

**H.R. 1451, H.R. 2302, H.R. 2389,
AND H.R. 2400**

LEGISLATIVE HEARING
BEFORE THE
SUBCOMMITTEE ON INDIAN AND INSULAR AFFAIRS
OF THE
COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES
ONE HUNDRED NINETEENTH CONGRESS
FIRST SESSION

Wednesday, April 30, 2025

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HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members

From: Natural Resources Committee Indian and Insular Affairs Subcommittee staff, Ken Degenfelder (Ken.Degenfelder@mail.house.gov), and Kirstin Liddell (Kirstin.Liddell@mail.house.gov) x6-9725

Date: April 30, 2025

Subject: Legislative Hearing on H.R. 1451, H.R. 2302, H.R. 2389, and H.R. 2400

The Subcommittee on Indian and Insular Affairs will hold a legislative hearing on four bills:

H.R. 1451 (Rep. Brecheen), "*Quapaw Tribal Settlement Act of 2025*"; H.R. 2302 (Rep. McClintock), "*Shingle Springs Band of Miwok Indians Land Transfer Act of 2025*"; H.R. 2389 (Rep. Randall), "*Quinault Indian Nation Land Transfer Act*"; and H.R. 2400 (Rep. LaMalfa), "*Pit River Land Transfer Act of 2025*" **on Wednesday, at 2 p.m. in 1324 Longworth House Office Building.**

Member offices are requested to notify Haig Kadian (Haig.Kadian@mail.house.gov) by 4:30 p.m. on Tuesday, April 29, 2025, if their member intends to participate in the hearing.

I. KEY MESSAGES

- House Republicans are holding a hearing on four bills that will support tribal sovereignty and the restoration of tribal homelands.
- H.R. 1451 would establish a Special Deposit Account in the Bureau of Trust Funds Administration, known as the "Quapaw Bear Settlement Trust Account," through which the \$137.5 million settlement, decided by the United States Court of Federal Claims, will be paid to Quapaw tribal member claimants.
- H.R. 2302 would place approximately 85 acres of BLM land and 118 acres of fee land into trust for the Shingle Springs Band of Miwok Indians.
- H.R. 2389 would place approximately 72 acres of U.S. Forest Service land, known as "Allotment 1157," into trust for the Quinault Indian Nation.
- H.R. 2400 would place approximately 584 acres of U.S. Forest Service land, commonly known as the "Four Corners" land, and 40 acres of fee land into trust for the Pit River Tribe.

II. WITNESSES

Panel I: (Member Panel)

- **To Be Announced**

Panel II:

- **Mr. Bryan Mercier**, Director, Bureau of Indian Affairs, U.S. Department of the Interior, Washington D.C. [All bills]
- **Mr. John Crockett**, Deputy Chief for State, Private, and Tribal Forestry, U.S. Forest Service, U.S. Department of Agriculture, Washington D.C. [H.R. 2839 and H.R. 2400]

Panel III:

- **The Hon. Wena Supernaw**, Chair, Quapaw Nation, Quapaw, OK [H.R. 1451]
- **The Hon. Regina Cuellar**, Chairwoman, Shingle Springs Band of Miwok, Shingle Springs, CA [H.R. 2302]
- **The Hon. Yatch Bamford**, Chairman, Pit River Tribe, Burney, CA [H.R. 2400]
- **Mr. Tyson Johnston**, Business Committee Member, Quinault Indian Nation, Taholah, WA (*Minority Witness*) [H.R. 2389]

III. BACKGROUND**H.R. 1451 (Rep. Brecheen), “Quapaw Tribal Settlement Act of 2025”**

The Quapaw Nation Reservation is located in Northeast Oklahoma, with around 5,500 tribally enrolled members.¹ The ancestral lands of the Quapaw Nation are located at the confluence of the Arkansas and Mississippi rivers in present-day Arkansas. A series of treaties with the United States Government in 1818 and 1824 resulted in the cession of most of the Quapaw Nation’s land to the United States and the tribe’s eventual relocation to its current location.²

In the early 1800’s, the world’s largest deposits of lead and zinc were discovered on a portion of the Quapaw Nation land in Ottawa County, Oklahoma.³ According to the tribe, the federal government allowed mining activities to be carried out largely unfettered, and not for the benefit of the Quapaw Nation and its members. Mines were located on the lands owned by 65 individual Quapaw Nation tribal members.⁴

In 1921, Congress declared members of the tribe incompetent and restricted their ability to deal with their land, money, or leases with mining companies.⁵ These restrictions were extended in 1939,⁶ in 1970,⁷ and then indefinitely.⁸ According to the tribe, the federal government and United States Attorneys took advantage of the valuable mineral rights and underpaid them for lead, zinc, and other byproducts.⁹

In addition, there was little federal supervision of the mining companies’ mining methods or any reclamation of the lands mined.¹⁰ In 1970, when the last mine was shut down, approximately 16 square miles owned by the Quapaw Nation tribal members or descendants were destroyed, and in 1983 the Quapaw Nation’s tribal member lands were designated as part of the largest Superfund site in the United States,¹¹ the Tar Creek Superfund.¹²

In 2002, the Quapaw Nation filed a lawsuit against the United States seeking an order requiring the Department of the Interior (DOI) to conduct an accounting of the historical federal management of tribal member trust assets.¹³ After two years, the United States government and the tribe signed a settlement agreement committing to use alternative dispute resolution (ADR) to resolve the trust claims brought by the tribe and its members.¹⁴ However, after six years preparing its claims for resolution in ADR, the negotiations stalled, according to the tribe. In the years following, the federal government successfully dismissed further litigation due to technicalities such as the statute of limitations.¹⁵

From 2011 to 2013, tribal members filed lawsuits against the federal government for mismanaging trust assets. On December 19, 2012, the House passed H. Res. 668, which referred H.R. 5862 to the United States Court of Federal Claims to determine whether the tribe and its members have trust-related legal or equitable claims against the United States.¹⁶ This was in response to statute of limitations arguments in the *Bear v. United States* case. In October 2019, the federal government and the tribal members in *Bear* reached a settlement agreement of \$137.5 million before oral arguments were made before the Court of Federal Claims. In light of the agreement, the Court of Federal Claims recommended that the amount be paid to certain Quapaw Nation tribal members.

Legislation to authorize the recommended payments to certain Quapaw Nation tribal members was introduced in the 117th¹⁷ and 118th Congresses.¹⁸ H.R. 1451, introduced in the 119th Congress by Rep. Brecheen (R-OK–2) would establish a Special Deposit Account in the Bureau of Trust Funds Administration, known as the “Quapaw Bear Settlement Trust Account,” through which the \$137.5 million settlement, decided by the United States Court of Federal Claims, will be paid to Quapaw tribal member claimants. The legislation authorizes the Secretary of the Interior to use unobligated funds from the U.S. Treasury for the purpose of the settlement. As introduced, the legislation does not include an offset for the new funding authorizations.

H.R. 2302 (Rep. McClintock), “Shingle Springs Band of Miwok Indians Land Transfer Act of 2025”

The Shingle Springs Band of Miwok Indians is located in North Central California in El Dorado County. It has approximately 500 tribally enrolled members.¹⁹ Descendants of the Miwok and Maidu Indians lived throughout the north central part of California,²⁰ where they once encompassed land from the Sacramento area to the Sierra Nevada Mountains.²¹

On March 11, 1920, the Federal Government provided the Shingle Springs Band of Miwok with a 160-acre parcel, known as the “Verona Tract,” as their Rancheria. The only legal access point to the Verona Tract was through a parcel of land known as the “El Dorado Tract.”²² The tribe resided on the Verona Tract until the 1960s, when the California Department of Transportation (CalTrans) began work on Highway 50. The site of Highway 50 included an area that crossed over the El Dorado Tract, leaving the tribe with no legal access to the Verona Tract.²³ As a result, the tribe left the area.

In the mid-1970s, the tribe reorganized under the Indian Reorganization Act as the Shingle Springs Band of Miwok and moved back to the area.²⁴ The lack of access to the Rancheria continued until the tribe secured a \$20 million loan to construct an off-ramp from Highway 50 into the Rancheria.²⁵ Despite this addition, the tribe has continued to struggle with land acquisition due to the physical boundary imposed by Highway 50.

In 2014, 40.85 acres of Bureau of Land Management (BLM) land were placed into trust²⁶ for the tribe to assist with tribal housing needs on the Shingle Spring Band’s reservation.²⁷ However, the development of the land for housing has been difficult due to the land’s terrain.²⁸

Recently, the tribe purchased land near the Rancheria, known as the “Indian Creek Subdivision,” which was previously approved for a defunct subdivision. The tribe seeks to place this land into trust and is pursuing this goal legislatively through this bill rather than through the DOI’s administrative process, as their previous attempts to obtain a fee-to-trust approval have been unsuccessful.²⁹

The other parcels involved in this legislation will be transferred from the BLM into trust for the tribe. The BLM has not managed the parcel adjacent to the Indian Creek Subdivision well, leaving the tribe and surrounding landowners to raise concerns regarding the possibility of wildfire due to the lack of land management on the part of the BLM. The tribe has taken on a management role for this parcel despite it not being their land.³⁰ The additional parcels are also under BLM management and have not been meaningfully used. The tribe intends to manage the land as they do not have any immediate commercial or development plans.³¹

H.R. 2302, introduced by Rep. McClintock (R-CA-05), would place approximately 85 acres of BLM land and 118 acres of fee simple land owned by the tribe into trust for the Shingle Springs Band of Miwok Indians. Gaming on these lands, pursuant to the Indian Gaming Regulatory Act, would be prohibited.³² A map of the parcels to be placed into trust can be found here:

[chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://naturalresources.house.gov/uploadedfiles/shinglespringstransfer_20250225.pdf](https://efaidnbmnnnibpcajpcgclefindmkaj/https://naturalresources.house.gov/uploadedfiles/shinglespringstransfer_20250225.pdf)

H.R. 2389 (Rep. Randall), “Quinault Indian Nation Land Transfer Act”

The Quinault Indian Nation is located on the western coast of Washington state in the southwestern corner of the Olympic Peninsula, bordered by the Pacific Ocean.³³ The tribe has an estimated enrollment of 2,700 members.³⁴ Its reservation encompasses 208,150 acres of land.³⁵

The Treaty of Olympia, or the Quinault Treaty, was agreed upon by the United States and the Qui-nai-elt and Quil-leh-ute tribes between 1855 and 1856. Through the treaty, the Quinault Indian Tribe ceded their lands and, in return, received tracts that became the Quinault Indian Reservation.³⁶

However, the Treaty of Olympia was dismissed with the passage of the General Allotment Act,³⁷ and the Quinault Indian Nation found their lands separated into 2,340 80-acre allotments to individual members.³⁸ One of those, “Allotment 1157”, was part of the tribe’s reservation when it was formed, but was allotted in 1928 pursuant to the General Allotment Act.³⁹ Through allotment, the land was no longer owned by the tribe itself, but rather by an individual Indian.

In the 1960s, the Indian allottee sold Allotment 1157 to the Anderson and Middleton Logging Company (A&M) for less than \$60,000.⁴⁰ A&M became the owner of the property as fee land and managed it alongside all their other fee holdings within the Quinault Indian Reservation.

In the early 1990s, A&M faced legal challenges from the U.S. Fish and Wildlife Service (USFWS).⁴¹ Subsequently, in 1996, using federal funds, the Trust for Public Land purchased the A&M land and, in turn, sold the holding to the U.S. Forest

Service (USFS) for approximately \$3 million.⁴² Since then, the USFS has owned and managed Allotment 1157 on the Quinault Indian Nation's reservation.⁴³

The Quinault Indian Nation has attempted to reacquire ownership of the land on their reservation for the benefit of their tribe. Currently, about 48% of the land has been reacquired, including the land adjacent to Allotment 1157.⁴⁴ The tribe has support to reacquire Allotment 1157 from local stakeholders⁴⁵ and the federal government,⁴⁶ and plans to use the land for heritage and cultural purposes.⁴⁷

This bill, introduced by Rep. Randall (D-WA-06) would place approximately 72 acres of USFS land, known as "Allotment 1157," into trust for the Quinault Indian Nation. Gaming on these lands, pursuant to the Indian Gaming Regulatory Act, would be prohibited.⁴⁸ A map of the land to be placed into trust can be found here: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://naturalresources.house.gov/uploadedfiles/quinaultindiannationlandtransferact_repkilmer_version_2.pdf

H.R. 2400 (Rep. LaMalfa), "Pit River Land Transfer Act of 2025"

The Pit River Tribe consists of 11 different California tribal bands.⁴⁹ They currently reside on a 100-mile square foot reservation near the Pit River in Northeast California.⁵⁰ While the Pit River Tribe was federally recognized in 1976,⁵¹ their history spans decades and is riddled with conflicts and loss.

During the Gold Rush, the tribe's bands were victims of disease and murder.⁵² As the 19th century progressed, the tribe struggled to obtain a permanent land base, and many tribal members were forced to live on the Round Valley Reservation away from their ancestral homelands.⁵³

Like many tribes, some tribal members were able to individually acquire land via land allotments per the General Allotment Act⁵⁴ at the end of the 19th century.⁵⁵ However, many tribal members lost ownership of the land allotted to them⁵⁶ under various circumstances, leading to the removal of most tribal members from their allotted land by 1950.⁵⁷

During the late 1960s and early 1970s, the tribe attempted to regain certain USFS land near the intersection of Highways 299 and 89, referred to as the "Four Corners," near Burney, California.⁵⁸ The Pit River Tribe claimed it was their ancestral land, despite being legally owned by the USFS.⁵⁹

In 2013, the tribe again attempted to regain the Four Corners land from federal ownership through outreach to the Lassen National Forest, with the stated intent to build an interpretive center and reacquire their ancestral lands.⁶⁰ The Pit River Tribe also passed a resolution in 2013 declaring the acquisition of the Four Corners land a priority and formally requested the USFS to transfer ownership of the land to the tribe.⁶¹ The tribe submitted a map, Tribal Resolution, a draft imperative plan, and formal request to the USFS in 2013. In 2015, the tribe sent a follow up request letter which included a resubmission of the original documents. To date, the land remains in the USFS ownership.⁶²

This bill, introduced by Rep. LaMalfa (R-CA-01), would place approximately 584 acres of land owned by the USFS, known as the "Four Corners," and 40 acres of fee land, into trust for the Pit River Tribe. Gaming on these lands, pursuant to the Indian Gaming Regulatory Act, would be prohibited.⁶³ A map of the parcels to be placed into trust can be found here:

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://naturalresources.house.gov/uploadedfiles/proposedlandconveyancetothepitrivertribe_prelimmap_110624.pdf

IV. MAJOR PROVISIONS & SECTION-BY-SECTION

H.R. 1451 (Rep. Brecheen), "Quapaw Tribal Settlement Act of 2025"

Section 2. Quapaw Tribal Settlement. This section defines key terms involved in the settlement, authorizes the settlement payment, outlines the mediation process, and provides an avenue for Secretarial allocation if needed.

H.R. 2302 (Rep. McClintock), "Shingle Springs Band of Miwok Indians Land Transfer Act of 2025"

Section 2. Revocation of Public Land Order. This section would revoke Public Land Order 3309 and transfer specific BLM and fee simple parcels into trust for the benefit of the Shingle Springs Band of Miwok Indians.

H.R. 2389 (Rep. Randall), "Quinault Indian Nation Land Transfer Act"

Section 2. Land Taken into Trust for the Benefit of the Quinault Indian Nation. This section would place the Forest Service parcel of land known as "Allotment 1157" into trust for the Quinault Indian Nation.

H.R. 2400 (Rep. LaMalfa), “Pit River Land Transfer Act of 2025”

Section 3. Land to be Taken into Trust. This section would place the parcel of Forest Service land known as “Four Corners Fee Land” and certain fee land into trust for the benefit of the Pit River Tribe.

V. CBO COST ESTIMATE

Cost estimates for these four bills are unknown at this time.

VI. ADMINISTRATION POSITION

The Administration’s position on these four bills is unknown at this time.

¹ Marks-Marino, D. *Quapaw Nation*. Institute for Tribal Environmental Professionals, Northern Arizona University. June 2020. http://www7.nau.edu/tepp/main/tce/Tribes/plns_Quapaw.

² Tiller, Veronica E. Velarde. *Tiller’s Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 648.

³ *Thomas Charles Bear v. United States*. Case 1:13-cv-00051-TCW No.12-51X. https://ecf.cofc.uscourts.gov/cgi-bin/show_public_doc?2013cv00051-353-0.

⁴ *Thomas Charles Bear v. United States*. Case 1:13-cv-00051-TCW No.12-51X. Congressional reference; settlement.

⁵ 41 Stat. 1225, 1248–49 (March 3, 1921).

⁶ 52 Stat. 1127 (July 27, 1939).

⁷ 84 Stat. 325 (June 25, 1970).

⁸ 104 Stat. 206 (May 25, 1990).

