

# House Subcommittee on Indian, Insular and Alaska Native Affairs

Don Young, Chairman

## Hearing Memo

June 8, 2015

To: Natural Resources Committee Members

From: Majority Staff, Subcommittee on Indian, Insular, and Alaska Native Affairs

Hearing: Legislative hearing on H.R. 2212 (LaMalfa-CA), *To take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.*

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The Subcommittee will hold a Legislative Hearing on **Wednesday, June 10, 2015, at 11:00 a.m. in Room 1324 Longworth HOB** on H.R. 2212.

### **Summary of the Bill:**

H.R. 2212, *To take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes*, was introduced by Rep. LaMalfa on January 13, 2015 and has been referred to the Subcommittee on Indian, Insular and Alaska Native Affairs. The bill would direct the Secretary of the Interior to take into trust approximately 300 acres of adjacent Bureau of Land Management (BLM) managed lands for the Susanville Indian Rancheria. Under the bill, class II and class III gaming under the Indian Gaming Regulatory Act<sup>1</sup> is prohibited on these lands.

### **Cosponsors:**

None.

### **Background:**

The Susanville Indian Rancheria is a tribe located in northeastern California at the juncture of the Cascade Range and the Sierra Nevada. The original Rancheria was created in 1923 when the U.S. purchased and placed into trust 30 acres in Lassen County, CA for the Rancheria under the Landless and Homeless Indian Act. The Rancheria was a nontribal specific reservation, though members of the Susanville community claim tribal associations to the Maidu, Paiute, Pit River, and Washoe tribes of California.

The tribe elected to charter under the authority of the Indian Reorganization Act of 1934 and in 1969 the Secretary of the Interior approved initial Rancheria Constitution and Bylaws.

The Rancheria has grown slightly in size since the original 30 acres of land were purchased for the establishment of the Rancheria in 1923. Today, the Rancheria has

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<sup>1</sup> 25 U.S.C. 2701 et seq.

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approximately 1,101 acres held in trust and 240 acres of fee land in six locations. Most of the Rancheria's lands were acquired in trust by the Bureau of Indian Affairs. Congress has also placed a 120 acre parcel into trust for the Rancheria in 1978.<sup>2</sup>

In 2005, the local BLM office at Eagle Lake identified a 300 acre parcel labeled as suitable for disposal and in 2007 the BLM included the parcel its proposed Resource Management Plan and Final Environmental Impact Statement.<sup>3</sup> The 300 acre parcel is isolated from other BLM managed lands and has become difficult for BLM to continue management.

If H.R. 2212 is enacted, the Rancheria's long term plan is to build a recreational area, Pow Wow grounds, and cultural center and museum. The local BLM field office has expressly committed, to the Susanville Indian Rancheria, assistance with the land transfer.

### **Analysis of H.R. 2212**

H.R. 2212 directs the Secretary of the Interior to take approximately 300 acres of adjacent BLM managed land into trust for the Susanville Indian Rancheria. This action would be subject to valid existing rights and management agreements related to easements and rights-of-way. Additionally, under the bill, class II and class III gaming under the Indian Gaming Regulatory Act is prohibited on these lands. The legislation is necessary as the Department of the Interior does not have the authority to transfer public land in trust for a tribe.

### **Witnesses:**

*Mr. Mike Black*, Director  
Bureau of Indian Affairs  
U.S. Department of the Interior  
Washington, DC.

*Mr. Aaron Dixon*, Secretary/Treasurer  
Susanville Indian Rancheria  
Susanville, California

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<sup>2</sup> See P.L. 95-459.

<sup>3</sup> See <http://www.blm.gov/ca/st/en/fo/eaglelake/propRMP-FEIS.html>