

House Subcommittee on Indian, Insular and Alaska Native Affairs

Don Young, Chairman

Hearing Memo

July 13, 2015

To: Natural Resources Committee Members

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

Subject: Legislative hearing on H.R. 2733 (Rep. Mark Amodei), the “*Nevada Native Nations Land Act*”

The Subcommittee will hold a Legislative Hearing on H.R. 2733, the “*Nevada Native Nations Land Act*” on **Wednesday, July 15, 2015, at 2:00 p.m. in 1324 Longworth HOB.**

Summary of the bill

H.R. 2733 was introduced by Rep. Mark Amodei (NV-2) on June 11, 2015. The bill places in trust a total of approximately 71,177 acres of public lands, identified on specified maps described in the bill, which would expand reservations of the Paiute and Shoshone Tribe of the Fort McDermitt Reservation, the Shoshone Paiute Tribe of the Duck Valley Indian Reservation, the Summit Lake Paiute Tribe of the Summit Lake Reservation, the Reno-Sparks Indian Colony, the Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, and the Duckwater Shoshone Tribe of the Duckwater Reservation. Under the bill, gaming under the Indian Gaming Regulatory Act¹ is prohibited on lands which would be taken into trust. Maps referenced in H.R. 2733 are attached to this memorandum.

Cosponsors

Rep. Crescent Hardy (NV-4)

Witnesses:

Mr. Michael Smith, Deputy Director,
Bureau of Indian Affairs,
U.S. Department of the Interior,
Washington, D.C.

The Honorable Arlan Melendez, Chairman
Reno-Sparks Indian Colony
Reno, NV

¹ 25 U.S.C. 2701 et seq.

Background

The Fort McDermitt Paiute Tribe and Shoshone Tribe both share the Fort McDermitt Reservation, Humboldt County, Nevada and Malheur County, Oregon. The reservation, originally established by Executive Order in 1867, is approximately 32,000 acres in size and is 75 miles north of Winnemucca, Nevada. The land was allotted under the General Allotment Act of 1887 and it was further opened to homesteading by non-Indians. A number of Acts of Congress have authorized the reacquisition of some of these lands by the tribes. Currently, the tribes have approximately 16,000 acres of trust land. The tribes plan to use the land transferred under the bill for the development of natural resources.

The Duck Valley Reservation, on the Nevada-Idaho border (Elko County, Nevada, and Owyhee County, Idaho), began with the Treaty of Ruby Valley in 1863 encompasses close to 290,000 acres. The reservation was established by several Executive Orders and an Act of Congress. The tribe plans to use the lands transferred under the bill to address a tribal housing shortage.

The Summit Lake Paiute Reservation, established by Executive Order in 1913, is located in northwestern Nevada (Humboldt County). It is more than 10,000 acres. This tribe is a part of the greater Paiute tribe, a large group of Indian people who occupied a large part of the eastern slopes of the Sierra and Cascades ranges until encroachment by non-Indians led to the creation of a reservation for their use and occupation. The reservation includes a small part of Summit Lake. The tribe plans to use the lands transferred under the bill for protection and management of Summit Lake including natural resources and a once abundant Lahontan cutthroat trout population.

The Reno-Sparks Indian Colony, in western Nevada near the California border, has a small amount of lands in Reno and nearly 2,000 acres in Hungry Valley. In 1916, Congress authorized the purchase of 8.42 acres as a site for the colony (similar to the manner in which Congress authorized the Department of the Interior to purchase lands for Rancherias). Though Congress did not designate these lands as a reservation or as a federal trust, in subsequent years, the Secretary of the Interior nonetheless treated the lands and the Indians living on it as a reservation and tribe with governance over it. The tribe plans to use the lands transferred under the bill to alleviate a housing strain, and for cultural preservation and development.