⁹ *Response to Motion for Summary Judgment*. Grace M. Gooddeagle et al. v. United States. No. 12-431L (2016), available at <https://hrlfiletk.files.wordpress.com/2016/09/162-gooddeagle-response-to-155.pdf>. Pg 21.

¹⁰ *Thomas Charles Bear v. United States*. Case 1:13-cv-00051-TCW No.12-51X. Congressional reference; settlement.

¹¹ Oklahoma Department of Environmental Quality. *Tar Creek Superfund Site*. <https://www.deq.ok.gov/land-protection-division/cleanup-redevelopment/superfund/tar-creek-superfund-site/>.

¹² For more information, see the United States Environmental Protection Agency’s page on the Tar Creek superfund at -- <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0601269#background>.

¹³ *Quapaw Tribe of Oklahoma (O-Gah-Pah) v. United States Department of the Interior*. No. 02-CV-129-H(M) (N.D. Okla.).

¹⁴ *Elouise Pepton Cobell et al. v. Gale A. Norton et al.* Civil Action No. 98-1285 (RCL). Defendant’s Motion for Expedited Clarification or in the Alternative, Modification of the December 23, 2002. Order. Exhibit 1.

¹⁵ https://www.justice.gov/archive/civil/cases/cobell/docs/pdf07232004_motion.pdf

¹⁶ *Thomas Charles Bear v. United States*. Case 1:13-cv-00051-TCW Doc.359 p. 6. Congressional reference; settlement.

¹⁷ H. Res. 668, To refer H.R. 5862, a bill making congressional reference to the United States Court of Federal Claims pursuant to sections 1492 and 2509 of title 28, United States Code, the Indian trust-related claims of the Quapaw Tribe of Oklahoma (O-Gah-Pah) as well as its individual members. Rep. Tom Cole (R-OK-4). 112th Congress. <https://www.congress.gov/bills/112/house/resolution/668?q=%7B%22search%22%3A%22H.Res.668%22%7D&e=2&r=1>

¹⁸ H.R. 4715, *Quapaw Tribal Landowner Settlement Act of 2021*. Rep. Markwayne Mullin (R-OK-2). 117th Congress.

¹⁹ <https://www.congress.gov/bills/117/house/house-bill/4715>.

²⁰ H.R. 10472, *Quapaw Tribal Settlement Act of 2024*. Rep. Josh Brecheen (R-OK-2). 118th Congress.

²¹ <https://www.congress.gov/bills/118/house/house-bill/10472>.

²² Tiller, Veronica E. Velarde. *Tiller’s Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 344.

²³ Id.

²⁴ River City Bank. *Shingle Spring Band of Miwok Indians*. Oct 2020. <https://rivercitybank.com/shingle-springs-band-of-miwok-indians/#:~:text=Our%20reservation%20was%20originally%20160,economic%20development%20and%20self%20sufficiency>

²⁵ One Pager on H.R. 2302 provided to the IIA Team by the Shingle Springs Band of Miwok. On file.

²⁶ Id.

²⁷ Id.

²⁸ House Natural Resources Committee. Testimony of Nicholas Fonseca, Chairman, Shingle Springs Band of Miwok. July 23, 2013. <https://naturalresources.house.gov/unloadedfiles/fonsecatestimony07-23-13.pdf>.

²⁹ Public Law No. 113-127.

³⁰ S. Rept. 113-197 – *To Take Certain Federal Lands Located in El Dorado County, California, Into Trust for the Benefit of the Shingle Spring Band of Miwok Indians, and for Other Purposes*. Senate Indian Affairs Committee. 113th Congress. <https://www.congress.gov/113/crpt/srp197/CRPT-113srp197.pdf>.

³¹ Conversation between IIA Staff and the Shingle Springs Band of Miwok Indians. 04.09.25.

³² Id. The tribe completed fee to trust applications in 2015 for different parcels, but they remain in pending status.

³³ Id.

³⁴ Id.

³⁵ 25 U.S.C. 2701 et seq.

³⁶ Tiller, Veronica E. Velarde. *Tiller’s Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 762.

³⁷ Id.

³⁸ Quinault Indian Nation. *About Us*. <https://quinaultindiannation.com/171/About-Us>.

³⁹ *Makah Indian Tribe v. Quileute Indian Tribe*. 873 F.3d 1157. (2017).

⁴⁰ Act of February 8, 1887, Ch. 119, 24 Stat. 388.

⁴¹ Briefing Paper and Background on H.R. 9371, the *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

⁴² Id.

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- ⁴⁰ Letter from Brad Thompson, State Supervisor, Washington State Fish and Wildlife Service to The Hon. Derek Kilmer, U.S. Congressman [D-WA-6]. Dated February 17, 2022. On file.
- ⁴¹ Briefing Paper and Background on H.R. 9371, the *Quinalt Indian Nation Land Transfer Act*. Sept. 2024. On file.
- ⁴² *Id.*
- ⁴³ *Id.*
- ⁴⁴ Briefing Paper and Background on H.R. 9371, the *Quinalt Indian Nation Land Transfer Act*. Sept. 2024. On file.
- ⁴⁵ Jefferson County Board of Commissioners letter to President Capoeman. August 5, 2024. On file.
- ⁴⁶ Letter from Brad Thompson, State Supervisor, Washington State Fish and Wildlife Service to The Hon. Derek Kilmer, U.S. Congressman [D-WA-6]. Dated February 17, 2022. On file.
- ⁴⁷ *Id.*
- ⁴⁸ 25 U.S.C. 2701 et seq.
- ⁴⁹ Tiller, Veronica E. Velarde. Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations. 3rd ed. Pg. 324.
- ⁵⁰ Official Home of the Pit River Tribe. *Home*. <https://pitrivertribe.gov/>
- ⁵¹ Tiller, Veronica E. Velarde. Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations. 3rd ed. Pg. 324.
- ⁵² Sabalow, Ryan. *A long history of loss for Pit River Tribe*. Record Searchlight. Sept 2011. <https://archive.redding.com/news/a-long-history-of-loss-for-pit-river-tribe-sp-375503037-354670171.html#:~:text=In%201970%2C%20about%20100%20Indians,legal%20ownership%20of%20the%20site>
- ⁵³ Tiller, Veronica E. Velarde. Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations. 3rd ed. Pg. 323.
- ⁵⁴ Act of February 8, 1887, Ch. 119, 24 Stat. 388.
- ⁵⁵ Tiller, Veronica E. Velarde. Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations. 3rd ed. Pg. 324.
- ⁵⁶ Act of February 8, 1887, Ch. 119, 24 Stat. 388.
- ⁵⁷ Tiller, Veronica E. Velarde. Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations. 3rd ed. Pg. 324.
- ⁵⁸ Sabalow, Ryan. *A long history of loss for Pit River Tribe*. Record Searchlight. Sept 2011. <https://archive.redding.com/news/a-long-history-of-loss-for-pit-river-tribe-sp-375503037-354670171.html#:~:text=In%201970%2C%20about%20100%20Indians,legal%20ownership%20of%20the%20site>
- ⁵⁹ *Id.*
- ⁶⁰ *Id.*
- ⁶¹ Pit River Tribe Resolution No: 13-07. July 16, 2013. On file.
- ⁶² Follow-Up Letter from Mickey Gammall, Pit River Tribal Chairman. June 11, 2015. On file.
- ⁶³ 25 U.S.C. 2701 et seq.

**LEGISLATIVE HEARING ON H.R. 1451,
QUAPAW TRIBAL SETTLEMENT ACT OF 2025;
H.R. 2302, SHINGLE SPRINGS BAND OF
MIWOK INDIANS LAND TRANSFER ACT OF
2025; H.R. 2389, QUINAULT INDIAN NATION
LAND TRANSFER ACT; AND H.R. 2400, PIT
RIVER LAND TRANSFER ACT OF 2025**

**Wednesday, April 30, 2025
U.S. House of Representatives
Subcommittee on Indian and Insular Affairs
Committee on Natural Resources
Washington, D.C.**

The Subcommittee met, pursuant to notice, at 2:01 p.m. in Room 1324, Longworth House Office Building, Hon. Tim Walberg [member of the Subcommittee] presiding.

Present: Representatives Walberg; Leger Fernández, Hoyle, Hernandez, Randall, and Huffman.

Also present: Representative Bentz.

Mr. WALBERG. (Presiding). The Subcommittee on Indian and Insular Affairs will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to hear testimony on the four bills before us.

Under Committee rule 4(f), any oral opening statements at the hearing are limited to the Chair and Ranking Minority Member. I therefore ask for unanimous consent that all other members' opening statement be made part of the record if they are submitted in accordance with Committee rule 3(o).

Without objection, so ordered.

I ask for unanimous consent that gentleman from Oregon, Mr. Bentz, be allowed to sit and participate in today's hearing.

Without objection, so ordered.

I will now recognize myself for an opening statement.

**STATEMENT OF THE HON. TIM WALBERG, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MICHIGAN**

Mr. WALBERG. Thank you all for joining us today. Before I get into the matter at hand, I want to take the time to thank Chairman Westerman for holding the first full Committee field hearing in Oklahoma City at the beginning of the month. The topic was the Indian Self-Determination and Education Assistance Act, or ISDEAA, otherwise known as ISDEAA. It turns 50 this year, and it was an honor to hear from private leaders about the successes that the bipartisan bill has facilitated.

The field hearing itself was bipartisan, as well. Ranking Member Leger Fernández, you were there, as well. It goes to show how Congress can provide excellent avenues for success when we take the time to listen to tribal leaders and remove bureaucratic red tape.

Speaking of tools for success, today the Subcommittee is meeting to consider four bills that will support tribal sovereignty and the restoration of tribal homelands.

First is H.R. 1451, the Quapaw Tribal Settlement Act of 2025, sponsored by Congressman Brecheen. This legislation would establish a special deposit account in the Bureau of Trust Funds Administration for the purpose of dispersing the \$137.5 million to Quapaw tribal member claimants.

In 2002 the Quapaw Nation filed a lawsuit against the United States stemming from the mismanagement of the Tribe's trust assets which led to the creation of a Superfund site. The litigation went on for years. Eventually, the case was referred to the U.S. Court of Federal Claims by an Act of Congress. In 2019 an agreement was reached between the Federal Government and the Quapaw Nation for \$137.5 million. This legislation would help facilitate this settlement.

Our second bill, H.R. 2302, the Shingle Springs Band of Miwok Indians Land Transfer Act of 2025, is sponsored by Congressman McClintock. This bill would place approximately 85 acres of Bureau of Land Management land and 118 acres of free land into the trust for the Shingle Springs Band of Miwok Indians.

Due to the creation of Highway 50 in California, the ranch area has become largely landlocked. Growth, including housing, has been practically nonexistent as a result. The fee land in this legislation has been purchased by Tribes for the purpose of continued growth. The Bureau of Land Management land included in this legislation is adjacent to the fee land and has not been well managed by the Bureau, leading to an increased risk of wildfires.

Our third bill, H.R. 2389, the Quinault Indian Nation Land Transfer Act, sponsored by Congresswoman Randall, this bill would place approximately 72 acres of Forest Service land known as allotment 1157 into trust for the Tribe.

Like many other Tribes, the Quinault was impacted by the General Allotment Act, and saw their lands divided up into individual allotments. Allotment 1157 is one such example. The Tribe has worked to reacquire 48 percent of their original reservation, including land adjacent to allotment 1157. If H.R. 2389 is passed, the Tribe intends to use allotment 1157 for heritage and cultural purposes.

Our final bill on today's agenda is H.R. 2400, the Pit River Land Transfer Act of 2025, sponsored by Congressman LaMalfa. This bill would place approximately 584 acres of Forest Service land known as the Four Corners land into trust for the Pit River Tribe. This bill would also place approximately 40 acres of fee land into trust for the Tribe. If H.R. 2400 is passed, the Tribe intends to build an interpretive center to commemorate the protest and the ancestral history of the land.

I thank our witnesses for being here today, and I look forward to today's conversation.

The Chair now recognizes the Ranking Member for any statement.

STATEMENT OF THE HON. TERESA LEGER FERNÁNDEZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW MEXICO

Ms. LEGER FERNÁNDEZ. Thank you so much, Chair Walberg, and thank you for sitting in and heading up this hearing. And thank you, as always, to the witnesses for being here.

As the tribal witnesses know well and the Administration witnesses, I think, also understand, this Subcommittee has always sought to remedy historic injustices and support tribal sovereignty. And we have done that in a beautifully bipartisan manner since I got to Congress and before then, right? This is a long tradition of the Subcommittee on Indigenous Peoples or Indian Affairs, is how can we look at the horrible injustices that have gone back, the loss of land, you know, the Superfund sites? How can we look at all of this and try to begin remedying the harm?

It is also our duty here to perform congressional oversight, to figure out what do we do better and where are we lacking. That means we have to ask tough questions of the Administration if they fall short of this responsibility. I am very glad to see that we finally have two Administration witnesses before we have not had any this Congress. And I can assure you that when we had Assistant Secretary Newland here under Biden, we had Forest Chief Moore, they were getting tough questions from me because of things we care about, and that we want you to do better. And the issues that you carry on are incredibly important for our tribal communities.

And so I do, and will, want to discuss the dramatic cuts to Federal funding that could harm Tribes. There is a lot of concern in the network as they talk to me among tribal leaders, Native Americans, about the idea of selling off public lands because on those public lands are many sacred sites and sites that tribal communities have historically held dear. We will want to know whether they have been consulted on any of these kinds of proposals because consultations with Tribes must be the beginning of any policy that will affect our tribal nations.

It takes people to oversee land into trust. It takes people to fight fires. It takes people to manage our forests. And so, we have many partnerships between Tribes and the BIA and the Forest Service, and we will be wanting to know more about how we are going to be carrying out these partnerships, including in terms of carrying out the intent of these land transfers.

I am very concerned about the large number of BIA offices that are set to have their leases terminated, including in districts of members on this Committee like one BIA office in Representative LaMalfa's district which the Pit River Tribe here today uses. I hope that the Administration, the BIA, reverses course on some of these office closures and all of these office closures. I know they have reversed course on the Oklahoma ones, I am very pleased for that. But we need to make sure that not just Oklahoma Tribes, but Tribes across the country have BIA offices that they can go to and meet with their Federal representatives. I am hoping that our

witnesses today will reaffirm their commitment to tribal nations and understand that we need the resources in your offices to carry out that trust responsibility.

I am also very excited about the bills that we are hearing today which will indeed begin that process for the lands we are talking about of remedying injustices: Representative Randall's bill here, which will transfer those 72 acres of land from the Forest Service to the Department of the Interior so they can be held in trust; Representative McClintock's bill of the 204 acres located in El Dorado County, California; and Representative LaMalfa's 538 acres of land which will then be able to be used by the Pit River Tribe of California.

Each bill is going to help reclaim traditional homelands, increase opportunities, and support tribal self-determination, which was the purpose of that field hearing, and the last one, the Quapaw Tribal Settlement Act. You know, decades, decades of legal fighting by the Quapaw Tribe to address the mining waste and their environmental damage. I am so glad that we are here today to resolve a settlement of that bill.

Once again, I thank all the witnesses for being here today, and I look forward to your testimony.

And with that I yield back.

Mr. WALBERG. I thank the gentlelady, and I recognize the gentleman from California, the Ranking Member of the full Committee, Mr. Huffman.

STATEMENT OF THE HON. JARED HUFFMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. HUFFMAN. Thank you, Mr. Chairman, and thanks to the tribal witnesses who are here today and the other witnesses.

This Subcommittee is considering four important bills that involve land to trust for three Tribes, including two in my California colleagues' districts, and one that settles a decades-long legal battle to address mining pollution and environmental degradation on an Oklahoma reservation.

I want to voice my support and join the Ranking Member in supporting these bills and pledge my willingness to work with the Subcommittee to move these bills forward. But as the tribal witnesses who are with us today know better than anyone, in order to be effective, we need more than just good land-to-trust bills. We need Indian Country to know that it has got a reliable Federal partner that keeps its commitments.

And it was disappointing Mr. Chair, it is not your fault, you are pinch hitting today, but it is disappointing that we continue to just get the bare minimum of notice on things like the witnesses with these hearings. But we did find out on that bare minimum of notice that, for the first time in this Congress, we were going to have a couple of Administration witnesses. That is a good thing. It is good to see the BIA and the U.S. Forest Service here today because, frankly, this Administration should be answering some hard questions that suggests that we do not have a Federal partner for Indian Country that keeps its commitments and that has plans to be a reliable and stable Federal Government partner.

Hopefully, the presence of these Administration witnesses signals an end to this failed DOGE experiment because there has just been so much damage in the first 100 days. Secretary Burgum really seems to have handed the keys to the Department over to Elon Musk and DOGE and some other powerful industry interests in February. This Committee showed that the Department of the Interior planned to close over 25 percent of BIA offices with no semblance of a plan to account for how that would impact Tribes or any evidence that Tribes were consulted in that decision that would impact them very profoundly.

