

AMENDMENT TO H.R. 2316
OFFERED BY MR. RUIZ OF CALIFORNIA

At the end of section 3, add the following new subsection:

1 (g) PROTECTIONS FOR INDIAN LANDS AND TRIBAL
2 RESOURCES.—

3 (1) IN GENERAL.—In addition to the exclusions
4 specified in subsection (b)(2), a community forest
5 demonstration area shall not include National Forest
6 System land—

7 (A) that is located within or adjacent to
8 Indian land;

9 (B) that includes tribal resources; or

10 (C) the inclusion of which would adversely
11 affect tribal resources within a unit of the Na-
12 tional Forest System.

13 (2) DEFINITIONS.—In the subsection:

14 (A) The term “adjacent to” refers to Na-
15 tional Forest System land that is located within
16 50 miles of Indian land and shares a boundary
17 with Indian land.

18 (B) The term “Indian land” means—

1 (i) any land located within the bound-
2 aries of an Indian reservation, pueblo, or
3 rancheria;

4 (ii) any land, while not located within
5 the boundaries of an Indian reservation,
6 pueblo, or rancheria, the title to which is
7 held—

8 (I) in trust by the United States
9 for the benefit of an Indian tribe or
10 an individual Indian;

11 (II) by an Indian tribe or an in-
12 dividual Indian, subject to restriction
13 against alienation under laws of the
14 United States; or

15 (III) by a dependent Indian com-
16 munity; and

17 (iii) land that is owned by an Indian
18 tribe and was conveyed by the United
19 States to a Native Corporation pursuant to
20 the Alaska Native Claims Settlement Act
21 (43 U.S.C. 1601 et seq.), or that was con-
22 veyed by the United States to a Native
23 Corporation in exchange for such land.

24 (C) The term “Indian tribe” has the mean-
25 ing given the term in section 4 of the Indian

1 Self-Determination and Education Assistance
2 Act (25 U.S.C. 450b).

3 (D) The term “tribal resources” means—

4 (i) resources subject to off-reservation
5 treaty rights with an Indian tribe to hunt,
6 fish and gather on Federal lands;

7 (ii) resources subject to co-manage-
8 ment agreements with an Indian tribe
9 under section 2 of the Tribal Forest Pro-
10 tection Act of 2004 (25 U.S.C. 3115a);

11 (iii) resources subject to Executive
12 Order 13007 on Indian Sacred Sites and
13 Native American Graves; or

14 (iv) resources subject to the United
15 States’ trust responsibility to Indian tribes.

16 (3) RELATION TO OTHER LAWS.—Nothing in
17 this Act waives, limits, or delegates the responsibil-
18 ities of the Native American Graves Protection and
19 Repatriation Act (25 U.S.C. 3001 et seq.), the Ar-
20 chaeological Resources Protection Act of 1979, 16
21 U.S.C. 470aa et seq.), and the National Historic
22 Preservation Act (16 U.S.C. 470 et seq.), or any
23 other law involving the protection of tribal resources.