The Pyramid Lake Reservation is approximately a half-million acres in a remote part of Western Nevada, in Washoe, Lyon, and Stoney counties, 40 miles away from Reno. Several communities are within the reservation, including Nixon, Sutcliffe, and Wadsworth. Its reservation was formally established by Executive Order in 1874 after earlier orders by the government began to reserve this area for Paiute Indians after tensions arose with non-Indian settlers. About 112,000 acres of the reservation include Summit Lake, the state's largest, while the rest of the lands are high desert. Through receiving additional lands under the bill, the tribe plans to incorporate the watershed of Pyramid Lake. Other uses include potential economic development and management efficiency.

The Duckwater Indian Reservation of Shoshone Tribe is composed of approximately 300,000 acres and located in east-central Nevada, approximately 225 miles southeast of Elko. Though most of the reservation land is owned by the tribe, only 3,785 acres of land are held in trust. Due to the small land base the tribe has only 94 enrolled members on the reservation. The tribe has expressed that they would use additional land to support additional grazing and agricultural activities, promote renewable energy and economic development and housing.

Major Provisions/ Analysis

Section 3. Conveyance of Land to be held in trust for certain Indian Tribes.

Fort McDermitt Indian Reservation: Places approximately 19,094 acres of BLM-administered public land in trust for the Fort McDermitt Paiute and Shoshone Tribe, subject to valid existing rights. Lands are depicted on a map dated February 21, 2013 titled “Reservation Expansion Lands,” on file at the local BLM office.

Duck Valley Indian Reservation: Places approximately 82 acres of National Forest System land in trust for the benefit of the Shoshone-Paiute Tribe, subject to valid existing rights. Lands are depicted on a map dated July 29, 2013 titled “Mountain City Administrative Site Proposed Acquisition,” on file at the local Forest Service office.

Summit Lake Indian Reservation: Places approximately 491 acres of BLM administered public land in trust for the benefit of the Summit Lake Paiute Tribe, subject to valid existing rights. Lands are depicted on a map dated February 28, 2013 titled “Summit Lake Indian Reservation Conveyance,” on file at the local BLM office.

Reno-Sparks Indian Colony: Places approximately 13,434 acres of BLM-administered public land in trust for the benefit of the Reno-Sparks Indian Colony, subject to valid existing rights. Lands are depicted on a map dated June 11, 2014 titled “Reno-Sparks Indian Colony Expansion,” on file at the local BLM office.

Pyramid Lake Indian Reservation: Places approximately 6,357 acres of BLM administered public land in trust for the benefit of the Pyramid Lake Pauite Tribe, subject to valid existing rights. Lands are depicted on a map dated April 13, 2015 titled “Pyramid Lake Indian Reservation Expansion,” on file at the local BLM office.

Duckwater Reservation: Places approximately 31,269 acres of BLM managed lands in trust for the benefit of the Duckwater Shoshone Tribe, subject to valid existing rights. Lands are depicted on a map dated January 12, 2015 titled “Duckwater Reservation Expansion,” on file at the local BLM office.

Section 4. Administration. Directs the Secretary of Interior, within 180 days of enactment, to complete a survey of boundary lines for each of the sections of land to be taken into trust under Section 3. The Secretary is also authorized to carry out fuel reduction and other landscape restoration activities, on the lands taken into trust under Section 3, that are beneficial to an Indian tribe and the Bureau of Land Management.

Finally, any lands taken into trust under Section 3 shall be prohibited for gaming activities pursuant to the Indian Gaming Regulatory Act.²

Previous Committee Action

In the 113th Congress, the House of Representatives passed by voice vote a similar bill, H.R. 2455. Additionally, some provisions of H.R. 2455, which were also part of other larger measures, were enacted into law as part of the Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.³