Wildfire prevention is critical for Tribes in my district, around the West, but we are seeing USDA funding cuts and the staff responsible for managing public lands and protecting communities from wildfire being laid off. It is chaos. And this is not a commitment to Indian Country.

The Forest Service and BIA have hundreds of agreements and partnerships with Tribes all over the country. Tribes shouldn't have to worry whether local BIA offices will suddenly shut down or whether the staff they rely on will be the next DOGE victim, unavailable to answer the phone or carry out agreements, or whether some kid in a hoodie with no government experience and no idea about tribal policy is going to come in and gut critical housing or health care or other programs that they depend on.

So, Tribes really do need certainty. And here in this Subcommittee we need to appreciate that, and we need to talk about it. Tribes need to be able to plan projects, hire staff, meet the needs of their communities without fear that funding will be frozen arbitrarily or clawed back or cut entirely. So, I hope today is the beginning of a better conversation on these issues, and I hope that both the BIA and Forest Service can commit to meaningful consultation with Tribes, especially when decisions could impact staffing and funding with very profound and harmful impacts to Tribes all over the West.

So, thank you very much, and I yield back.

Mr. WALBERG. I thank the gentleman. I now recognize the gentlelady, Representative Randall, to give an opening statement on her bill.

STATEMENT OF THE HON. EMILY RANDALL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Ms. RANDALL. Thank you so much, Mr. Chair.

As I have mentioned in this Committee before, I have the great honor of representing a district that is home to 12 federally recognized Tribes. And, you know, these tribal leaders have an incredible both responsibility and show incredible leadership in their stewardship of these lands and waters, lands and waters that they have stewarded since time immemorial. And having the opportunity to serve on this Subcommittee and to do this work alongside leaders here in Congress and the tribal leaders in my district and beyond is, I think, a really wonderful opportunity for us to work to protect these lands for the next seven generations.

And I am so grateful to the Chair and Ranking Member for making space for these important trust land transfer bills today,

and I look forward to hearing from Council Member Johnston from the Quinault Indian Nation on our trust land transfer act.

This bill represents the real work that I was sent to Congress to do to introduce bipartisan solutions that matter to the people I represent, to bring the voices of my community members with me here to Washington, D.C. to represent their best interests. And transferring land into trust and restoring the original reservation lands are part of our government's promise and part of my constitutional duty and part of our treaty obligation to protect tribal lands and the people who call them home.

I am so grateful to Councilperson Johnston for traveling from our Washington, to this Washington, to join us at this important hearing, and I look forward to hearing from them and the rest of our witnesses today.

Mr. WALBERG. I thank the gentlelady. Now I will introduce the witnesses for our first panel.

Mr. Bryan Mercier, Director, Bureau of Indian Affairs, U.S. Department of the Interior, Washington, D.C.

Welcome.

Mr. John Crockett, Deputy Chief of State, Private and Tribal Forestry, U.S. Forest Service, U.S. Department of Agriculture, Washington, D.C.

Let me remind the witnesses that, under Committee rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

To begin your testimony please press the talk button on the microphone.

We use timing lights. When you begin the light will turn green. When you have 1 minute left the light will turn yellow. And at the end of 5 minutes the light will turn red, and I will ask you to please complete your statement.

I will also allow all witnesses on the panel to testify before member questioning.

The Chair now recognizes Mr. Bryan Mercier for 5 minutes.

STATEMENT OF BRYAN MERCIER, DIRECTOR, BUREAU OF INDIAN AFFAIRS, U.S. DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C.

Mr. MERCIER. Thank you, Mr. Chairman, Ranking Member, and members of the Subcommittee. Good afternoon. My name is Bryan Mercier. I am an enrolled member of the Confederated Tribes of the Grand Ronde Community of Oregon and a former Udall Foundation intern, as we sit here in the Morris K. Udall room. It is my pleasure to be here before you as the Director of the Bureau of Indian Affairs at the Department of the Interior. Thank you for the opportunity to present this statement on behalf of the Department regarding the four bills on the agenda.

I will start with H.R. 1451, which would authorize \$137,500,000 to be placed into a special deposit account in the Department's Bureau of Trust Funds Administration. The Secretary of the Interior, through the Bureau of Trust Funds Administration, would administer all funds appropriated to the account. The Department supports the intent of H.R. 1451 to effectuate the payment of the settlement funds in resolution of the legal and equitable claims

against the United States. The Department would welcome the opportunity to work with the sponsor and the Subcommittee to provide technical assistance.

I will now turn to the three land transfer bills.

Congress, through its plenary authority, can direct the Department to accept and administer lands to be held in trust for the benefit of a Tribe through legislation. H.R. 2302 would transfer approximately 85 acres of Federal land and 119 acres of tribal fee land into trust for the benefit of the Shingle Springs Band of Miwok Indians. The land would be part of the Tribe's reservation, and under H.R. 2302 the land transfer would be subject to valid existing rights. The Department supports conveying these lands into trust for the Shingle Springs Band of Miwok Indians, and we would like to work with the sponsor and the Subcommittee to address technical changes to verify acreage in the referenced bill.

H.R. 2389 would transfer approximately 72 acres of Federal lands administered by the Forest Service to the Secretary of the Interior to be held in trust for the Quinault Indian Nation. The lands would be part of the Quinault Indian Nation reservation. The Department supports the goals of H.R. 2389 and would like to work with the sponsor and Subcommittee to address technical changes.

Finally, H.R. 2400 would transfer approximately 584 acres of Federal land currently administered by the Forest Service to the Secretary of the Interior to be held in trust for the Pit River Tribe. The bill would exclude approximately 20 acres of roads, highways, and public rights-of-way, subject to existing easements within the proposed area. The legislation would also transfer approximately 40 acres of tribal fee land into trust for the Pit River Tribe. The combined lands, approximately 604 acres, placed into trust would be part of the Pit River Tribe reservation. The Department supports the goals of H.R. 2400, and we would like to work with the sponsor and Subcommittee to address technical changes.

Thank you for the opportunity to testify today, and I would be glad to answer any questions the Subcommittee may have. Thank you.

[The prepared statement of Mr. Mercier follows:]

PREPARED STATEMENT OF BRYAN MERCIER, DIRECTOR OF THE
BUREAU OF INDIAN AFFAIRS (BIA)

Good afternoon Chairman Hurd, Ranking Member Leger Fernández, and Members of the Subcommittee. My name is Bryan Mercier, and I am the at the Department of the Interior (Department).

Thank you for the opportunity to present this statement on behalf of the Department regarding H.R. 1451, Quapaw Tribal Settlement Act of 2025; H.R. 2302, Shingle Springs Band of Miwok Indians Land Transfer Act of 2025; H.R. 2389, Quinault Indian Nation Land Transfer Act; and H.R. 2400, Pit River Land Transfer Act of 2025.

H.R. 1451, Quapaw Tribal Settlement Act of 2025

H.R. 1451 would establish a Special Deposit Account in the Department's Bureau of Trust Funds Administration (BTFA), to be known as the Quapaw Bear Settlement Trust Account (Settlement Trust Account). The Secretary of the Interior (Secretary), by and through the BTFA, would administer all funds appropriated to the Settlement Trust Account. H.R. 1451 would authorize the Secretary to pay to claimants \$137,500,000 out of any Treasury funds, not otherwise appropriated, following the Secretary of the Treasury's transfer of those funds to the Settlement Trust Account. The bill also contains provisions relating to the process for determining the distribution plan of the settlement proceeds either through a

mutually agreed upon distribution plan following successful completion of mediation through a third-party mediator or through a Secretarial determination.

The Department supports the intent of H.R. 1451 to effectuate the payment of settlement funds, in resolution of the legal and equitable claims against the United States, brought by the claimants. However, the Department would not support measures that expose the United States to additional liability, among other concerns. The Department would welcome the opportunity to work with the sponsor and Subcommittee to provide technical assistance.

H.R. 2302, Shingle Springs Band of Miwok Indians Land Transfer Act of 2025

H.R. 2302 would take land in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians. The bill would revoke Public Land Order 3309 (29 FR 609) and transfer the administrative jurisdiction of 40 acres of Federal land utilized by the U.S. Department of Agriculture (USDA) Forest Service to the Secretary. Those acres, in addition to 45.3 acres of Bureau of Land Management (BLM)-managed lands and 118.84 acres of Tribally-owned fee land would also be placed into trust for the benefit of the Tribe. The combined lands, approximately 204.14 acres, would be part of the Shingle Springs Band of Miwok Indians reservation and administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian Tribe. The land placed into trust would not be eligible for class II or class III gaming under the Indian Gaming Regulatory Act (Pub. L. 100-497).

The lands that would be placed into trust under H.R. 2302 are noncontiguous to the existing Shingle Springs Band of Miwok Indians trust lands. The Shingle Springs Band of Miwok Indians has stated that the lands would be used to support housing and essential services for Tribal members. If H.R. 2302 were enacted, the Department would effectuate the change in status in the Trust Asset Accounting Management System within 180 days. Under the bill, the land transfer would be subject to valid existing rights. The Department notes that valid existing rights on the affected BLM-managed parcels may include a right-of-way issued to the Bureau of Reclamation in perpetuity for a main waterline from Placerville to El Dorado Hills.

Congress, through its plenary authority, can direct the Department to accept and administer lands to be held in trust for the benefit of a Tribe through legislation. Acquisition of land in trust for the benefit of Indian Tribes is essential to Tribal sovereignty and empowers Tribal self-determination in the use of Tribal lands to best serve their communities and create economic growth. The Administration supports conveying these lands into trust for the Shingle Springs Band of Miwok Indians, and would like to work with the sponsor and Subcommittee to address technical changes, including language under Section 2(b) to require a land description review to determine if a land survey is required. We would also welcome the opportunity to work with the sponsor to verify the acreage numbers referenced in the bill.

H.R. 2389, Quinault Indian Nation Land Transfer Act

H.R. 2389 would transfer approximately 72 acres of federal lands administered by the Forest Service, known as Allotment 1157, in Grays Harbor County, Washington to the Secretary of the Interior to be held in trust for the Quinault Indian Nation. The lands would be part of the Quinault Indian Reservation and administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian Tribe. The land placed into trust would not be eligible for gaming under the Indian Gaming Regulatory Act (Pub. L. 100-497). H.R. 2389 also states that the legislation would not affect treaty rights under the Treaty between the United States and the Qui-nai-elt and Quil-leh-ute Indians, done at the Qui-nai-elt River July 1, 1855, and Olympia January 25, 1856 (12 Stat. 971). Additionally, H.R. 2389 would require the Secretary to meet disclosure requirements for hazardous substances, pollutants, or contaminants under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)). The Secretary would not be required to remediate or abate such hazardous substances, pollutants, or contaminants.

Allotment 1157 is adjacent to the Quinault Indian Reservation. The land is of cultural significance to the Quinault Indian Nation and would be used for educational and cultural purposes.

Congress, through its plenary authority, can direct the Department to accept and administer lands to be held in trust for the benefit of a Tribe through legislation. Acquisition of land in trust for the benefit of Indian Tribes is essential to Tribal sovereignty and empowers Tribal self-determination in the use of Tribal lands to best serve their communities and create economic growth. The Department supports

the goals of H.R. 2389, and would like to work with the sponsor and Subcommittee to address technical changes. The Department defers to the USDA regarding any impacts to lands managed by the Forest Service.

H.R. 2400, Pit River Land Transfer Act of 2025

H.R. 2400 would transfer approximately 583.79 acres of federal land, including improvements and appurtenances thereon, currently administered by the Forest Service to the Secretary of the Interior to be held in trust for the Pit River Tribe, California. The bill would exclude approximately 20.03 acres of roads, highways, and public rights-of-way subject to existing easements within the proposed area. The legislation would also transfer approximately 40.18 acres of Tribally-owned fee land into trust for the Pit River Tribe, California. The combined lands, approximately 603.82 acres, placed into trust would be part of the Pit River Tribe Reservation and administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian Tribe. The land placed into trust would not be eligible for class II or class III gaming under the Indian Gaming Regulatory Act (Pub. L. 100-497).

Congress, through its plenary authority, can direct the Department to accept and administer lands to be held in trust for the benefit of a Tribe through legislation. Acquisition of land in trust for the benefit of Indian Tribes is essential to Tribal sovereignty and empowers Tribal self-determination in the use of Tribal lands to best serve their communities and create economic growth. The Department supports the goals of H.R. 2400, and would like to work with the sponsor and Subcommittee to address technical changes to clarify that the survey of the lands is completed before any lands are transferred into trust. The Department defers to the USDA regarding any impacts to lands managed by the Forest Service.

Conclusion

Thank you for the opportunity to testify today. I would be glad to answer any questions the Subcommittee may have.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. BRYAN MERCIER, DIRECTOR,
BUREAU OF INDIAN AFFAIRS, U.S. DEPARTMENT OF THE INTERIOR

Mr. Mercier did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. The Judgement Fun was established to settle court judgments and lawsuit settlements against the U.S. Federal Government. Why in this particular instance, must Congress act instead?

Question 2. Is the Bureau of Indian Affairs aware of any opposition to placing land into trust for the Quinault Indian Nation in respect to H.R. 2839?

Question 3. Is the Bureau of Indian Affairs aware of any opposition to placing land into trust for the Pit River Tribe in respect to H.R. 2400?

Questions Submitted by Representative Huffman

Question 1. Director Mercier, as you will recall, I had real concerns about Secretary Haaland's decision to take land into trust for tribes far outside of their ancestral lands for the purposes of opening casinos. I have always supported returning land to the indigenous people of this country, but the previous administration's decision to give the land of one tribe away to a totally different tribe is a cause for great concern.

As you know, the Department's March 27, 2025, letter from Acting Assistant Secretary-Indian Affairs Scott Davis, indicated that "the Department is temporarily rescinding the Gaming Eligibility Determination," for the Scotts Valley tribe's acquisition in Vallejo, California. The Koi Tribe of California has a similar application that the Department has yet to act on.

Will you commit to conducting a similar review of the Koi Gaming Eligibility Determination, which clearly failed to meet the "significant historic connection" test in federal law?

Questions Submitted by Representative Leger Fernández

Question 1. Regarding land into trust transfer, please provide the details of title requirements, protocols, procedures, and standards. Additionally, are these published and available for review by tribes?

1a) Is the title transfer process standard across the country?

Question 2. How many probationary employees were terminated at the Bureau of Indian Affairs and what roles did they serve?

Question 3. How many employees have resigned at the Bureau of Indian Affairs since the start of this calendar year, and what roles did they serve?

Question 4. How many positions are currently vacant at the Bureau of Indian Affairs compared to the start of this calendar year, and how many of these positions does the Department anticipate refilling?

Question 5. How will recent terminations, resignations, and retirements affect Bureau of Indian Affairs operations, including any effects to the process of taking land into trust for the benefit of tribal nations?

Question 6. As of May 5, 2025, several Bureau of Indian Affairs offices remain listed for lease termination on DOGE's website. Could you please provide the rationale for each of these lease terminations, and whether the impacted tribes were consulted prior to the listing of each office?

- a. Baraga, MI termination via Mass Mod 2/28/2025*
- b. Carnegie, OK True Termination—Agency Closed Office 2/6/2025*
- c. Elko, NV termination via Mass Mod 2/25/2025*
- d. Hollywood, FL termination via Mass Mod 2/25/2025*
- e. Lapwai, ID termination via Mass Mod 2/28/2025*
- f. Pablo, MT termination via Mass Mod 2/24/2025*
- g. Pawnee, OK termination via Mass Mod 2/25/2025*
- h. Phoenix, AZ termination via Mass Mod 2/25/2025*
- i. Rapid City, SD Soft-Term Lease Termination 2/24/2025*
- j. Seminole, OK termination via Mass Mod 2/25/2025*
- k. Sisseton, SD termination via Mass Mod 2/25/2025*
- l. St. George, UT True Termination—Agency Closed Office 2/20/25*
- m. Toppenish, WA termination via Mass Mod 2/28/2025*
- n. Watonga, OK termination via Mass Mod 2/25/2025*
- o. Zuni, NM termination via Mass Mod 2/25/2025*

Mr. WALBERG. Thank you, Mr. Mercier. I now recognize Mr. John Crockett for 5 minutes.

STATEMENT OF JOHN CROCKETT, DEPUTY CHIEF FOR STATE, PRIVATE, AND TRIBAL FORESTRY, U.S. FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. CROCKETT. Thank you. Chair Walberg, Ranking Member Leger Fernández, and members of the Subcommittee, thank you for the opportunity to provide testimony on H.R. 2389 and H.R. 2400, which would direct the Secretary of Agriculture, Forest Service to transfer certain lands located within the State of Washington and California to the Department of the Interior, and take them into trust for the benefit of the Quinault Indian Nation and the Pit River Tribe, respectively.

