



Puyallup Tribe of Indians



August 3, 2023

The Honorable Chair Hageman
Subcommittee on Indian and Insular Affairs
1332 Longworth House Office Building
Washington, D.C. 20515

Re: H.R. 929 “Puyallup Tribe of Indians Land Into Trust Confirmation Act of 2023” Response

Dear Chair Hageman:

Thank you for your consideration and attention to this important subject to our Tribe. I am writing in response to the questions from Representative Westerman that were provided in your letter dated July 18, 2023.

Question 1 asks: In your written testimony, you noted that the H.R. 929 enjoys the support of the City of Tacoma, the Port of Tacoma, Pierce County, and the State of Washington. Are you aware of any opposition to the H.R. 929 legislation, and if so from who?

I am not aware of any opposition to the legislation and am grateful by the amount of support from our neighboring jurisdictions and each of the elected officials that have written on our behalf and offered positive encouragement in our efforts.

Question 2 asks: The legacy environmental contamination on the land of the Puyallup Tribe is seeking to place into trust has complicated the process and lengthened the timeline for these acres to be placed into trust. Could you please elaborate further on the impact and challenges your tribe has faced by seeking to put land that has legacy environmental contamination into trust?

These are extremely important issues that get at the heart of the matter and I appreciate your asking and willingness to address each of these in part below.

a. How has that affected the trust process for the tribe in regards to timeline and finances?

Legacy contamination is an issue for a majority of our properties. It is a normal part of our practice to clean the lands we acquire back, but as you can imagine this does have a significant impact on both our timelines and finances. Each of our property acquisitions go through a lengthy and arduous process to determine all risks associated with purchasing the property. Additionally, we have to assess how much it will cost to clean the property to our standards, which often times exceed other governmental standards. It is during this process that

we decide whether to pursue placing the land into trust, the major factor in this decision is if the property could pass the environmental testing.

Due to our location, as an urban tribe in the heart of an industrial boom, our homelands are riddled with legacy contamination caused by other parties. Despite our best efforts to clean the properties, this naturally limits our ability to buy back our land as it is not only costly to acquire, but also to clean the property as well. Timelines are also impacted as shown with the property in question: the original fee-to-trust application was started in 2015. After the legacy contamination issues were raised, the BIA staff sought feedback from the Tribe, but ultimately informed us their hands were tied as there was not a process in place to resolve this issue.

b. What would you recommend Congress do to assist in remedying these issues?

We humbly ask that you approve H.R. 929 and encourage others to support it to remedy the immediate issue. However, that does not fix the larger issues. As I have testified, the current federal regulations do not allow for a process for the BIA to take land into trust. This hinders our ability to acquire our homelands and adds a burden that the bad actors/polluters do not have to meet. While we have shown with our track record, we are proud stewards of the land and will go to great lengths to clean the lands, we would recommend:

- A process be adopted for the BIA to take the issues defined above into consideration and approve for lands to be brought into trust status.
- Since each Tribe is unique, we recommend allowing flexibility in the process for the BIA and Tribes to find a pathway forward to allow for land to be taken into trust.
- The process involve maintaining current environmental reports detailing the cleanup efforts and the contaminants on the site.

Thank you for your consideration in this sensitive matter.

Sincerely,



James Rideout, Councilmember
Puyallup Tribal Council

cc: Ransom Fox, Clerk of the Subcommittee
on Indian and Insular Affairs