

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3925
OFFERED BY MR. HURD OF COLORADO

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Yuhaaviatam of San
3 Manuel Nation Land Exchange Act”.

4 SEC. 2. EXCHANGE OF LAND.

5 (a) DEFINITIONS.—In this Act:

6 (1) FEDERAL LAND.—The term “Federal
7 Land” means the approximately 1,475 acres of Na-
8 tional Forest System land (including any and all
9 privileges, easements, subsurface rights, here-
10 ditaments, improvements and appurtenances thereon
11 and thereto) depicted as F–1 and F–2 on the Fed-
12 eral Land Maps.

13 (2) FEDERAL LAND MAPS.—The term “Federal
14 Land Maps” means the maps entitled—

15 (A) “San Manuel Ancestral Land Ex-
16 change, San Bernardino National Forest, San
17 Bernardino County, California, Federal Lands

1 Proposed for Exchange (map 1 of 2)”, created
2 July 8, 2022, revised January 10, 2023; and

3 (B) “San Manuel Ancestral Land Ex-
4 change, San Bernardino National Forest, San
5 Bernardino County, California, Federal Lands
6 Proposed for Exchange (map 2 of 2)”, created
7 July 8, 2022, revised January 10, 2023.

8 (3) NATION.—The term “Nation” means the
9 Yuhaaviatam of San Manuel Nation, a federally rec-
10 ognized tribe, also recognized as the San Manuel
11 Band of Mission Indians.

12 (4) NON-FEDERAL LAND.—The term “Non-
13 Federal Land” means the approximately 1,460 acres
14 of land (including any and all privileges, easements,
15 subsurface rights, hereditaments, improvements and
16 appurtenances thereon and thereto) owned by the
17 Nation and depicted on the Non-Federal Land Maps
18 as NF-1, NF-2, NF-3, NF-4a, and NF-5.

19 (5) NON-FEDERAL LAND MAPS.—The term
20 “Non-Federal Land Maps” means the maps enti-
21 tled—

22 (A) “San Manuel Ancestral Land Ex-
23 change San Bernardino National Forest, San
24 Bernardino County, California, Non-Federal
25 Lands Proposed for Exchange (map 1 of 4)”,

1 created March 8, 2022, revised January 9,
2 2023;

3 (B) “San Manuel Ancestral Land Ex-
4 change San Bernardino National Forest, San
5 Bernardino County, California, Non-Federal
6 Lands Proposed for Exchange (map 2 of 4)”,
7 created March 8, 2022, revised January 9,
8 2023;

9 (C) “San Manuel Ancestral Land Ex-
10 change San Bernardino National Forest, San
11 Bernardino County, California, Non-Federal
12 Lands Proposed for Exchange (map 3 of 4)”,
13 created March 8, 2022, revised January 9,
14 2023; and

15 (D) “San Manuel Ancestral Land Ex-
16 change San Bernardino National Forest, San
17 Bernardino County, California, Non-Federal
18 Lands Proposed for Exchange (map 4 of 4)”,
19 created July 8, 2022, revised January 9, 2023.

20 (6) SECRETARY.—The term “Secretary” means
21 the Secretary of Agriculture, acting through the
22 Chief of the Forest Service.

23 (b) LAND EXCHANGE.—Subject to the provisions of
24 this section, if the Nation offers to convey to the United
25 States all right, title, and interest of the Nation in and

1 to the Non-Federal Land, the Secretary shall, as soon as
2 practicable within the 1-year period beginning on the date
3 on which the Secretary receives such offer—

4 (1) accept the offer; and

5 (2) convey to the Nation all right, title, and in-
6 terest of the United States in and to the Federal
7 Land, excepting and reserving an easement for ac-
8 cess and use by the Forest Service any portion of
9 Forest Service roads 1N22, 1N24, and 1N25 located
10 on the Federal Land.

11 (c) SURVEY.—

12 (1) FEDERAL LAND.—The exact acreage and
13 legal description of the Federal Land to be conveyed
14 under subsection (b) shall be determined by a survey
15 approved by the Secretary and the Nation.

16 (2) NON-FEDERAL LAND.—

17 (A) IN GENERAL.—The exact acreage and
18 legal description of the Non-Federal Land to be
19 conveyed under subsection (b) shall be deter-
20 mined by a survey approved by the Secretary
21 and the Nation.

22 (B) COST.—The cost of the survey in sub-
23 paragraph (A) shall be borne by the Nation.

24 (d) MAPS, ESTIMATES, AND DESCRIPTIONS.—

1 (1) MINOR ERROR.—The Secretary and the Na-
2 tion may, by mutual agreement—

3 (A) make minor boundary adjustments to
4 the lands to be exchanged under subsection (b);
5 and

6 (B) correct any minor errors in any map,
7 acreage estimate, or description of the land to
8 be exchanged under subsection (b).

9 (2) CONFLICT.—If there is a conflict between a
10 map, acreage estimate, or description of any land to
11 be exchanged under subsection (b), the map shall
12 control unless the Secretary and the Nation mutu-
13 ally agree otherwise.

14 (3) AVAILABILITY OF MAPS.—The Federal
15 Land Map and the Non-Federal Land Map shall be
16 kept on file and available for public inspection in the
17 office of the Regional Forester, Pacific Southwest
18 Region, United States Forest Service, or any other
19 appropriate office of the Forest Service, as deter-
20 mined by the Secretary.

21 (e) ARROWHEAD LANDMARK PRESERVATION.—

22 (1) AGREEMENT.—As a condition of the con-
23 veyance under subsection (b), not later than 1 year
24 after the date of enactment of this Act, the Nation
25 shall enter into an agreement with the Secretary

1 under which the Nation agrees to preserve, to an ex-
2 tent mutually agreed upon, the historical and cul-
3 tural integrity of the Arrowhead landmark site de-
4 noted on the Federal Land Maps as “Arrowhead
5 Landmark GA”.

6 (2) RECORDS.—The agreement entered into
7 under paragraph (1) shall be recorded in the official
8 records of the County of San Bernardino, California,
9 and an in an appropriate records system of the For-
10 est Service, as determined by the Secretary.

11 (f) MANAGEMENT OF LAND.—Land acquired by the
12 Secretary under this section shall become part of the San
13 Bernardino National Forest and be managed in accord-
14 ance with the laws, rules, and regulations applicable to
15 such National Forest.

16 (g) FEDERAL LAND POLICY MANAGEMENT ACT OF
17 1976.—The land exchange under subsection (b) is not
18 subject to section 206 of the Federal Land Policy Manage-
19 ment Act of 1976 (43 U.S.C. 1716).