My name is John Crockett, and I currently serve as Deputy Chief for State, Private, and Tribal Forestry within the USDA Forest Service. With over 28 years as a career employee with the Forest Service and the past 13 focused on national-level policy issues, I have gained a valuable experience in partnering with Tribes and implementing tribal-related authorities. The Forest Service appreciates the opportunity to comment on this legislation and its

potential implications for Federal lands and intergovernmental partnerships.

The Forest Service manages 193 million acres of national forest and grasslands, and we work closely with Indian nations through sustainable land stewardship, including forest management, wildfire mitigation, resource restoration, and cultural preservation efforts. We acknowledge the Tribe's deep cultural, historical, and ecological connection to the land, as identified in these bills, and are committed to continuing the interagency and tribal coordination where overlapping interests exist on adjacent existing lands.

H.R. 2389, the Quinault Indian Nation Land Transfer Act, would direct the Secretary of Agriculture to transfer approximately 72 acres of National Forest System lands on the Olympic National Forest to the Department of the Interior to place into trust for the benefit of the Quinault Nation, subject to valid existing rights. The transferred land would become part of the Quinault Indian Reservation and would be managed under the existing Federal laws for Federal tribal trust lands. The bill stipulates that the land cannot be used for gaming under the Indian Gaming Regulatory Act, and the bill does not alter any rights under the Treaty of Olympia.

The USDA supports H.R. 2389, and the Forest Service is committed to working collaboratively with the Department of the Interior and the Quinault Indian Nation to ensure a smooth transfer process that honors our government-to-government relationship and shared responsibilities.

H.R. 2400, the Pit River Land Transfer Act, intends to direct the Secretary of Agriculture to transfer approximately 584 acres of lands located within the ancestral territory of the Pit River Tribe on the Shasta-Trinity National Forest in California. These lands would be transferred from the Forest Service to the Department of the Interior. It will direct the Department of the Interior to take the lands into trust for the benefit of the Pit River Tribe, subject to valid existing rights. Non-Federal lands owned by the Tribe would also be taken into trust, upon the Tribe's request and the completion of a land survey. The transferred lands would be managed under the existing Federal laws for tribal trust lands. Once in trust, both parcels will become part of the Pit River Tribe's reservation and would be administered by the Secretary of the Interior in accordance with applicable laws, and regulations for trust lands. The bill stipulates that the land cannot be used for gaming under the Indian Gaming Regulatory Act.

The USDA supports H.R. 2400, and would appreciate the opportunity to continue to work with the Committee to ensure that any existing special use permits are also excluded from the land transfer. We are also committed to working collaboratively with the Department of the Interior and the Pit River Tribe to ensure a smooth and coordinated transfer process that honors our government-to-government relationship and shared responsibility.

And finally, H.R. 2302, the Shingle Springs Band of Miwok Indian Land Transfer Act, would revoke public lands under 3309 which would transfer the administrative jurisdiction of 40 acres of

Federal lands owned by the Forest Service for research purposes to the Secretary. The USDA supports H.R. 2302.

This concludes my testimony. And again, thank you, Chair Walberg and Ranking Member Leger Fernández and members of the Subcommittee.

[The prepared statement of Mr. Crockett follows:]

PREPARED STATEMENT OF JOHN CROCKETT, DEPUTY CHIEF FOR STATE, PRIVATE, AND TRIBAL FORESTRY, U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

Chairman Hurd, Ranking Member Leger Fernández, and Members of the Subcommittee, thank you for the opportunity to provide testimony on H.R. 2389 and H.R. 2400, which would direct the Secretary of Agriculture (USDA) Forest Service to transfer certain lands located in the States of Washington and California to the Department of the Interior to take them into trust for the benefit of the Quinault Indian Nation and the Pit River Tribe respectively. My name is John Crockett, and I currently serve as Deputy Chief for the USDA Forest Service State, Private, and Tribal Forestry. With over 28 years as a career employee at the USDA Forest Service, and the past 13 focused on national level policy issues, I have gained valuable experience in partnering with Tribes and implementing Tribal-related authorities. The USDA Forest Service appreciates the opportunity to comment on this legislation and its potential implications for federal lands and intergovernmental partnerships.

The USDA Forest Service manages 193 million acres of national forests and grasslands, including lands in the Pacific Northwest that are in proximity to Tribal lands and culturally significant landscapes. The Forest Service works closely with the Indian Nations through sustainable land stewardship, including forest management, wildfire mitigation, resource restoration, and cultural preservation efforts. We acknowledge the Tribes' deep cultural, historical, and ecological connection to the lands identified in these bills and are committed to continued interagency and Tribal coordination where overlapping interests or adjacent lands exist.

H.R. 2389, “Quinault Indian Nation Land Transfer Act”

H.R. 2389 directs the Secretary of Agriculture to transfer approximately 72 acres of National Forest System Land from the USDA Forest Service Olympic National Forest to the Department of the Interior to place into trust for the benefit of the Quinault Indian Nation, subject to valid existing rights. The transferred land would become part of the Quinault Indian Reservation and would be administered by the Secretary of the Interior under existing federal laws for Tribal trust lands. The bill stipulates that the land cannot be used for gaming under the Indian Gaming Regulatory Act and the bill does not alter any rights under the Treaty of Olympia. USDA supports H.R. 2389.

The 72-acre forested parcel referenced in the bill as “Allotment 1157” is geographically isolated from the rest of the Olympic National Forest. The parcel is bordered by the Quinault Indian Reservation on three sides and by private land on one side. This land transfer would connect the parcel to the surrounding forest land in the Quinault Indian Reservation and allow for more efficient and effective management of the parcel within the forested landscape.

If this legislation is passed, the USDA Forest Service is committed to working collaboratively with the Department of the Interior and the Quinault Indian Nation to ensure a smooth transfer process that honors our government-to-government relationship and shared responsibilities.

H.R. 2400—The “Pit River Land Transfer Act”

H.R. 2400 direct the Secretary of Agriculture to survey approximately 584 acres of land located within the ancestral territory of the Pit River Tribe in the Shasta-Trinity National Forest, California, and directs the Department of the Interior to take the land into trust for the benefit of the Pit River Tribe, subject to valid existing rights. Non-federal land owned by the Tribe would also be taken into trust upon the Tribe's request and completion of a land survey. Transferred lands would be managed under existing federal laws for Tribal trust lands. Once in trust, both parcels would become part of the Pit River Tribe Reservation and would be administered by the Secretary of the Interior in accordance with applicable laws and regulations for trust lands. The bill stipulates that the land cannot be used for gaming under the Indian Gaming Regulatory Act.

The USDA supports H.R. 2400 and would appreciate the opportunity to continue working with the Committee to ensure that any existing special use permits are also

excluded from the land transferred and that the language of the bill expressly provides for the administrative transfer of the land from the Forest Service to the Department of the Interior. We are also committed to working collaboratively with the Department of the Interior and the Pit River Tribe to ensure a smooth and coordinated transfer process that honors our government-to-government relationship and shared responsibilities.

That concludes my testimony. Again, I thank Chairman Hurd, Ranking Member Leger Fernández, and members of the Subcommittee for the opportunity to present the USDA Forest Service's views on this proposed legislation. I would be happy to answer any questions you may have.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. JOHN CROCKETT

Questions Submitted by Representative Westerman

Question 1. Is the U.S. Forest Service aware of any opposition to placing land into trust for the Quinault Indian Nation in respect to H.R. 2839?

Answer. The USDA Forest Service is not aware of any opposition to placing land into trust for the Quinault Indian Nation and supports H.R. 2839.

Question 2. The U.S. Forest Service currently manages Allotment 1157. What does the U.S. Forest Service currently do with this land?

Answer. The Olympic National Forest manages Allotment 1157 to preserve old-growth forest in alignment with our Tribal Trust relationship and Treaty responsibilities and as habitat for the northern spotted owl, marbled murrelet and other native species. The Allotment is located within the boundaries of the Quinault Indian Reservation, outside of the administrative boundary of the Olympic National Forest. The Allotment has no land designation under the Northwest Forest Plan or the 1990 Land Resource Management Plan.

Question 3. Is the U.S. Forest Service aware of any opposition to placing land into trust for the Pit River Tribe in respect to H.R. 2400?

Answer. The USDA Forest Service is not aware of any opposition to placing land into trust for the Pit River Tribe and supports H.R. 2400. We would appreciate the opportunity to continue working with the Committee to ensure that any existing special use permits, along with the rights of way and road permits, are also excluded from the land transferred.

Questions Submitted by Representative Teresa Leger Fernández

Question 1. How many probationary employees were terminated at the U.S. Forest Service and what roles did they serve?

Answer. H.R. 2839 and H.R. 2400 does not impact the subject matter of this question. This question is more appropriately posed to policy personnel within USDA.

Question 2. How many employees have resigned at the U.S. Forest Service since the start of this calendar year, and what roles did they serve?

Answer. H.R. 2839 and H.R. 2400 does not impact the subject matter of this question. This question is more appropriately posed to policy personnel within USDA.

Question 3. How many positions are currently vacant at the U.S. Forest Service compared to the start of this calendar year, and how many of these positions does the Department anticipate refilling?

Answer. H.R. 2839 and H.R. 2400 does not impact the subject matter of this question. This question is more appropriately posed to policy personnel within USDA.

Question 4. How will recent terminations, resignations, and retirements affect U.S. Forest Service operations, including any impacts on working with the Bureau of Indian Affairs and tribes in taking land into trust for the benefit of tribal nations?

Answer. H.R. 2839 and H.R. 2400 does not impact the subject matter of this question. This question is more appropriately posed to policy personnel within USDA.

Question 5. As of May 5, 2025, several U.S. Forest Service offices remain listed for lease termination on DOGE's website. Could you please provide the rationale for each of these lease terminations, and whether any impacted tribes were consulted prior to the listing of each office?

Answer. H.R. 2839 and H.R. 2400 does not impact the subject matter of this question. This question is more appropriately posed to policy personnel within USDA.

Mr. WALBERG. Thank you, Mr. Crockett, for your testimony. I now recognize myself for my 5 minutes of questioning.

Mr. Mercier, we have heard that the BLM land near or on Shingle Springs Band of Miwok Indian land parcels are not managed well, and the Tribe and local communities are very concerned about the threat of wildfire and have even taken matters into their own hands. Can you share some more insight into this?

Mr. MERCIER. Thank you, Mr. Chairman, for the question. Absolutely.

As an enrolled member of the Confederate Tribes of Grand Ronde in the Northwest, which is near Willamina, Oregon, which prides itself as Timbertown, USA, we are very familiar in Indian Country with the need to manage our forests in a healthy manner. Tribes across the country have been doing a very good job of managing their forests to sustain them, but also to ensure that they are protecting their nearby communities.

With the Indigenous use of fire through prescribed burns but also through some thinning and active management, Tribes have been very successful in maintaining their services through our 638 contracts, the Indian self-determination contracts. So, we would expect that the Tribe, if this land were in trust, would manage it consistent with those practices we have seen with other Tribes.

Mr. WALBERG. It would be cost-efficient, as well?

Mr. MERCIER. Much more cost efficient. I think, per capita, we are one of the best forest managers in the country, our Tribes.

Mr. WALBERG. OK, I appreciate that. In your written testimony you stated that the Administration would want to work on technical changes to H.R. 2302 and H.R. 2400. Can you elaborate more on any technical changes that may be needed for each respective bill?

Mr. MERCIER. Yes, Mr. Chairman, I can.

So with H.R. 2302 we would like to work with the co-sponsor and the Committee to ensure that the acreage is correct, and to confirm that any existing rights prior to placing the land into trust are resolved.

On H.R. 2400, the Pit River land transfer, we want to ensure that the land surveys and existing rights are also correct prior to taking the land into trust, which is typical as part of our discretionary fee-to-trust practice. We often do this, and so we want to ensure that we have similarly with this mandatory acquisition.

Mr. WALBERG. OK, thank you.

Mr. Crockett, it is my understanding that the Pit River Tribe has tried to obtain ownership of the Four Corners land for years, including a formal request to the U.S. Forest Service in 2013 and a follow-up in 2015. Why has the U.S. Forest Service maintained ownership of this land and not engaged with the Tribe?

Mr. CROCKETT. Thank you for the question, and it is my understanding that the Forest Service did have intentions of putting an administrative site at that location. There is no longer a desire to be able to do that, and so we fully support the Tribe's ability to be

able to take these lands as part of the transfer and use them for the purposes that they intended of putting a cultural center there.

Mr. WALBERG. OK, thank you for that clarification.

Mr. Mercier, wildfires and other land management issues cause emotional and economic harm to the communities impacted. Would the Bureau agree that land management is done more efficiently and effectively at the local level?

Mr. MERCIER. Thank you, Mr. Chairman. It has been our experience that the Tribes and their communities managing their forests are more effective, yes.

Mr. WALBERG. For H.R. 2302, is the Department aware of any opposition to placing this land into trust for the Tribe?

Mr. MERCIER. No, Mr. Chairman, we are not aware of any opposition.

Mr. WALBERG. OK, thank you. I now recognize Ranking Member Leger Fernández for her 5 minutes of questioning.

Ms. LEGER FERNÁNDEZ. Thank you. Thank you, Mr. Chair.

Three of the bills that we are considering today use the legislative process to put land into trust mandatorily. But as you mentioned, Tribes can also petition the Department of the Interior to place land into trust. We know that process takes too long. I have been involved in it myself. A lot of it is because there isn't enough staff and resources, and there are things we do need to fix at the BIA, especially with regards to realty.

But I am concerned that the Administration's mass firings, the funding freezes, the proposed BIA closures, that that will hurt Tribes' ability to use the BIA process to put lands into trust, and it will also hurt all the other important work that must go on between the BIA and the Tribes, including law enforcement, including managing and arranging those 638 contracts which are marvelous and which I support greatly.

Director Mercier, were any Tribes consulted in the proposed BIA office closures, and which ones?

Mr. MERCIER. Thank you, Ranking Member Leger Fernández.

So, I am not aware of any communication with Tribes about office closures, but I can say that we have not closed any offices. None of the BIA offices that have been reported to be notified by the GSA for closure have been closed. We have been working to ensure that we continue to operate and meet our trust responsibilities. So, I can't speak on behalf of GSA, but we have not closed any of our offices that I am aware of.

Ms. LEGER FERNÁNDEZ. Right, because those leases have not yet expired, and because there has been such outrage over the idea that we would close offices without the kind of consultations or review as what makes sense.

I mean, what we haven't heard is any rational criteria as to why we would be closing those offices, other than just because we have saved X amount of dollars. And as I said, I think there needs to be a lot of work at the BIA, but it should be done in consultation, which you have just acknowledged hasn't happened.

We have also heard that BIA has been implementing new requirements, perhaps, for the land into trust applications. What are those new requirements? And will you provide us with a copy of them if you are considering such new requirements?

Mr. MERCIER. Thank you, Ranking Member. I am not aware of any new requirements. Our new 151 regulations for the land acquisitions were implemented, I want to say, about a year ago through a rulemaking. And we have been executing on those new rules to date.

Ms. LEGER FERNÁNDEZ. Thank you. And I think that that is really important, that rulemaking takes a lot of time. And when we talk about rulemaking, we need to recognize that it is done with extensive consultation and review. And to just start coming up with new criteria and have that spreading out because a lot of work has been done by this Administration where there isn't any consultation.

I want to turn to Mr. Crockett.

As you know, Mr. Crockett, the fire season is on us. There is smoke in the air in New Mexico. Many of the forests are adjacent to tribal forests. And indeed, fires have started on Forest Service land and moved into tribal land. And I have met with many former, or in limbo, actually Forest Service employees who were qualified, who were certified to work on fires and were terminated. Then they were hired again because the court said you can't terminate them there, and they were fired again. This is causing such uncertainty about the safety of our forests.

How many Forest Service staff have left since January 20 through whatever means, whether forced, retirement, their morale has dropped, or they were terminated?

Mr. CROCKETT. Thank you for the question. So, I don't have the specifics on the actual numbers. I will acknowledge the uncertainty that you named, that has been caused for the removal of employees.

As you mentioned, the probationary employees who were removed, have been reinstated with all of their full benefits associated with it. And those individuals, if they chose to come back, are still on board now. But I would have to get back to the Committee on the actual number of Forest Service employees who have left the agency through voluntarily or through one of the workforce reshaping efforts.

Ms. LEGER FERNÁNDEZ. And my time is expired, I see the Chair is picking up, but this issue of the forests are burning and the smoke is choking us, it is very important to those of us in the West.

Mr. WALBERG. Extremely important.

Ms. LEGER FERNÁNDEZ. And thank you very much.

Mr. WALBERG. Extremely important, and I appreciate that.

I now recognize the gentleman from Oregon, Mr. Bentz.

Mr. BENTZ. Thank you, Mr. Chair, and thank you for allowing me to sit in on this meeting. I was on this Committee in my first 2 years in Congress and then went off, and now I am happy to be back for today's hearing.