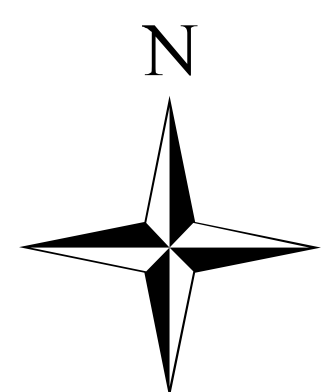
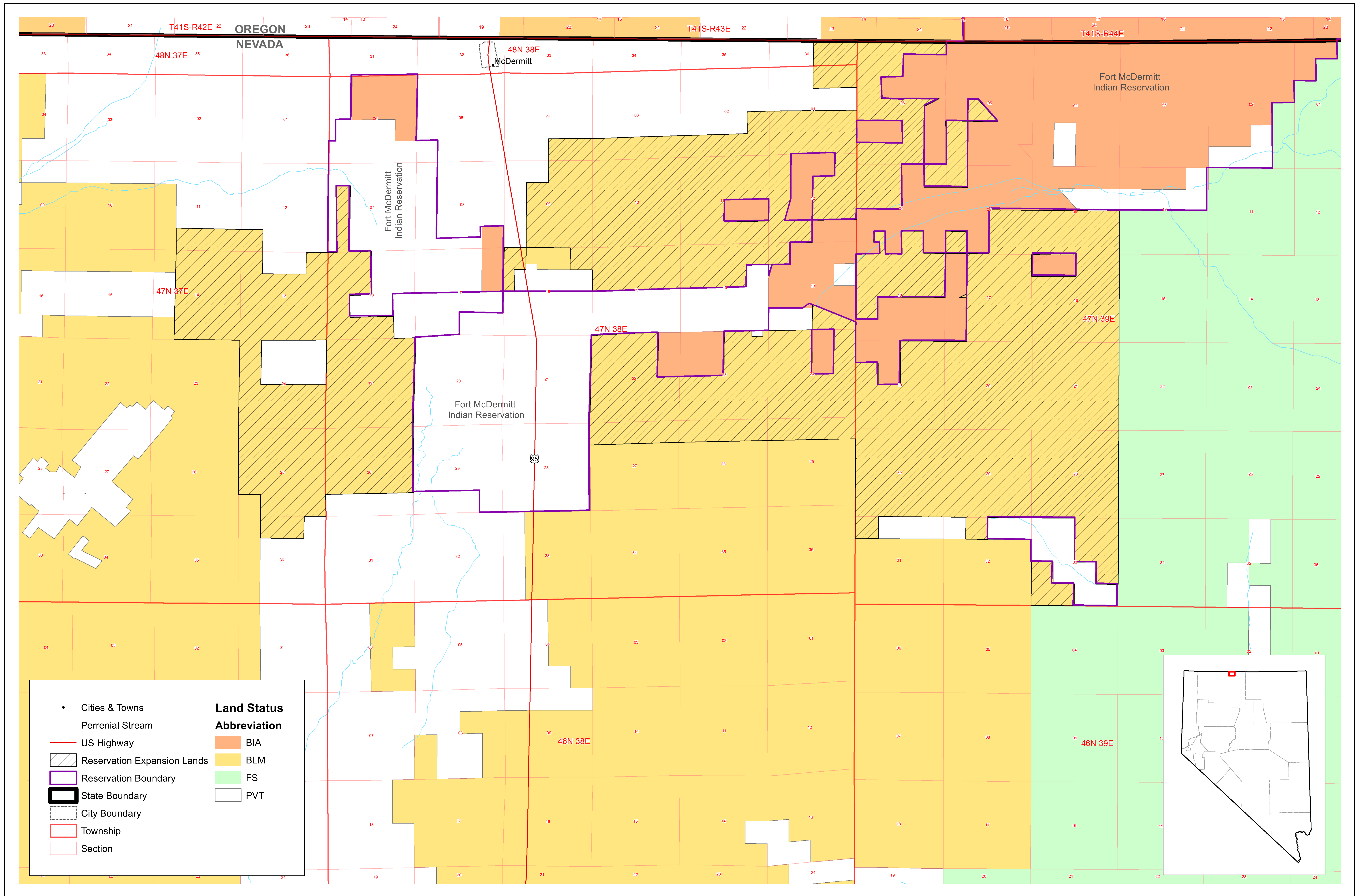
² 25 U.S.C. 2703.

