust for, and shall not be eligible  
17          for, class II gaming or class III gaming (as those terms  
18          are defined in section 4 of the Indian Gaming Regulatory  
19          Act (25 U.S.C. 2703)).