One of the reasons is that in my district back in Oregon, that we have nine federally recognized Tribes in the State. I think seven of them are in my district: the Coquille, the Cow Creek, the Warm Springs, Confederated Tribes of Umatilla, Paiutes-Burns Paiute Tribe, the Paiute Shoshone Tribe down in McDermott, and the Klamath Tribe. And each of these Tribes has issues concerning land, and I am very happy to see these bills, three of which have

to do with landownership. So I am very, very happy to see this. I note that several of these bills have been brought before in previous sessions, so I hope that they make their way through this time around. I am happy to focus on them, as opposed to other discussions.

I will note, in response to remarks by the Ranking Member, that there has been no reduction in the seasonal fire team for the Forest Service, at least that was my conversation with folks back in Oregon as recently as 5 days ago. To the extent that there are issues concerning fire, I am happy to say that the folks in that space are available as they should be.

This transfer of land, these are fairly modest-sized parcels. I see that there are 85 acres, 72 acres, and 40 acres. I am working on a transfer to the Burns Paiute Tribe in a bill that I hope to drop this week or next week that would transfer a much larger parcel. I think one one parcel is around 2,500 acres and the other is closer to 19,000 acres. And these parcels are large, but the space within which they are located is larger. I think the area in my county that we are talking about is somewhere around 5 million acres in total.

Nonetheless, the issues that come up in that space, I am kind of curious if any of them come up here. I am doubtful, but I think one of the witnesses mentioned that the land transfers would occur subject to claims that existed on them. And I am interested, back in my district the issue is grazing permits because, although the larger of the parcels is already held by the Tribe, the smaller is not. And it is currently being used by a grazing permittee, and thus that transfer will be subject to that arrangement.

Now, I have crafted the bill so that if the Tribe chooses to do so it could acquire the very modest number of animal unit months that are on that property. So there is a way for them to acquire ownership not burdened with that particular lease. Tell me, are there any such burdens, because I heard some remark about that, on any of these the 385-acre, 72-acre, 40-acre parcels?

Mr. MERCIER. Thank you, Congressman Bentz, and that is part of why the Department supports the legislation but would like to work with the sponsors and the Subcommittees is to ascertain what existing encumbrances or rights may be in these parcels.

But to your broader question, yes, it is often that when a Tribe acquires lands through the discretionary process, we have to do a title review, and we have to do an environmental site assessment to ensure that any encumbrances or title defects are resolved before taking the land into trust.

Obviously, we will do whatever Congress directs us to do. If the discretionary process is too time-consuming, too burdensome for the Tribe, a mandatory acquisition through legislation is always an option through Congress.

Mr. BENTZ. Thank you for that. Another point has to do with H.R. 1451. We had a similar situation where an amount of money was paid to a Tribe, and then the sorting out of trying to figure out who was going to get the money began. That certainly is going to occur here.

I note that the size of the Tribe, I think it is in the 5,000, yes, 5,500 tribal enrolled members. I don't know if this bill has a clause at the end that says after 20 years of trying to sort this out,

whatever is left is going to be given to the Tribe to figure it out. That is what we ended up doing 2 years ago, because it is just too confusing, you know. And finally, the Tribe actually came to us and said, hey, Congress, we know that somebody here is entitled to this, but no one is coming forward, so would you please give us the balance? It wasn't a huge amount.

Is that your thought on how to manage what happens here at the end of this particular effort?

Mr. MERCIER. Yes, thank you Congressman Bentz. Yes, that is part of what we would like to speak with the sponsor and the Subcommittee about, is the Administration and the bureaucracy that it would create if we were to distribute through the Bureau of Trust Funds Administration the settlement funds. It creates an additional liability. Should we create an additional trust account? We would like to work with the Committee and the sponsor to maybe find a more efficient and effective way to distribute the settlement.

We are supportive of the settlement, though.

Mr. BENTZ. Yes, thank you. I yield back.

Mr. WALBERG. I thank the gentleman. I recognize the gentlelady from Washington State, Ms. Randall.

Ms. RANDALL. Thank you, Mr. Chair, and Mr. Crockett, and Mr. Mercier for joining us in Committee today. Similar to the Ranking Member's line of questions, I want to talk a little bit about, like, staffing and support for some of these land transfer programs.

At the agency side, USDA and Interior operate two of these key programs to restore tribal homelands. And at the USDA the Quinault Tribe has been actively involved in the lands acquisition program, and the DOI has the land buyback program. Both of your agencies play such a key role in the kind of transfers that we are talking about in policy today. But as has been mentioned before, it is a different process.

But can you share if either of your agencies have kept all of the staff responsible for carrying out these programs, these land acquisition programs, or if you have seen any staff impact within these particular programs?

Mr. MERCIER. Thanks, John.

Thank you, Congresswoman Randall. So yes, so we have not yet been significantly impacted by any of the workforce efficiency efforts. And in fact, we publicly noticed to the Tribes that we are going to conduct extensive consultation with the Tribes on those efforts. And those have been publicly noticed on our website, and we start in 2 weeks. I will be in Anchorage, Alaska on the 20th and in Sacramento, California on the 22nd to begin meeting with Tribes over a number of weeks to consult on this. I expect to fully hear from Tribes about the potential impacts from any workforce efficiency and optimization efforts that we undertake, but we are still working hard to deliver these lands.

This is both the discretionary and mandatory when directed by Congress.

Ms. RANDALL. Thank you.

Mr. CROCKETT. And outside of the probationary terminations that I mentioned in my earlier response, we have had voluntary separations that have happened as a result of the workforce

reshaping efforts. I don't have the specific numbers on the realty-type staff that would be responsible for the assisting with the land transfer responsibilities, but what I will name is it is important for us and this Administration that we, if this bill goes through, that we make the resources available to assist with the transfer.

Ms. RANDALL. Yes, thank you.

And thank you, Mr. Mercier, for answering my second question, which was will you commit to ensuring that future Administration decisions do not impact these programs include the appropriate government-to-government consultation to ensure that the impacts on tribal nations aren't detrimental, and I would ask the same question to you, Mr. Crockett.

Do you have a process in place, or can you make a commitment on behalf of, you know, your agency that you will undertake that government-to-government consultation?

Mr. CROCKETT. So yes, I can commit to making sure that there is nothing that we do that diminishes tribal sovereignty, and that we make sure we have the resources which are, in this case, are mostly going to be at the forest supervisor level or at the forest level, to do meaningful consultation on whatever work priorities that come before us as it pertains to Tribes.

Ms. RANDALL. Thank you so much.

And Mr. Chair, I yield the balance of my time.

Mr. WALBERG. I thank the gentlelady. And thank you, Mr. Mercier and Mr. Crockett, for sitting before us today and taking the questions and giving us your best answers. We appreciate that.

We can make sure that members understand, the members of the Committee, if they have additional questions for the witnesses, that they will ask them of you, and you respond to them in writing as quickly as possible. Thank you.

While the clerk is resetting the table for the next panel, I would like to introduce our witnesses for our second panel.

The Honorable Wena Supernaw, Chair, Quapaw Nation, Quapaw, Oklahoma, who I had the privilege of meeting for the first time in Oklahoma when we were there.

Good to see you here.

The Honorable Regina Cuellar, Chairwoman, Shingle Springs Band of Miwok, Shingle Springs, California.

Welcome.

The Honorable Tyson Johnston, Councilman, Quinault Nation, Taholah, Washington.

Welcome.

The Honorable Yatch Bamford, Chairman, Pit River Tribe, Burney, California.

Welcome.

Let me remind the witnesses that, under Committee rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

I think you heard the description of the talk button and the lights, what they mean, prior so I won't go through those again. We want to have full time for your witnesses.

You will have the 5 minutes, but your entire statement will be complete in our record.

I will also allow all witnesses on the panel to testify before member questioning.

The Chair now recognizes The Honorable Wena Supernaw for 5 minutes of testimony.

**STATEMENT OF THE HON. WENA SUPERNAW, CHAIR,
QUAPAW NATION, QUAPAW, OKLAHOMA**

Ms. SUPERNAW. [Speaking Native language.] Chairman Walberg, Ranking Member Leger Fernández, members of the Subcommittee, thank you for the opportunity to testify on H.R. 1451, the Quapaw Tribal Settlement Act of 2025.

This bill authorizes the payment recommended by the Court of Federal Claims pursuant to the settlement of the *Thomas Charles Bear, et al. v U.S.* litigation.

I am the Quapaw Nation Business Committee Chair, Wena Supernaw, and I am here to ask for your support of the bill on behalf of my nation and the impacted landowners within our reservation.

Before I begin to explain why this legislation is so critical, I want to first acknowledge a few people. First, the members of my business committee. Vice Chair McKibben is present for the hearing today.

Your leadership, your support, and patience has been a source of strength.

To my friends who are also parties to the Bear case, thank you for your partnership and determination to reach an agreement on this bill.

And most importantly, to Congressman Brecheen, Senators Mullin and Lankford, and Congressman Cole, your trust means the world to us. We would not be here today without your willingness to fight for your constituents and to ensure that our nation lives up to its responsibilities.

In the early 20th century, lead and zinc were discovered on our land, and the Bureau of Indian Affairs began to permit mines. The demand for Quapaw lead and zinc was insatiable. We watched as they quite literally moved the Earth beneath our feet. Over time, \$20 billion of lead and zinc were removed from our reservation.

It won't surprise you that the value of the mined materials did not go to the Tribe. But the lost revenue pales in comparison to the damage done to our land and our people. The price we paid was even more steep.

Despite our objections, mining companies created piles of waste, what we call chat, mining tailings on our farms and next to our homes. Many piles are longer than a football field and taller than a 20-story building. Even though the harmful effects were known, the BIA allowed the Quapaw people to be poisoned. The contaminants leached into our water and fine particulate matter blew through the air.

We fought for change. Finally, new leadership at the BIA began to value our lives and our land. The mining stopped. The EPA recognized the environmental catastrophe and declared much of our reservation a Superfund site. The cleanup began, but we were still a long way from justice.

Around this time the courts told us they wouldn't help. We felt the impact of the breach of trust every day, but the statute of limitations had passed. It seemed like the exploitation and neglect would not result in fair compensation. It was a tough pill to swallow.

Then a gentleman by the name of Tom Cole was elected. Congressman Cole understood our world in a way other Members of Congress did not. In 2012 Congressman Cole introduced House Resolution 668 to allow the Court of Federal Claims to hear our case and make a recommendation on a settlement. It was a glimmer of hope when the resolution passed overwhelmingly on December 19, 2012. After our case was heard, the parties reached a settlement. The court agreed, stating, "There has been sufficient factual and legal development of all claims, and it would be fair, just, and equitable to pay claimants a total sum of \$137.5 million."

But the journey was not over yet. Because our case was referred to the court by Congress, only Congress has the power to fund the settlement. So here we are today. H.R. 1451 is the final step in this journey. It fulfills the Court of Federal Claims's recommendations and sets up a process for the Tribe to distribute the funds through self-governance and allocate the funds among the parties. The bill is a just and necessary response to one of the most egregious violations of Federal trust responsibility, and I ask for your support in closing this dark chapter in our history.

Thank you again for the opportunity to testify today, and I look forward to answering any questions and working with you to report the bill out of Committee with any necessary changes.

[The prepared statement of Ms. Supernaw follows:]

PREPARED STATEMENT OF HON. WENA SUPERNAW CHAIR, QUAPAW NATION

Chairman Hurd, Ranking Member Leger Fernandez, Members of the Committee: Thank you for the opportunity to testify on H.R. 1451, the Quapaw Tribal Settlement Act of 2025. This bill will authorize the United States to make the payment recommended by the Court of Federal Claims pursuant to the settlement of the *Thomas Charles Bear, et al. v. United States* litigation.

I am Quapaw Tribal Chair Wena Supernaw, and I am here to humbly ask for your support of this legislation on behalf of the citizens of my Nation, the allottees and landowners within our reservation, and the many generations of Quapaw people who, like me, live, grew up, and raised a family in one of the most toxic areas of our great nation.

Before I begin to explain why this legislation is so critical, I want to first acknowledge a few people.

First, let me recognize the Members of my Business Committee who are with us today, and those who are back at home in Northeast Oklahoma. Your leadership, support, and patience has been a source of strength for our people, and I am deeply grateful for your service.

To my friends and colleagues who, like the tribe, are parties to the Bear case. Thank you for partnership, and your determination to reach an agreement on this bill. Your expertise has been invaluable, and your time, travel and personal sacrifice are an integral part of closing this dark chapter of our shared history.

And most importantly, to Congressman Brecheen, Senators Mullin and Lankford, and Congressman Cole: your support and trust means the world to us. We would not be here today without your willingness to fight for your constituents, and to ensure that our nation lives up to its responsibilities.

The creation story of the Quapaw people begins in Southeastern Arkansas. But like much of Indian Country, we were forced to leave our ancestral lands. After ceding our territory to the United States, the Quapaw Reservation was created in Northeast Oklahoma in 1834.

We lived in relative peace until our lands were allotted in 1884. Shortly after that, lead and zinc were discovered and the Bureau of Indian Affairs—which was

supposed to have a fiduciary responsibility to protect our people—began to permit the mines.

By the early 20th Century the demand for Quapaw lead and zinc was insatiable. We watched as they, quite literally, moved the earth beneath our feet.

Over time, at least \$20 Billion in lead and zinc was removed from our land. Some good came of it: American soldiers fought and triumphed in World War One using to bullets made from the minerals under our land. But the price we paid as a community was steep.

It won't surprise you that value of the mined minerals did not go to the tribe. But that lost revenue pales in comparison to the damage done to our land and our people.

Over the objections of past Quapaw leaders and landowners, mining companies created piles of mining waste that included toxic lead and zinc—what we call “chat.” These chat piles are huge and were left on our farms and next to our homes. Many piles are longer than a football field and as tall as a 20 story building.

Even though the harmful effects of lead were well known, the BIA allowed the Quapaw people to be poisoned. The contaminants leached into our water, and fine particulate matter blew through the air. The BIA did nothing to stop this. Instead, they continued to allow others to take our resources and use unsafe mining practices that destabilized our land.

We fought for change.

Finally, new leadership at the BIA began to value our lives and our land. The mining stopped.

The EPA recognized the environmental catastrophe and declared much of our Reservation as a superfund site. Clean up began.

But we were still a long, long way from justice.

Around this time, the courts told us they wouldn't help. We felt the impact of the breach of trust every day, but the statute of limitations had passed. It seemed like the decades of exploitation and neglect would not result in fair compensation or formal acknowledgment of the harm caused. It was a tough pill to swallow.

Then a gentleman by the name of Tom Cole was elected to Congress. Congressman Cole understood our world in a way other Members of Congress did not. And he helped us find a path forward. In 2012, Congressman Cole introduced House Resolution 668 to allow the Court of Federal Claims to hear our case and make a recommendation on a settlement. It was a glimmer of hope when Congress enacted the Resolution passed overwhelmingly, 398–5, on December 19, 2012.

After our case was finally heard, the Quapaw Nation and the impacted landowners reached a settlement with the United States. The Court agreed, stating, “there has been sufficient factual and legal development of all claims,” and that “it would be fair, just, and equitable to pay Claimants a total sum of \$137,500,000 for the extinguishment of all claims.”

Because our case was referred to the Court by Congress, only Congress has the power to fund the settlement. So here we are today.

H.R. 1451, the Quapaw Tribal Settlement Act, fulfills the Court of Federal Claims' recommendations. It provides the funding needed to compensate the tribal members and landowners who had their land and lives poisoned. The bill also sets up a process for the tribe to disburse the funds through self-governance, and a process by which the funds will be allocated among the impacted parties.

The bill is a just and necessary response to one of the most egregious violations of the federal trust responsibility. It addresses historical wrongs, supports tribal sovereignty, and ensures that both the Quapaw Nation and the individual landowners finally receive the justice they have long deserved.

I respectfully urge your support of the bill and look forward to working with you to report it out of Committee with any necessary changes, without delay.

Thank you for the opportunity to testify today. I am happy to answer any questions.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. WENA SUPERNAW,
CHAIR OF THE QUAPAW NATION

Questions Submitted by Representative Westerman

Question 1. H.R. 1451 would establish an account through the Bureau of Trust Funds Administration to pay settlement funds to your tribal members.

1a) How long has your tribe been fighting for this settlement?

1b) What would receiving this settlement mean for your tribe?

Answer. Our tribe has been fighting for our health, our rights and our land since the first Quapaw Member was declared “incompetent” and the mines were placed on our land without proper consent. That was more than 100 years ago, now.

The Bear case, and the settlement this legislation seeks to authorize, is the work of generations of our community to receive justice from the United States, which failed in its obligations to our people. We have been fighting for this specific settlement since January 9, 2020 when the U.S. Court of Federal Claims entered its final judgment that it would be “fair, just, and equitable to pay Claimants a total sum of \$137,500,000.” That settlement though was the product of nearly 20 years of litigation, including enactment of the Congressional Reference legislation by Congressman Tom Cole in 2012.