³ See P.L. 113-291.

Fort McDermitt Indian Reservation Expansion Act

February 21, 2013

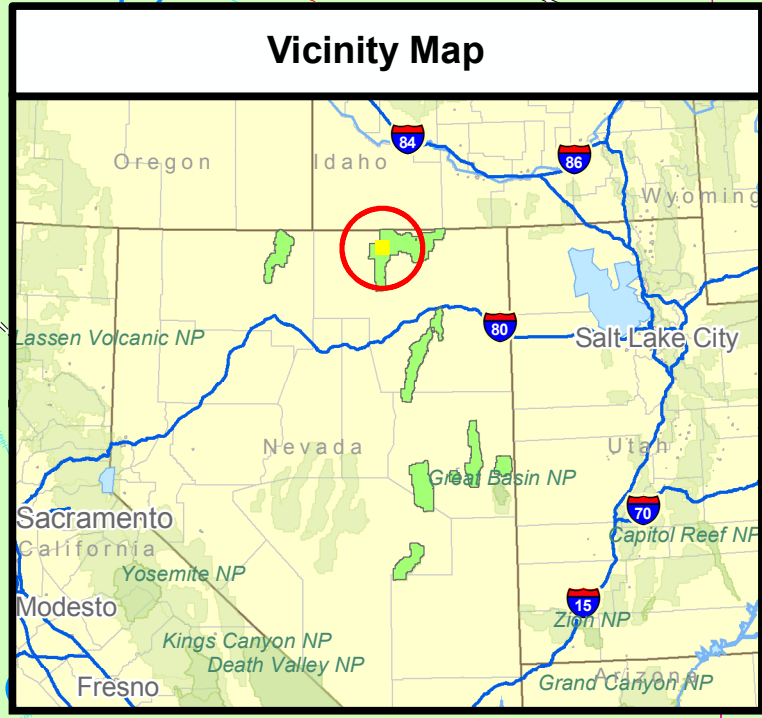
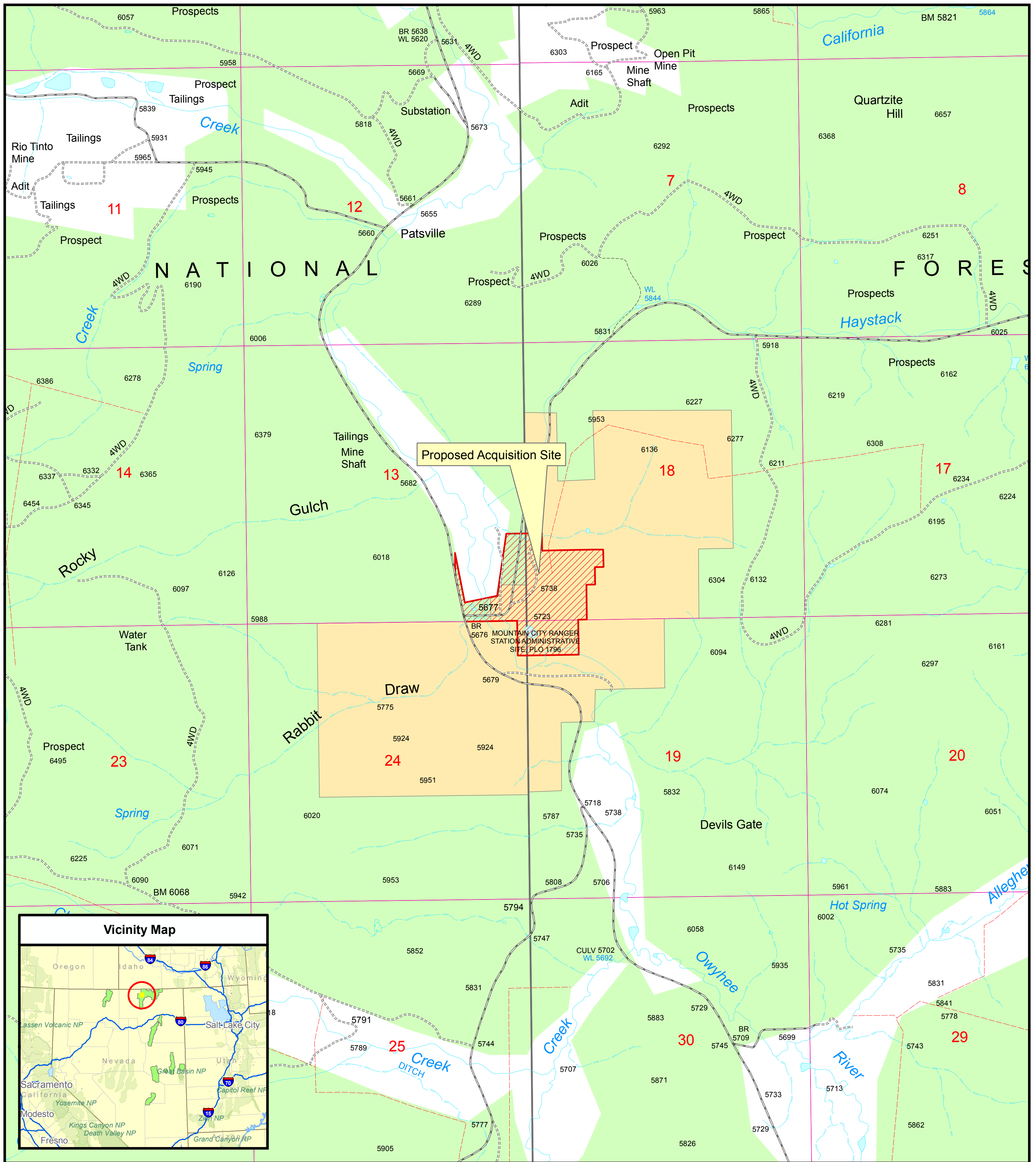
This map was prepared at the request of Representative Mark Amodei



