

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 481**

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**AN ACT**

To further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000.



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## AN ACT

To further the purposes of the Sand Creek Massacre  
National Historic Site Establishment Act of 2000.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Sand Creek Massacre  
3 National Historic Site Trust Act of 2005”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **FACILITY.**—The term “facility” means any  
7 structure, utility, road, or sign constructed on the  
8 trust property on or after the date of enactment of  
9 this Act.

10 (2) **IMPROVEMENT.**—The term “improvement”  
11 means—

12 (A) a 1,625 square foot 1-story ranch  
13 house, built in 1952, located in the SW quarter  
14 of sec. 30, T. 17 S., R. 45 W., sixth principal  
15 meridian;

16 (B) a 3,600 square foot metal-constructed  
17 shop building, built in 1975, located in the SW  
18 quarter of sec. 30, T. 17 S., R. 45 W., sixth  
19 principal meridian;

20 (C) a livestock corral and shelter; and

21 (D) a water system and wastewater system  
22 with all associated utility connections.

23 (3) **SECRETARY.**—The term “Secretary” means  
24 the Secretary of the Interior.

1           (4) **TRIBE.**—The term “Tribe” means the  
2           Cheyenne and Arapaho Tribes of Oklahoma, a feder-  
3           ally recognized Indian tribe.

4           (5) **TRUST PROPERTY.**—The term “trust prop-  
5           erty” means the real property, including rights to all  
6           minerals, and excluding the improvements, formerly  
7           known as the “Dawson Ranch”, consisting of ap-  
8           proximately 1,465 total acres presently under the ju-  
9           risdiction of the Tribe, situated within Kiowa Coun-  
10          ty, Colorado, and more particularly described as fol-  
11          lows:

12                   (A) The portion of sec. 24, T. 17 S., R. 46  
13                   W., sixth principal meridian, that is the East-  
14                   ern half of the NW quarter, the SW quarter of  
15                   the NE quarter, the NW quarter of the SE  
16                   quarter, sixth principal meridian.

17                   (B) All of sec. 25, T. 17 S., R. 46 W.,  
18                   sixth principal meridian.

19                   (C) All of sec. 30, T. 17 S., R. 45 W.,  
20                   sixth principal meridian.

21 **SEC. 3. CONVEYANCE OF LAND TO BE HELD IN TRUST FOR**  
22 **THE CHEYENNE AND ARAPAHO TRIBES OF**  
23 **OKLAHOMA.**

24           (a) **LAND HELD IN TRUST FOR THE CHEYENNE AND**  
25 **ARAPAHO TRIBES OF OKLAHOMA.**—On conveyance of title

1 to the trust property by the Tribe to the United States,  
2 without any further action by the Secretary, the trust  
3 property shall be held in trust for the benefit of the Tribe.

4 (b) TRUST.—All right, title, and interest of the  
5 United States in and to the trust property, except any fa-  
6 cilities constructed under section 4(b), are declared to be  
7 held by the United States in trust for the Tribe.

8 **SEC. 4. IMPROVEMENTS AND FACILITIES.**

9 (a) IMPROVEMENTS.—The Secretary may acquire by  
10 donation the improvements in fee.

11 (b) FACILITIES.—

12 (1) IN GENERAL.—The Secretary may con-  
13 struct a facility on the trust property only after con-  
14 sulting with, soliciting advice from, and obtaining  
15 the agreement of, the Tribe, the Northern Cheyenne  
16 Tribe, and the Northern Arapaho Tribe.

17 (2) OWNERSHIP.—Facilities constructed with  
18 Federal funds or funds donated to the United States  
19 shall be owned in fee by the United States.

20 (c) FEDERAL FUNDS.—For the purposes of the con-  
21 struction, maintenance, or demolition of improvements or  
22 facilities, Federal funds shall be expended only on im-  
23 provements or facilities that are owned in fee by the  
24 United States.

1 **SEC. 5. SURVEY OF BOUNDARY LINE; PUBLICATION OF DE-**  
2 **SCRIPTION.**

3 (a) SURVEY OF BOUNDARY LINE.—To accurately es-  
4 tablish the boundary of the trust property, not later than  
5 180 days after the date of enactment of this Act, the Sec-  
6 retary shall cause a survey to be conducted by the Office  
7 of Cadastral Survey of the Bureau of Land Management  
8 of the boundary lines described in section 2(5).

9 (b) PUBLICATION OF LAND DESCRIPTION.—

10 (1) IN GENERAL.—On completion of the survey  
11 under subsection (a), and acceptance of the survey  
12 by the representatives of the Tribe, the Secretary  
13 shall cause the full metes and bounds description of  
14 the lines, with a full and accurate description of the  
15 trust property, to be published in the Federal Reg-  
16 ister.

17 (2) EFFECT.—The description shall, on publica-  
18 tion, constitute the official description of the trust  
19 property.

20 **SEC. 6. ADMINISTRATION OF TRUST PROPERTY.**

21 (a) IN GENERAL.—The trust property shall be ad-  
22 ministered in perpetuity by the Secretary as part of the  
23 Sand Creek Massacre National Historic Site, only for his-  
24 torical, traditional, cultural, and other uses in accordance  
25 with the Sand Creek Massacre National Historic Site Es-

1 tablishment Act of 2000 (16 U.S.C. 461 note; Public Law  
2 106–465).

3 (b) ACCESS FOR ADMINISTRATION.—For purposes of  
4 administration, the Secretary shall have access to the trust  
5 property, improvements, and facilities as necessary for  
6 management of the Sand Creek Massacre National His-  
7 toric Site in accordance with the Sand Creek Massacre  
8 National Historic Site Establishment Act of 2000 (16  
9 U.S.C. 461 note; Public Law 106–465).

10 (c) DUTY OF THE SECRETARY.—The Secretary shall  
11 take such action as is necessary to ensure that the trust  
12 property is used only in accordance with this section.

13 (d) SAVINGS PROVISION.—Nothing in this Act super-  
14 sedes the laws and policies governing units of the National  
15 Park System.

16 **SEC. 7. ACQUISITION OF PROPERTY.**

17 Section 6(a)(2) of the Sand Creek Massacre National  
18 Historic Site Establishment Act of 2000 (16 U.S.C. 461  
19 note; Public Law 106–465) is amended by inserting “or  
20 exchange” after “only by donation”.

Passed the House of Representatives June 27, 2005.

Attest:

*Clerk.*