Enactment of this legislation and settlement of this case would finally close one of the darkest chapters in the history of the Quapaw people. We could begin to heal from the damage to our land, and provide real help to the people who were poisoned by the toxic mining waste that is still present all across our lands.

Question 2. Who are the other parties that would be impacted by H.R. 1451?

1a) Have all parties involved come to an agreement regarding this resolution?

Answer. Parties to the Bear case include the individual landowners (allottees) and the tribe on behalf of its nearly 4,000 citizens who descend from those impacted by the mines, the waste, and their resulting health impacts. The tribe has worked extensively and collaboratively with our counterpart parties to the case. Those individuals are citizens of our nation or descendants of Quapaw Tribal citizens, and they have been represented by Mr. Terry J. Barker, esq. of Barker Woltz & Lawrence in Tulsa, Oklahoma. I believe that Mr. Barker has submitted a letter of support for this bill on behalf of his clients into the Committee record for this hearing.

Question 3. Why did Quapaw Nation initially seek the assistance of Congress regarding the payment of the respected settlement funds?

Answer. In the January 2020 final settlement in the Bear case, the Court issued the following finding of fact, explaining our predicament:

“The Quapaw Tribe filed suit on its own behalf on September 11, 2012, in a case captioned *Quapaw Tribe of Oklahoma (O-Gah-Pah) v. United States*, No. 1:12-cv-00592. The Tribe asserted breach-of-trust legal claims against the United States under the Tucker Act, 28 U.S.C. § 1491 and the Indian Tucker Act, 28 U.S.C. § 1505. As in *Goodeagle*, the Government moved to dismiss many of the Tribe’s claims on statute of limitations grounds. In an opinion reported at *Quapaw Tribe of Oklahoma v. United States*, 111 Fed. Cl. 725 (2013), the Court dismissed several of the Tribe’s claims. The Court held that the Tribe’s claim that the Government breached its fiduciary duty by transferring the tribal lands known as the Catholic Forty to Catholic Church was untimely because the initial transfer, which triggered the statute of limitations, occurred in 1908. The Court also held that the statute limitations barred the Tribe from seeking damages for the environmental contamination of its land caused by the Government’s alleged mismanagement of the Tribe’s natural resources.”

When the Court denied justice to the Quapaw people, we looked to our Representatives for help. We knew that with perseverance, we would prevail, because we knew our great nation would not turn its back on us. Anyone who walked onto our land could see it. The damage was just too obvious to ignore.

Congressman Cole’s legislation directed the U.S. Court of Federal Claims to report to the House of Representatives on the “findings of fact and conclusions of law that are sufficient to inform the Congress of the nature, extent, and character of the Indian trust-related claims of the Quapaw Tribe of Oklahoma and its tribal members for compensation as legal or equitable claims against the United States other than the legal claims that are pending in the Court of Federal Claims on the date of enactment of this resolution; and the amount, if any, legally or equitably due from the United States to the claimants.”

Once this legislation passed in 2012, we knew it was only a matter of time until the truth would become clear: the United States hurt our people and destroyed our land, and we deserved compensation for that damage.

As you know, once Congress opened the door to a fair assessment of our case, the Court did in fact acknowledge the damage and recommend Congress provide compensation for our losses.

The following document was submitted as supplement to Hon. Wena Supernaw's testimony.

**Barker Woltz & Lawrence
Tulsa, Oklahoma 74136-1242**

April 28, 2025

The Hon. Jeff Hurd, Chairman
Subcommittee on Indian and Insular Affairs
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Hurd: On behalf of the claimants in *T.C. Bear v. United States* for whom I serve as the lead attorney, I write to you today to convey my strong support for H.R. 1451, the "*Quapaw Tribal Settlement Act of 2025*."

As you know, the Review Panel of the United States Court of Federal Claims issued a recommendation to the U.S. House of Representatives on January 9, 2020, related to the settlement of the case of *T.C. Bear v. United States*. The recommendation was made pursuant to H.R. 668, which was passed on December 19, 2012, referring H.R. 5862 (sponsored by Representative Cole) and entitled "A Bill related to members of the Quapaw Tribe of Oklahoma," to the U.S. Court of Federal Claims. H.R. 668 instructed the Court of Federal Claims to "report back to the House of Representatives" finding of fact and conclusions of law sufficient "to inform the Congress of the nature, extent, and character of the Indian trust-related claims of the Quapaw Tribe of Oklahoma and its tribal members for compensation as legal or equitable claims against the United States." The claims related to the federal government's historical mismanagement of the trust property of the Tribal Members.

In accordance with the resolution, on January 9, 2020, the Court of Federal Claims approved a recommendation to the House of Representatives of a monetary settlement in the amount of \$137,500,000. This amount reflects the settlement reached between the U.S. Government, the Quapaw Nation, and individual Quapaw landowners. The settlement would resolve the claims by the individual Quapaw landowners that I represent against the U.S. Government for extensive damage to their lands caused by decades of mismanagement and grossly irresponsible actions by the U.S. Government.

H.R. 1451 would create a structure and process within the Department of Interior for those individuals and families who suffered harm from the Department of Interior's prior mismanagement of their lands to finally receive the just compensation that the Court of Federal Claims has determined they deserve and are rightly owed. The structure and process for payment articulated in H.R. 1451 reflects almost two years of negotiations between the Quapaw Nation and the individual landowners that I represent. These landowners strongly believe that the "*Quapaw Tribal Settlement Act of 2025*" is worthy of your and the subcommittee's support.

I thank you for your consideration and should you have any questions at all, please feel free to reach me anytime at 918-584-0506.

Sincerely,

TERRY J. BARKER,
Barker Woltz & Lawrence

Mr. WALBERG. Thank you, Chair Supernaw, for your testimony. The Chair now recognizes The Honorable Regina Cuellar for 5 minutes.

**STATEMENT OF THE HON. REGINA CUELLAR, CHAIRWOMAN,
SHINGLE SPRINGS BAND OF MIWOK, SHINGLE SPRINGS,
CALIFORNIA**

Ms. CUELLAR. [Speaking Native language.] Good afternoon, Chairman Walberg, Ranking Member Leger Fernández, and members of the Committee. Thank you for the opportunity to testify today in support of H.R. 2302. My name is Regina Cuellar, and I am the Chairwoman of the Shingle Springs Band of Miwok Indians. I am here with our Attorney General, Mr. Nicholas Bryson. We are here today to discuss the importance of H.R. 2302, which seeks to transfer 85.3 acres of Bureau of Land Management land, and to place an additional 188.84 acres of fee land owned by the Shingle Springs Band of Miwok Indians into trust for the benefit of our Tribe.

The Shingle Springs Band of Miwok Indians is a federally recognized Tribe located in El Dorado County, California, nestled in the beautiful western Sierra Nevada foothills near Placerville, California. Our Tribe has a long, rich history deeply connected to the land, and we remain resilient despite many challenges. We currently have 582 citizens, approximately 140 of whom live on our reservation in Shingle Springs. Our community has long thrived in this region and remains committed to sustaining that heritage.

However, our history has also been marked by significant challenges. The construction of Highway 50 in the 1960s severed access to our original reservation, known as the Verona Tract, leaving us landlocked and without the ability to use these critical lands for our community's development. It took more than 40 years to regain legal access, and now our reservation community is thriving, so much so that the land available for housing is insufficient to meet the needs of our growing population. This is why H.R. 2302 is so important.

The fee land identified that is subjected to this bill, also known as the Indian Creek Ranch property, presents a unique opportunity to address the Tribe's housing crisis. Located just three miles from our reservation, the property was originally approved for 75 residential lots as part of a subdivision back in 2009, but the land sat undeveloped, a victim of the real estate crash in 2008. The trust transferred contemplated by H.R. 2302 will not eliminate our housing shortage, but it will make a serious dent in it and will provide our citizens with proximity to essential services such as health care, community facilities, and employment opportunities.

However, the land's importance goes far beyond just housing. The Indian Creek Ranch property and the BLM parcels that would be transferred to the Tribe pursuant to H.R. 2302 have been neglected over the years, leaving them vulnerable to environmental risks, especially wildfires. Living in El Dorado County, we have had two major wildfires, the Caldor and the Kings Fire. As the frequency and the intensity of fires in California increase, this is a real problem. Recognizing this risk, we have already begun clearing underbrush and managing both our fee-owned property and the adjacent BLM property to reduce wildfire hazards. If the lands are transferred into trust, we are committed to continuing this work, maintaining these areas as open spaces and recreational

zones that will help serve as a firebreak for the surrounding community.

Another key advantage of H.R. 2302 is its potential to streamline the fee-to-trust process. The BIA's fee-to-trust process continues to be bogged down by a significant backlog which delays the fee-to-trust process. If the Indian Creek Ranch lands are included in this legislation, we can eliminate some of the typical delays and begin development sooner, ensuring that our community can address our housing needs more quickly.

We have been fortunate to receive strong support from El Dorado County, which recognizes the value of this transfer not only for our Tribe but also for the broader community. The potential for new housing, infrastructure, and fire risk management will have a lasting positive impact on everyone who lives in the region.

Thank you so much for your time today, and we appreciate Congressman Tom McClintock's strong support for the Shingle Springs Band of Miwok Indians and his ongoing commitment to tribal sovereignty in advancing this bill.

In conclusion, I urge you to support H.R. 2302. This bill represents a critical step forward in addressing our Tribe's housing needs, reducing fire risk, and promoting sustainable community growth. It will provide us with the resources we need to strengthen our sovereignty, ensure the safety and well-being of our people, and create a sustainable future for generations to come.

Thank you for your time today, your attention, and your continued support of the Shingle Springs Band of Miwok Indians. [The prepared statement of Ms. Cuellar follows:]

PREPARED STATEMENT OF REGINA CUELLAR, CHAIRWOMAN SHINGLE SPRINGS BAND OF MIWOK

Good morning, Chairman Hurd, Ranking Member Leger Fernández, and members of the Committee. Thank you for holding this hearing today and for the opportunity to testify.

My name is Regina Cuellar, and I am the Chairwoman of the Shingle Springs Band of Miwok Indians. I am accompanied today by the General Counsel for the Tribe, Mr. Nicholas Bryson.

I am here to testify in support of H.R. 2302, an important piece of legislation that would transfer certain federal lands in El Dorado County, California, into trust for the Shingle Springs Band of Miwok Indians. This transfer is vital to our Tribe's future, advancing our self-determination and enabling sustainable growth for generations to come.

I. Background of the Shingle Springs Band of Miwok Indians

The Shingle Springs Band of Miwok Indians is a federally recognized Tribe located near Placerville, California, in the western Sierra Nevada foothills. Over the years, we have been able to acquire additional trust land and have grown our trust lands from 160 acres to 317 acres.

Our Tribe consists of over 582 Tribal citizens, with 140 living on our reservation and the remainder residing in the surrounding area. Our original reservation, 160 acres known as the Verona Tract (160 acres)—were set aside for our Tribe in the early 20th century by the Bureau of Indian Affairs. These lands were critical for our development, but the Verona Tract was landlocked and legal access was only possible through the El Dorado Tract, an adjacent 80 acre parcel set aside for another tribe. However, despite the importance of these lands, our Tribe's ability to fully utilize them was soon threatened by external forces, eliminating our access and threatening any ability of the tribe to create housing or other development.

It took us over 40 years to regain full legal access to our land, giving us the ability to provide services for our citizens and even members of the local community.

Today, we ask for your support to ensure that our future generations have the resources they need to continue thriving.

Acquiring the land identified in H.R. 2302 is a step toward enhancing our sovereignty, allowing us to manage our resources and affairs in a manner that reflects our cultural values and meets the needs of our people.

II. Challenges with Access and Development

In the 1950s, CalTrans began planning the construction of Highway 50 and, in the early 1960s, requested permission to survey the El Dorado and Verona Tracts to determine the best placement for the highway. Ultimately, CalTrans selected a route that crossed over the El Dorado Tract—the only legal access point to the Verona Tract. The construction of Highway 50 severed our access to the Verona Tract, rendering the Tribe landlocked and the tribe unable to utilize the Verona Tract for development. Despite efforts by the California Council of Federated American Indians and assurances from the Bureau of Indian Affairs (BIA) to maintain access, 28 acres of the El Dorado Tract were sold to make way for the highway, and the remaining land was lost to private ownership. We were deprived of access to our own land and no tribal members lived on the reservation.

Throughout the years, the Tribe made several attempts to regain access, including efforts to secure a permanent right of way through an adjacent housing development—the Grassy Run Subdivision. Unfortunately, these attempts were unsuccessful, leading to ongoing disputes and physical restrictions on our entry to the rancheria.

Ultimately we resolved our access problem by building an off ramp from highway 50 to our rancheria, but we continue to encounter challenges whose roots go back to the original decision of the BIA to transfer the El Dorado Tract for the construction of Highway 50.

Once the Tribe gained full access to the Reservation, we built housing for our members, a government center, a gaming facility and a health care center that serves both our citizens and the local community. But we do not have enough land to provide housing to everyone who needs it on our original 160-acre rancheria.

We tried purchasing homes in the adjacent subdivisions to provide homes for citizens who want to live in our community, but this is an inefficient use of our funds as the homes in these subdivisions are expensive.

Ultimately, we found the answer to our housing shortage less than 3 miles away from the Rancheria.

III. H.R. 2302

H.R. 2302 proposes to transfer land into trust to the Shingle Springs Band Miwok, including 85.3 acres of BLM land and the 188.84 acre Indian Creek Ranch parcel, which we own in fee. This transfer will not only enable the Tribe to build much-needed housing and infrastructure for our citizens, but it will also create significant opportunities for sustainable community growth. These acquisitions will strengthen our ability to support current and future generations, ensuring that the Tribe can provide much needed housing for tribal citizens who want to live near the Rancheria.

The Tribe's current need for land for housing is more pressing than ever. We have a record 187 families on our wait list for housing. Until just last year, the only way for someone to acquire a home assignment was to inherit it from a family member because we just didn't have homes available. So even though we had a wait list, we hadn't actually been able to match anyone on the wait list with a home for almost 20 years. Finally this past year we granted 20 new home assignments. We can't wait another 20 years to help our members move back to our community and now we believe we have a way to ease our housing needs.

Two years ago we purchased land less than 3 miles from the Rancheria, a quick five-minute drive on Highway 50 from our tribal headquarters at a proposed subdivision named Indian Creek Ranch. The plans for the subdivision were approved by El Dorado County on February 3, 2009, just as the housing market crashed. The homes were never built. The approved plans for the subdivision include 75 residential lots and several open space areas, affording us room to make future improvements. This is a perfect solution for us to address our housing crisis.

Shortly after we acquired the Indian Creek Ranch property we learned that there was a smaller property adjacent to it owned by the BLM. This property (we learned later) was designated for use as a U.S. Forest Service Experiment Station but had never been developed or used. This property was not maintained and was overgrown.

We began to maintain it, clearing the undergrowth and managing it to minimize fire risk.

If Congress approves the transfer, we will continue to maintain the property as we have, and have no plans to develop it. Right now we propose to use it as open

space, potentially an area that can be used for recreational purposes but as part of a unified landscape with the rest of the Indian Creek Ranch property.

Additionally, there are two other small BLM properties nearby that are not utilized or maintained by the BLM. We propose to acquire these properties with no proposed change in use, which we will also maintain and manage for fire risk.

In addition to the BLM transfer, we are requesting that the Indian Creek Ranch property be placed in trust.

Though we generally have had a good experience with the Bureau of Indian Affairs fee to trust process, the backlog with applications can cause delays with processing and approvals. We are hopeful that we can avoid any delays associated with the current backlog of applications by including the fee to trust transfer of the Indian Creek Ranch property in this legislation. This would allow us to build homes much sooner than if we spent several years moving through a backlogged fee to trust process.

At Congressman McClintock's request, we worked with El Dorado County to secure their support for the legislative fee to trust transfer and they submitted a letter in support of this legislation. We have submitted this letter to the Committee for the record.

The attached map, dated April 23, 2025, outlines the parcels included in the proposed transfer.

IV. Conclusion

The Shingle Springs Band of Miwok Indians wholeheartedly supports the transfers authorized by H.R. 2302, which will allow us to provide much-needed housing and room to plan for the future of our tribe and its citizens.

Before I conclude, I want to especially recognize Congressman Tom McClintock for his long term friendship with the Shingle Springs Band of Miwok and his sponsorship of this legislation. His strong belief in tribal sovereignty stems from his years as a state official, where he consistently supported tribes and tribal issues generally, and the Shingle Springs Band of Miwok specifically.

Thank you for your continued commitment to the Shingle Springs Band of Miwok Indians and for recognizing the importance of land consolidation for the Tribe's future.

Thanks also for the opportunity to provide this testimony in support of H.R. 2302.

QUESTIONS SUBMITTED FOR THE RECORD TO HON. REGINA CUELLAR, CHAIRWOMAN,
SHINGLE SPRINGS BAND OF MIWOK, SHINGLE SPRINGS, CALIFORNIA

Hon. Regina Cuellar did not submit responses to the Committee by the appropriate deadline for inclusion in the printed record.

