

**STATEMENT FOR THE RECORD
FROM
THE OFFICE OF THE
ASSISTANT SECRETARY – INDIAN AFFAIRS
UNITED STATES DEPARTMENT OF THE INTERIOR
BEFORE THE HOUSE NATURAL RESOURCES
SUBCOMMITTEE ON INDIGENOUS PEOPLES OF THE UNITED STATES
ON**

**H.R. 4715, THE “QUAPAW TRIBAL LANDOWNER SETTLEMENT ACT OF 2021”;
AND H.R. 6707, THE “ADVANCING EQUALITY FOR WABANAKI NATIONS ACT”**

MARCH 31, 2022

Thank you for the opportunity to provide the Department of the Interior’s views on H.R. 4715, the Quapaw Tribal Landowner Settlement Act of 2021 and H.R. 6707, the Advancing Equality for Wabanaki Nations Act.

H.R. 4715, Quapaw Tribal Landowner Settlement Act of 2021

H.R. 4715 would authorize appropriations from the Secretary of the Interior to make payments to certain members of the Quapaw Tribe of Oklahoma in accordance with the recommendation of a review panel of the United States Court of Federal Claims.

In the late 1800’s, large lead and zinc deposits were discovered on Quapaw lands in Northeast Oklahoma where one of the largest lead and zinc mines in the United States existed. When mining ceased in the 1970’s, significant mining waste was left behind resulting in environmental damage to the area and waterways. This area was declared the Tar Creek Superfund Site in 1983 and in 2002 the Quapaw sued the Bureau of Indian Affairs for the environmental damage and mismanagement of tribal trust lands.

The case was referred to the United States Court of Federal Claims, and in January 2020, a review panel recommended the Department of the Interior make payments to members of the Quapaw Tribe in the amount of \$137,500,000 for the extinguishment of all claims in this matter.

The Department supports H.R. 4715 and its authorization of appropriations to the claimant.

H.R. 6707, Advancing Equality for Wabanaki Nations Act

H.R. 6707 would amend the Maine Indian Claims Settlement Act (MICSA) (P.L. 96-420) to allow future federal beneficial laws to apply to the Wabanaki Nations: the Passamaquoddy Tribe (Passamaquoddy), Penobscot Nation (Penobscot), Houlton Band of Maliseet Indians (Houlton Band) and Mi’kmaq Nation (formerly known as the Aroostook Band of Micmacs). The MICSA was enacted in 1980 and, in exchange for extinguishing certain claims, provided appropriations to acquire lands to the Passamaquoddy, Penobscot, and Houlton Band, and reaffirmed the federal

recognition of the Houlton Band. The MICSA also imposed restrictions on the tribes, including the application of Maine state law superseding applicable federal Indian laws with few exceptions.

The Mi'kmaq Nation had its own settlement act (the Aroostook Band of Micmacs Settlement Act)(P.L. 102-171) which contained similar provisions to the MICSA and also applied Maine state law to the Mi'kmaq Nation.

H.R. 6707 ensures that, moving forward, the Wabanaki Nations are governed by federal beneficial laws. This legislation would also apply the Indian Child Welfare Act (ICWA) to the Houlton Band and Mi'kmaq Nation in the same manner that ICWA applies to the Penobscot Nation and Passamaquoddy Tribe under MICSA.

The Department supports H.R. 6707.