



H.R. 3522 – TO RATIFY A CONVEYANCE OF A PORTION OF THE JICARILLA APACHE RESERVATION TO RIO ARRIBA COUNTY, STATE OF NEW MEXICO, PURSUANT TO THE SETTLEMENT OF LITIGATION BETWEEN THE JICARILLA APACHE NATION AND RIO ARRIBA COUNTY, STATE OF NEW MEXICO, TO AUTHORIZE ISSUANCE OF A PATENT FOR SAID LANDS, AND TO CHANGE THE EXTERIOR BOUNDARY OF THE JICARILLA APACHE RESERVATION ACCORDINGLY, AND FOR OTHER PURPOSES

FLOOR SITUATION

H.R. 3522 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Tom Udall (D-NM) on September 10, 2007. The resolution was referred to the House Committee on Natural Resources and was ordered to be reported by unanimous consent.

H.R. 3522 is expected to be considered on the floor of the House on April 29, 2008.

Note: The administration supports the legislation.

SUMMARY

H.R. 3522 resolves a lawsuit between the Jicarilla Apache Reservation and Rio Arriba County, New Mexico, involving a county road that runs through the Jicarilla Apache Reservation. The legislation authorizes the Secretary of the Interior to take certain lands out of trust for the tribe and convey them to the Rio Arriba County. In exchange for the right to use the road, the Tribe will have their boundaries adjusted accordingly.

BACKGROUND

The Jicarilla Apache Tribe filed a lawsuit with the Rio Arriba County over the use of a road that runs through the Tribe's territory. There was an issue over who owned the road, since portions of it run through the Jicarilla reservation. The County of Rio Arriba took the issue to court arguing it was the rightful owner of the land. The court ruled in favor of the Tribe, and the County appealed the decision. Eventually both sides of the lawsuit came to an agreement.

The President of the Jicarilla Apache Tribe and the Chairman of the Rio Arriba Board of County Commissioners reached a settlement agreement on May 6, 2003. The agreement was approved by the Department of the Interior on June 18, 2003.

The agreement states that the road in question will be used only for governmental purposes, including providing emergency care for the citizens of Rio Arriba County. The road and the surrounding area cannot be used for transporting prisoners or for any jail facilities. For allowing the County to use the road, the Tribe will be compensated by having its boundaries adjusted.

COST

The Congressional Budget Office (CBO) "estimates that implementing H.R. 3522 would have no significant impact on the federal budget."



STAFF CONTACT

For questions or further information contact Luke Hatzis at (202) 226-2302.