Questions Submitted by Representative Westerman

Question 1. What land management does your tribe currently enact on tribal and non-tribal land?

1a) Do you believe that your tribe knows best how to manage your land?

1b) What positive impacts does tribal local land management have on your surrounding communities?

Question 2. H.R. 2302 would place Bureau of Land Management land and Fee Land into trust for your tribe. What does your tribe plan to do with this land once in trust?

2a) What benefits would this land transfer provide for your tribe?

Mr. WALBERG. Thank you, Chairwoman Cuellar.

And now I would ask the gentlelady from Washington State, Representative Randall, to introduce our next witness.

Ms. RANDALL. I appreciate the opportunity, Mr. Chair. I want to thank Councilperson Johnston for making the time to be here and traveling all the way across the country. Not only is it a five-

6-hour flight from Seattle, but Taholah to Seattle is also quite a journey.

Councilperson Johnston serves as the elected forest councilperson of the Quinault Nation Business Committee and Tribal Council and has over a decade of elected experience for the Quinault Tribe, and most recently was reelected as of April 2024. They serve as the Chairperson of the Quinault Indian Nation's Natural Resources and Community Development Committee and have been an incredible mentor and partner to me as I work to serve the Quinault Indian Nation and our shared constituents on the Peninsula.

I am proud to have your leadership and expertise in this matter, and look forward to your testimony.

**STATEMENT OF THE HON. TYSON JOHNSTON, COUNCILMAN,
QUINAULT INDIAN NATION, TAHOLAH, WASHINGTON**

Mr. JOHNSTON. Good afternoon, Chairman and members of the Subcommittee, and really, thank Congresswoman Randall for that introduction. My name is Tyson Johnston, and I am proud to sit before you today. I am here to testify on behalf of H.R. 2389, the Quinault Indian Nation Land Transfer Act.

I have been elected to my business committee for over a decade now, and this work to repatriate this land back to the nation has been going on well before my tenure. So, I stand on the backs of a lot of giants.

The history of allotment 1157 is very layered. The Quinault Indian Reservation was set aside for the Quinault Indian Nation for their exclusive use following the Treaty of Olympia of 1856, whereby the nation ceded millions of acres that it had freely roamed in exchange for homeland and other benefits. Allotment 1157 was part of the Quinault Indian Nation reservation when it was originally formed. In 1887, after the passage of the Dawes Act, which effectively broke the promises of the Treaty of Olympia and authorized lands that were communally held by Tribes to be allotted to tribal members. As a result, the Quinault Indian Nation reservation was partitioned into 2,340 parcels of 80 acres each and assigned to individual tribal members, ostensibly for agricultural use. However, the majority of the reservation was heavily forested and largely unsuitable for farming, rendering the intended purpose of these allotments impractical at best.

On April 23, 1928, allotment 1157 was issued to Ellen Hyasman through a trust deed signed by President Calvin Coolidge. Under the Allotment Act, the United States of America held the property in trust for the allotted individual. This is the point in history where the land was taken from the Quinault Nation.

On March 18, 1960, the Bureau of Indian Affairs facilitated the sale of the land and timber on allotment 1157 from Ellen Hyasman to Anderson and Middleton Logging Company for \$59,000, thus alienating the property from the reservation. Mrs. Heath retained the mineral rights, and A&M took ownership of the property and fee status and managed it along with their other fee holdings on the Quinault reservation for timber production.

In 1993 A&M intended to harvest the old-growth timber, but the U.S. Fish and Wildlife Service, as well as certain non-governmental organizations, objected to the harvest, as it would remove habitat

needed for the northern spotted owl which had recently been determined to be threatened under the Endangered Species Act.

In August 1996 the lawsuit was dropped in favor of the Federal Government working out a purchase from A&M. Using Federal funds, a purchase of the trade transaction was facilitated through the Trust for Public Land, whereby the property was purchased from A&M in August 1996 for \$3.5 million and sold and transferred to the U.S. Forest Service for \$3.8 million. Since 1996 the U.S. Forest Service has maintained ownership and management of this orphaned property on the Quinault Indian reservation. Allotment 1157 does not abut any other USFS property.

The nation has endeavored to reacquire ownership of its reservation lands to manage as a whole for the benefit of the nation and its members, including being involved in a robust land acquisition program since the 1970s. Over time the nation has purchased thousands of acres from five major timber companies, Grays Harbor County, and numerous fee and trust landowners. The nation currently owns approximately 51 percent of the acreage on the reservation, and continues its efforts to consolidate land within the reservation for exclusive use of our citizens.

Allotment 1157 represents one of the few remaining vestiges of old growth forests, including ancient cedar trees that once defined the Quinault Indian reservation's landscape. This land holds profound cultural significance for our tribal members, serving as tangible connection to the heritage and ancestral lands of the nation. The Quinault people regard this land as sacred, a place to be safeguarded and preserved for the next seven generations and beyond.

The nation is committed to ensuring allotment 1157 is never commercially logged. The site contains remnants of cedar sticks and other materials left by ancestral carvers which were historically used to guide canoe hulls safely into Salmon River. These canoes were then transported downriver to the main village for final completion. Upon reclaiming ownership of this land, the nation will have the opportunity to bring tribal members to this historic site, teaching them how their ancestors worked to sustain and honor their culture and heritage. The nation currently works with and reports with the U.S. Forest Service on activities affecting living species on the Quinault reservation. Allotment 1157 will be part of these efforts and reports.

In closing, the nation likes to thank the Subcommittee for our time to address you today and urges you to support passage of H.R. 2389, the Quinault Indian Nation Land Transfer Act, out of Committee. Thank you for holding this hearing to discuss this important legislation and for the opportunity to testify today.

I am happy to answer any questions upon a conclusion of our colleagues' testimony. Thank you.

[The prepared statement of Mr. Johnston follows:]

PREPARED STATEMENT OF COUNCILMAN TYSON JOHNSTON QUINAULT INDIAN NATION

Good afternoon, Chairman Hurd, Ranking Member Leger Fernández, Chairman Westerman, Ranking Member Huffman, and Members of the Subcommittee. Thank you for the opportunity to testify before you today on H.R. 2389, "Quinault Indian Nation Land Transfer Act". My name is Tyson Johnston, I am an elected Councilmember of the Quinault Indian Nation's Business Committee and will speak

on behalf of the Nation on this bill. Currently I serve as Chairman of the Quinault Indian Nation's Natural Resources and Community Development Committee and serve on the Tribe's task forces for village relocation and land acquisition.

History of Allotment 1157 and the Quinault Indian Reservation

The Quinault Indian Reservation was set aside for the Quinault Indian Nation (the "Nation") for their exclusive use following the Treaty of Olympia of 1856 whereby the Nation ceded millions of acres it had freely roamed in exchange for a homeland and other benefits. Allotment 1157 was a part of the Quinault Indian Reservation when it was formed.

In 1887, the passage of the Dawes Act broke the promises of the Treaty of Olympia and authorized lands that were communally held by tribes to be allotted to tribal members. As a result, the Quinault Indian Reservation was partitioned into 2,340 parcels of 80 acres each, assigned to individual tribal members ostensibly for agricultural use. However, the majority of the Reservation was heavily forested and largely unsuitable for farming, rendering the intended purpose of these allotments impractical.

On April 23, 1928, Allotment, 1157 was issued to Ellen Hyasman through a Trust Deed signed by President Calvin Coolidge. Under the Allotment Act, the United States of America held the property in trust for the allotted individual. This is the point in history that this land was taken away from the Quinault Nation.

On March 18, 1960, the Bureau of Indian Affairs facilitated the sale of the land and timber on Allotment 1157 from Ellen Hyasman Heath to Anderson and Middleton Logging Company ("A&M") for \$59,000 thus alienating this property from the reservation. Mrs. Heath retained the mineral rights and A&M took ownership of the property in fee status and managed it along with their other fee holdings on the Quinault Indian Reservation for timber production.

In 1993, A&M intended to harvest the old growth timber, but the U.S. Fish and Wildlife Service ("USFWS"), as well as certain non-governmental organizations, objected to the harvest as it would remove habitat needed for the Northern Spotted Owl, which had recently been determined to be threatened under the Endangered Species Act. The USFWS sued A&M to stop the harvest.

In August 1996, the lawsuit was dropped in favor of the federal government working out a purchase from A&M. Using federal funds, a purchase or trade transaction was facilitated through the Trust for Public Land whereby the property was purchased from A&M in August 1996 for \$3,544,000 and sold and transferred to the U.S. Forest Service ("USFS") for \$3,808,000.

Since 1996, the USFS has maintained ownership and management of this orphaned property on the Quinault Indian Reservation. Allotment 1157 does not abut any USFS property.

Land Description

Allotment 1157 is 72 total acres. The legal description of the land is "Government Lots 6 and 7, in section 35, Township 24 North, Range 12 West, W.M., in Jefferson County, Washington."

Please see the attached map for the exact location of the Allotment.

Importance of Allotment 1157 to the Quinault Indian Nation

The Nation has endeavored to reacquire ownership of its Reservation lands to manage as a whole for the benefit of the Nation and its members, including being involved in a robust Land Acquisition Program since the 1970s. Over time, the Nation has repurchased thousands of acres from five major timber companies, Grays Harbor County, and numerous fee and trust landowners. The Nation currently owns approximately 51% of the acreage on the Reservation and continues its efforts to consolidate land within the Reservation for the exclusive use of its membership.

Allotment 1157 represents one of the few remaining vestiges of the old-growth forest, including ancient cedar trees that once defined the Quinault Indian Reservation's landscape. This land holds profound cultural significance for tribal members, serving as a tangible connection to the heritage and ancestral lands of the Nation. That is why local Tribal and County governments have stated they support or do not oppose transferring this land.

The Nation's Plans for Allotment 1157

The Quinault people regard this land as sacred, a place to be safeguarded and preserved for the next seven generations and beyond. The Nation is committed to ensuring that Allotment 1157 is never commercially logged. The site contains remnants of cedar sticks and other materials left by ancestral carvers, which were historically used to guide canoe hulls safely into the Salmon River. These canoes were then transported downriver to the main villages for final completion. Upon

reclaiming ownership of this land, the Nation will have the opportunity to bring tribal members to this historic site, teaching them how their ancestors worked to sustain and honor their culture and heritage.

The Quinault Nation also plans to utilize this land as a living museum for educational purposes, where students and college interns will learn how to preserve other historical places. Trees and downed wood on this land will be utilized for cultural purposes as has been done in the past.

The Nation currently works with and reports to the USFWS on activities affecting living species on the Quinault Indian Reservation. Allotment 1157 will be part of these efforts and reports.

Importance of Transferring Allotment 1157 in Trust Status

As noted, Allotment 1157 was once part of the Quinault Indian Reservation. Transferring the land in trust status back to the Nation will help restore the Nation's Reservation. All the Nation land adjacent to Allotment 1157 is held in trust status.

Conclusion

In closing, the Nation urges the Subcommittee to support and pass out of Committee, H.R. 2389, the "Quinault Indian Nation Land Transfer Act." Enacting this bill will honor the promises made under the Treaty of Olympia and would be an important step in restoring the Quinault Indian Reservation. Returning Allotment 1157 to the Nation in trust status is not only a matter of legal and historical justice but also an opportunity for Congress to preserve and protect land of immense cultural and environmental significance to a tribal Nation for future generations.

Thank you for holding this hearing to discuss this important legislation and for the opportunity to testify today.

I'm happy to answer any questions on this land and the bill.

Mr. WALBERG. Thank you, Councilman Johnston. I now recognize The Honorable Yatch Bamford for 5 minutes.

STATEMENT OF THE HON. YATCH BAMFORD, CHAIRMAN, PIT RIVER TRIBE, BURNEY, CALIFORNIA

Mr. BAMFORD. Good afternoon, Chairman Walberg, Ranking Member Leger Fernández, and members of the Committee. Thank you for the opportunity to testify today. My name is Yatch Bamford, and I am the Chairman of the Pit River Tribe. I am here with our Lands Director Russell Eleck, and am honored to be here.

I am here today to testify in support of H.R. 2400, the Pit River Land Transfer Act of 2025, a bill that would transfer more than 580 acres of Federal land into trust for the benefit of our Tribe, along with more than 40 acres of land that the Tribe currently owns.

On behalf of the Pit River Tribe, I want to thank Congressman LaMalfa for his sponsorship of this legislation and for his strong representation of the Tribe during his time in Congress.

The land that we propose to acquire in this trust through this legislation is known as the Four Corners property and is located between the Town of Burney and Fall River Mills in northeastern California. I would like to begin with a brief history of our nation and what the Four Corners land means to our people.

The Pit River Tribe consists of 11 autonomous bands: the Ajumawi, Aporige, Astarawi, Atsugewi, Atwamsini, Hammawi, Hewisedawi, the Illmawi, Itsatawi, Kosealekte, and the Madesi. For thousands of years our people have maintained deep cultural ties to our ancestral lands, which are fundamental to our identity and our continued existence. Our historic lands are known as the 100 Mile Square, which is located in northeastern California near

Mount Shasta in the Pit River watershed of eastern Shasta County and parts of what is present day Siskiyou, Lassen, and Modoc Counties.

Our nation has a strong connection to the Four Corners from both cultural and historical standpoints. The Four Corners is a central landmark of our ancestral lands that is intertwined with our history, identity, and how we will prosper for generations to come.

The Four Corners also represents a pivotal and symbolic chapter in Indian activism and our people's constant struggle to fight for our sovereignty. During the 1960s and 1970s, members of our Tribe, like others across all of Indian Country, participated in efforts to reclaim their ancestral lands through what were meant to be peaceful demonstrations and occupations. In the wake of the Indian Claims Commission decision that unfairly established our reservation boundary, members of our Tribe began occupying campgrounds and parcels of the Lassen National Forest and surrounding areas, which resulted in the arrest and subsequent trials for the activists. The most notable of these occupations occurred at the Four Corners, where several tribal members were arrested. We commemorate this event every year at the Four Corners property for its historic and cultural significance.

Additionally, the Tribe recently acquired 40 acres of land on the southeast corner of the Four Corners in fee status. The now tribally owned fee land is surrounded by the rest of the Four Corners property that is owned by the Forest Service.

The Pit River Land Transfer Act is the culmination of more than 50 years of history between the Pit River Tribe and the Forest Service regarding the Four Corners lands. The legislation would transfer 580 acres of the Four Corners, including the original occupation site, into trust for the Pit River Tribe. The legislation would also transfer 40 acres of land held in fee by the Tribe into trust status, though we anticipate removing that provision at markup.

Acquiring the Four Corners land in trust for the benefit of our Tribe through this legislation would enable our people to be the stewards of a historical site vital to our history and culture. The passage of H.R. 2400 is the top priority for the Pit River Tribe, and we appreciate the opportunity to appear here today and present our testimony.

Thank you. I am happy to answer any questions the Committee may have.

[The prepared statement of Mr. Bamford follows:]

PREPARED STATEMENT OF YATCH BAMFORD, CHAIRMAN OF THE PIT RIVER TRIBE

Good morning Chairman Hurd, Ranking Member Leger Fernández, and members of the Committee. My name is Yatch Bamford, and I am the Chairman of the Pit River Tribe from northeastern California. I am honored to appear before the Committee on behalf of our Nation.

I am here today to discuss H.R. 2400, the Pit River Land Transfer Act of 2025, a bill that would transfer more than 580 acres of federal land into trust for the benefit of our Tribe, along with more than 40 acres of fee land that the Pit River Tribe currently owns. On behalf of the Pit River Tribe, I want to thank Congressman LaMalfa for his sponsorship of this legislation, and for his strong representation of the Tribe during his time in Congress.

The land that we propose to acquire in trust through this legislation is known as the Four Corners Property ("Four Corners"), and is located between Burney, California and Fall River Mills in northeastern California. The majority of the Four

Corners property is currently owned by the United States Forest Service (“USFS”), and is a visible area where two prominent highways near Burney intersect, making it a vital area for economic, conservation, and stewardship opportunities for the Tribe.

I. The Pit River Tribe

Before I go any further, I would like to begin with a brief history of our Nation and what the Four Corners land means to our people. The Pit River Tribe consists of 11 autonomous bands (Ajumawi, Aporige, Astarawi, Atsugewi, Atwamsini, Hammawi, Hewisedawi, Illmawi, Itsatawi, Kosealekte, and Madesi). For thousands of years, the Pit River people have maintained deep cultural ties to our ancestral lands, which are fundamental to our identity and our continued existence. Our ancestral lands are known as the 100-mile square, which is located in northeastern California near Mt. Lassen in the Pit River watershed in eastern Shasta County, as well as parts of what is present day Siskiyou, Lassen, and Modoc Counties.

Like every other Tribal nation, the Pit River Tribe faced extinction through continuous violence and forced removal from the lands that we had called home since time immemorial. Particularly, the vast expansion of American settlement in the west beginning during the Gold Rush era threatened our survival and existence, but we showed perseverance. From what were thousands, our population was dramatically reduced to a few hundred survivors. Today, our tribal population is growing and we now count nearly 3,800 tribal citizens.

The Pit River Tribe currently holds approximately 9,645.68 acres of land, the majority of which is held in federal trust. These lands are scattered across Shasta and Modoc Counties and span seven Rancherias, each rooted in the ancestral territories of one of the Tribe’s 11 bands: Likely (1.32 acres—Hammawi), Lookout (40 acres—Atwamsini), XL Ranch (8,463.62 acres—Kosealekte/Hewisedawi), XL Ranch near Goose Lake (790.38 acres—Hewisedawi), Big Bend (40.42 acres—Madesi), Burney (77.89 acres—Atsugewi), Montgomery Creek (112.45 acres—Madesi), and Roaring Creek (80 acres—Madesi). In 1987, the Tribe ratified its Constitution, which was approved by the Secretary of the Interior, marking the official recognition of the Tribe as the beneficiary of the 9,254-acre XL Ranch Reservation. This action concluded a 23-year legal struggle and formally unified additional Rancherias and newly acquired land into the Tribe’s modern land base, although it represents only a small portion of the ancestral territory described in the 1959 Indian Claims Commission findings.

The Constitution confirmed the Tribe’s territorial and jurisdictional rights over its ancestral homeland, as described in *California Indian Land Claims Commission*, Docket No. 347, including lands historically recognized and those acquired in the future. It also reaffirmed the Tribe’s authority to exercise jurisdiction over land, water, airspace, wildlife, and other resources to the fullest extent permitted under federal law. The Pit River Tribe has endured systemic displacement since colonization but has remained steadfast in protecting its land and sovereignty. Historically, the Tribe resisted white encroachment—especially after the 1848 Treaty of Guadalupe Hidalgo—by defending the land from fur trappers, emigrants on the Lassen Trail, and prospectors who found the territory both inhospitable and fiercely protected. Though the 1851–52 California treaty process excluded the Pit River Tribe, Commissioner O.M. Wozencraft’s failed attempts to engage them underscore their determination to remain autonomous. The Tribe has long maintained that the Treaty of Guadalupe Hidalgo, and the rights implied therein, recognized their unbroken dominion over their homeland—rights that remain at the heart of efforts to reclaim and protect what was taken.

II. The Four Corners and a History of Activism

Dating back several generations, our Nation has a strong connection to the Four Corners from both cultural and historical standpoints. Our people think of the Four Corners as a central landmark of our ancestral lands that is intertwined with our history, identity, and how we will prosper for generations to come.

The Four Corners land also represents a pivotal and symbolic chapter in Indian activism and our people’s constant struggle to fight for our sovereignty. During the 1960’s and 1970’s, members of Tribal Nations across all of Indian Country participated in a resurgence of efforts to reclaim their ancestral lands through demonstrations and occupations. Members of our Tribe also bravely participated in this movement to reclaim vital pieces of our land, history, and culture.

Much of Pit River’s activism during this period stems from the 1959 Indian Claims Commission decision that established what is our reservation boundary to this day. The Commission’s ruling did not order a full return of our lands, though our Tribe had possessed the aboriginal title to our territory, meaning we had a

rightful claim to millions acres of land which included the Four Corners. The fallout of this decision has resulted in generational challenges relating to further land ownership in the region, resource management, and protecting our sovereignty.

In the years following the decision, members of our tribe began occupying campgrounds and parcels of the Lassen National Forest, which resulted in arrests and subsequent trials for the activists.

On October 4, 1970, members of the Pit River Tribe erected a Quonset hut on the Four Corners Property, staking a peaceful, yet firm claim to a relatively small portion of our ancestral lands. Unlike other such events on federal government property, this demonstration was a statement of our intention to advocate, peacefully, for our land and heritage. At first, the demonstrators were left alone by authorities because they did not want to disrupt an ongoing trial involving members of the Pit River Tribe that had engaged in previous occupations on surrounding lands.

On October 26, authorities ordered the occupants at Four Corners to evacuate the property, to which the Pit River people responded by asking to be peacefully arrested on charges of trespassing, but the authorities refused. On the next morning, more than one hundred sheriff's deputies, federal marshals, and forest rangers attacked the Four Corners encampment. The eviction turned to violence which resulted in four tribal members being admitted into the hospital. In total, 26 individuals were arrested and charged with offenses such as cutting down trees, interfering with officers, assault, and failure to appear in court, but not one was charged with trespassing, which was the goal of the occupation.

III. Recent Efforts to Transfer Four Corners Land

For over a decade, the Pit River Tribe has actively been trying to acquire this land through various government processes due to its historical significance. In 2012, we inquired with the Supervisor of the Lassen National Forest about the USFS deeding the specific land associated with the Four Corners Occupation site without cost. The intent of this land transfer was so the tribe could build an interpretive center on the land that would be dedicated to this pivotal event in the Tribe's history.

For a period of time, it seemed as if the USFS was cooperating with the Tribe to go through with this process. This included exchanges of emails in 2013, to which the USFS indicated that the Tribe would have to submit a formal application, which included an official map, Tribal Resolution approved by the Tribal government, formal request, and a draft interpretive plan for the parcel of land in question. Accordingly, the Tribe submitted all the appropriate paperwork to the USFS. However, in the time following the submission of the application, the USFS communicated that they had lost the Tribe's paperwork and asked that the Tribe resubmit their request, leading to years of delay in the process.

The Tribe has since revived this conversation with the USFS and are hopeful the Department will support the land transfer.

In addition to pursuing the land transfer, the Tribe was able to purchase 40 acres on the southeast corner of the Four Corners Property in fee status. The now tribally-owned fee land is surrounded by the rest of the Four Corners Property that is owned by the USFS.

IV. H.R. 2400

The Pit River Land Transfer Act, H.R. 2400, is the culmination of more than 50 years of history between the Pit River Tribe and the USFS regarding the Four Corners lands. As written, the legislation would transfer the 40 acres of fee land that the tribe owns along with more than 580 acres of the Four Corners Property, which includes the original occupation site.

After some discussion with the Committee staff, we may request removal of the provision addressing the transfer of the fee property into trust from this legislation at markup.

By putting this land into trust for the benefit of our Tribe, this legislation would enable our people to be the stewards of a historical site vital to our history and culture. Additionally, we would be able to develop resources such as an interpretive center that would be able to share the true history of our people and our struggle for justice, while also creating opportunities for economic development, education, and environmental stewardship.

V. Conclusion

Passage of H.R. 2400 is the top priority for the Pit River Tribe. The ability to be the stewards of our ancestral lands is essential to ensuring a better quality of life that is rich in our culture and history for generations to come.

Thank you for the opportunity to testify before you today. I am happy to answer any questions the Committee may have.

Mr. WALBERG. Thank you, Chairman. Now we will lead into our 5 minutes of questioning from each of our Committee members, and I know that Representative Randall has to leave soon.

And with your special purpose here, let me recognize you for your 5 minutes.

Ms. RANDALL. Oh, thank you, Mr. Chair. I appreciate that so much so that I can get to votes.

But I wanted to thank you again, Councilperson Johnston, for your testimony and for, you know, really underscoring the historic path that this land has taken, and the cultural relevance and importance to members of the Quinault Indian Nation. And, you know, you spoke about, you know, some of the significance, and the cedar, and the important way that you could use this land to safeguard not only the history, but to pass it down to future generations.

And you mentioned commercial logging. But I wonder if you can tell us a little bit more about what further protections transferring this land into trust allow for your stewardship of the land, and how that allows you to preserve your culture and safeguard the land for the next seven generations.

Mr. JOHNSTON. Thank you for that question, and I also want to humbly thank you for your advocacy and partnership in this legislative effort.

I mentioned it a little in my testimony. You know, the the Dawes Act and the legacy of the fractionation of interests once lands were allotted to individuals has really decimated Indian Country's ability to fully govern itself in one of our most principal ways, which is regulating our land base.

And so my reservation, being a legacy Tribe of the allotment area, is one of the most fractionated in the United States, probably in the top 10 percent. And what this checkerboard effect of ownership has created, whether that is private, individual Indian ownership or what have you, it creates jurisdictional issues and overlapping that is problematic when you want to do simple acts of governance over our land base.

And with this area of land in particular, because of its cultural significance and ecological significance, by having it in trust and managed under the tribal side it will allow us to better protect that land and make decisions that will preserve and enhance it in ways that aren't possible now.

And so, Quinault, is one of many Tribes that, you know, we have very robust land program. And, you know, I heard Chairman also mention today too, the 50th anniversary of ISDEAA. Quinault Indian Nation is a tier 1 self-governance Tribe under ISDEAA when that was first passed as an opportunity of 638 contracting and self-governance compacting. And having that autonomy over our land really is more bang for the buck. It is more effective and allows for local control over really key areas of lands like ours, and I am sure all of my sister Tribes also, as well.

Ms. RANDALL. Thank you. Thank you so much.

And I appreciate the space, Mr. Chairman, and yield my time back.

Mr. WALBERG. I thank the gentlelady, and I recognize myself for my 5 minutes of questioning.

Chair Supernaw, it is good to see you again. When we talked in Oklahoma City, we heard you testify about your Tribe's land management programs, which were extensive. Let me ask this: Had the Quapaw nation been in charge of their land management programs all those years ago as the problems developed and became transparent, how would things have gone differently?

Ms. SUPERNAW. Well, I can tell you it definitely would have been different. That is for sure.

Would we have permitted the mines? I think we probably would have. You know, we are not opposed to mining, but would we have mined so irresponsibly that the Earth collapsed beneath us? Not a chance, not a chance.

When the town of Picher started experiencing, you know, such great instability that it forced a buyout of the residents so that it is now a ghost town with the exception of eight residents that refuse to leave, we wouldn't have allowed that to happen.

Would we have dumped the toxic waste on our own farms and houses? No, no. Self-governance would have brought the decision-making back to the local level, where we live. We would have never allowed things to get as bad as they did.

Mr. WALBERG. If you wouldn't mind, would you recite again why you were not allowed to do the change? And the management, you were declared as being—

Ms. SUPERNAW. I hope I am answering the question that you posed—

Mr. WALBERG. It shocked me when I heard you say it before, when we met.

Ms. SUPERNAW. So the BIA was responsible. In many cases, individual allottees or Quapaws were declared incompetent.

Mr. WALBERG. That is the—

Ms. SUPERNAW. At that point the BIA had decision-making rights and the ability to execute mining leases without the individual landowner even being fully involved.

Mr. WALBERG. That was the shocking declaration that you shared with me, "incompetence." Thank you.

The Honorable Cuellar, recently your Tribe purchased land near your reservation known as the Indian Creek Subdivision. Have you attempted to put this subdivision into trust before? And if you have not, why?

Ms. CUELLAR. Thank you for the question, Mr. Chairman.

As of right now we have not tried, because we have just purchased it a couple of years ago. We did not try before. And again, with the fee-to-trust process with the BIA, it is very bogged down. We have had a parcel actually waiting 10, 11 years just to be into trust, and we are still waiting. So, this, to us, was the most fastest way we could get land to our members.

Some of our members have, unfortunately, passed away waiting on a list for housing. And this is a much faster way that we can provide housing for our membership. And I think, you know, bringing our membership back home very close to us, to where we can offer the support services they need, that is the most important thing for us. And my council has prioritized housing for our membership. This piece of legislation is so important to me and my membership to just bringing back our members.

Mr. WALBERG. OK, thank you.

Chairman Bamford, a question: Have you tried to acquire the Four Corners with the Forest Service already?

Mr. BAMFORD. Yes. Thank you for that question. Back in 2013 we tried to work with the Forest Service through resolution to get the property, but through numerous staff turnover both with the Forest Service and on the tribal side, it just wasn't able to come to life.

Mr. WALBERG. What has your general experience been as you have tried to go through that process?

Mr. BAMFORD. My own self? I wasn't involved with the Tribe back then. I came in after that. And coming in to where we were at, we were submitting everything on our side but, like I said, just the general turnover on the Forest Service side, whether it got lost with the upper staff or wherever it was, it just wasn't able to come to life.

Mr. WALBERG. Putting this land into trust for your Tribe, what would it mean to your Tribe?

Mr. BAMFORD. It would mean everything. That corner right there is a vital intersection of Highway 89 and 299, and the 40 acres that we currently own right there, we plan on having a truck stop of sorts right there with camping and an RV park. We plan for that to be a major economic hub for the Tribe.

Mr. WALBERG. So, it would be productive for your Tribe to have that.

Mr. BAMFORD. Yes.

Mr. WALBERG. Thank you. Thank you for your testimony. I now recognize the Ranking Member, Ms. Leger Fernández.

Ms. LEGER FERNÁNDEZ. Thank you to each of you for telling the stories and as I begin my comments today, this is a Subcommittee whose job is to help remedy the historic injustices. And each of you provided an example of how that looks. And it looks both, in some ways, very different in each part of the country that you come from, but sadly also similar.

But now we have this opportunity, and this is a space that, if we could get these bills actually enacted into law, which I think is what we would like to do, is move them out of this Subcommittee, move them down to the floor of the House, have them be unanimous, bipartisan, unanimous consent on the floor, that is, like, what my goal would be, right? But tell me, what would you then do next?

Chairman Bamford, you did this beautiful history of how the struggles have been, how they included peaceful demonstrations, you know, jailings, all kinds of stuff. It is not old history. It is recent history. How quickly would you be able to move if we moved quickly? Like, why should we move quickly so that you can do what you need to do?

Mr. BAMFORD. Yes, thank you for that question.

We plan on, with those other three corners that we are looking at receiving from the Forest Service, one of them having on the actual occupation site a cultural center right there that we could tell the story of our people and share it with the community because there is people of the area right there that don't know the history, just general members of the community. When we are actually

holding our events out there, people are driving by and they are just flat interested in what is going on out there, and they are showing their support for us, right, in that capacity. So that is just one of the corners.

On the other side we look at actually having a California welcome center, where we, in collaboration with the California State Parks, have parking area designated because Burney Falls is five miles up the road from us right there, and they always have a problem with parking out there. So, if we could collaborate with them and provide a safe space for parking so families are not in harm's way parking alongside the highway right there.

Ms. LEGER FERNANDEZ. Yes, thank you. I just wanted to be able to get to others.

Chairman Cuellar, you also have issues of making sure that people hear the stories and share the stories and be curious about others and your own Tribe. How quickly could you move, and why is it important that we move quickly?

Ms. CUELLAR. Well, thank you for the question, and it is so important to move quickly because I have quite a long list of people waiting for housing. I have 188 members waiting for housing. So this subdivision could knock out about 80 of them. So that is a big number for us.

And like I said, housing is, you know, important to me and it is important to the membership to bring our members closer home. So——

Ms. LEGER FERNÁNDEZ. Councilmember Johnston, I mean, you guys have a lot of big plans for what you want to do. Why should we move quickly?

Mr. JOHNSTON. You know, this area of land is very sensitive. It holds really important cultural significance and resources that are at risk. You know, fires even become a reality in my part of the country. And so having this kind of jurisdictional enigma end and put it under the tribal jurisdiction at the local level will allow us to manage those resources in the highest and most effective way, regenerating our culture and protecting the ecology of this land with the rest of our land base. It just makes sense, and it is better governance.

Ms. LEGER FERNÁNDEZ. Right. And we have really great bipartisan agreement on the importance of having Tribes manage their own land, of strengthening the 638.

Chair Supernaw, I mean, the struggles that you have gone through with your Tribe on this land are kind of unique from the other three because they are, like, we lost the land, we want to get it back. The land was destroyed. You need to get it back. Share with us why we should move quickly.

Ms. SUPERNAW. Thank you for the question.

The reason that we should move quickly is from the time this settlement was actually struck, or the decision made out of the Court of Federal Claims, we have literally lost 200 tribal members. Now, that would have been during the epidemic, but many of these tribal members who were elders were key players in providing family documents, allotment documents, and other documents that proved pivotal in proving our case to the Court of Federal Claims. We are going to keep losing them.

Ms. LEGER FERNÁNDEZ. Right. And there is something about, I mean, justice delayed is justice denied, but there is something about the living history and being able to acknowledge that we are sorry and we apologize. And this claim settlement is a tangible something you can hold and put in the bank, as well. But that is what it reflects, is we recognize we blew it.

And thank you very much, Mr. Chair. And with that I yield back.

Mr. WALBERG. I thank the gentlelady, and I thank the members of the panel for the distance you traveled to be here, the history that you gave us, but more importantly, the human experience that you expressed across the table to us today. So, thank you very much.

Members of the Committee may have some additional questions for each of you, and so we will ask if you would respond in writing.

Under Committee rule 3, members of the Committee must submit questions to the Committee clerk by 5 p.m. on Monday, May 5, 2025. The hearing record will be held open for 10 business days for those responses.

If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 3:26 p.m., the Subcommittee was adjourned.]