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Map is intended to be plotted at 44 X 34 inches

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

Reference

Data acquired from a variety of sources of differing accuracy, precision, and reliability. Features represented by these data may not represent accurate geographic locations. Data sources include Forest Service LSRS data, ESRI data, and other data.

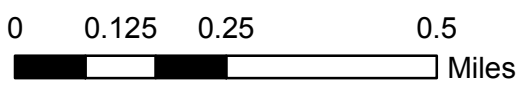
Disclaimer

The USDA Forest Service makes no warranty, expressed or implied regarding the data displayed on this map, and reserves the right to correct, update, modify, or replace this information without notification.

Legend

-  Proposed Acquisition Site
-  Withdrawal Area
-  NFS Lands - Reserved Public Domain
-  Fence

Sheet 1 of 1



Map Creation Date - 01/02/2013
Map Revision Date - 07/29/2013

**Mountain City Administrative Site
Proposed Acquisition**

Township 45 North Range 53/54 East
Mt. Diablo Meridian

U.S. Forest Service - Intermountain Region
Humboldt-Toiyabe National Forest

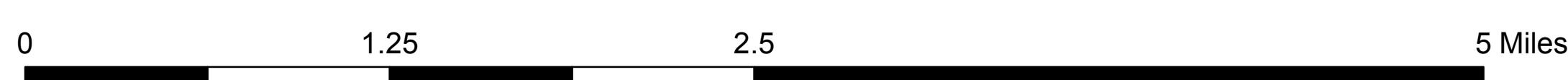
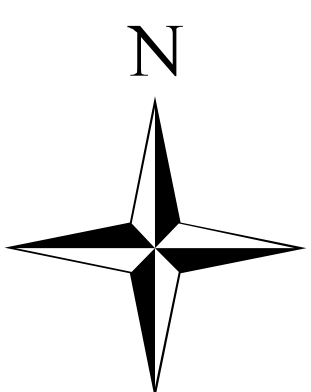
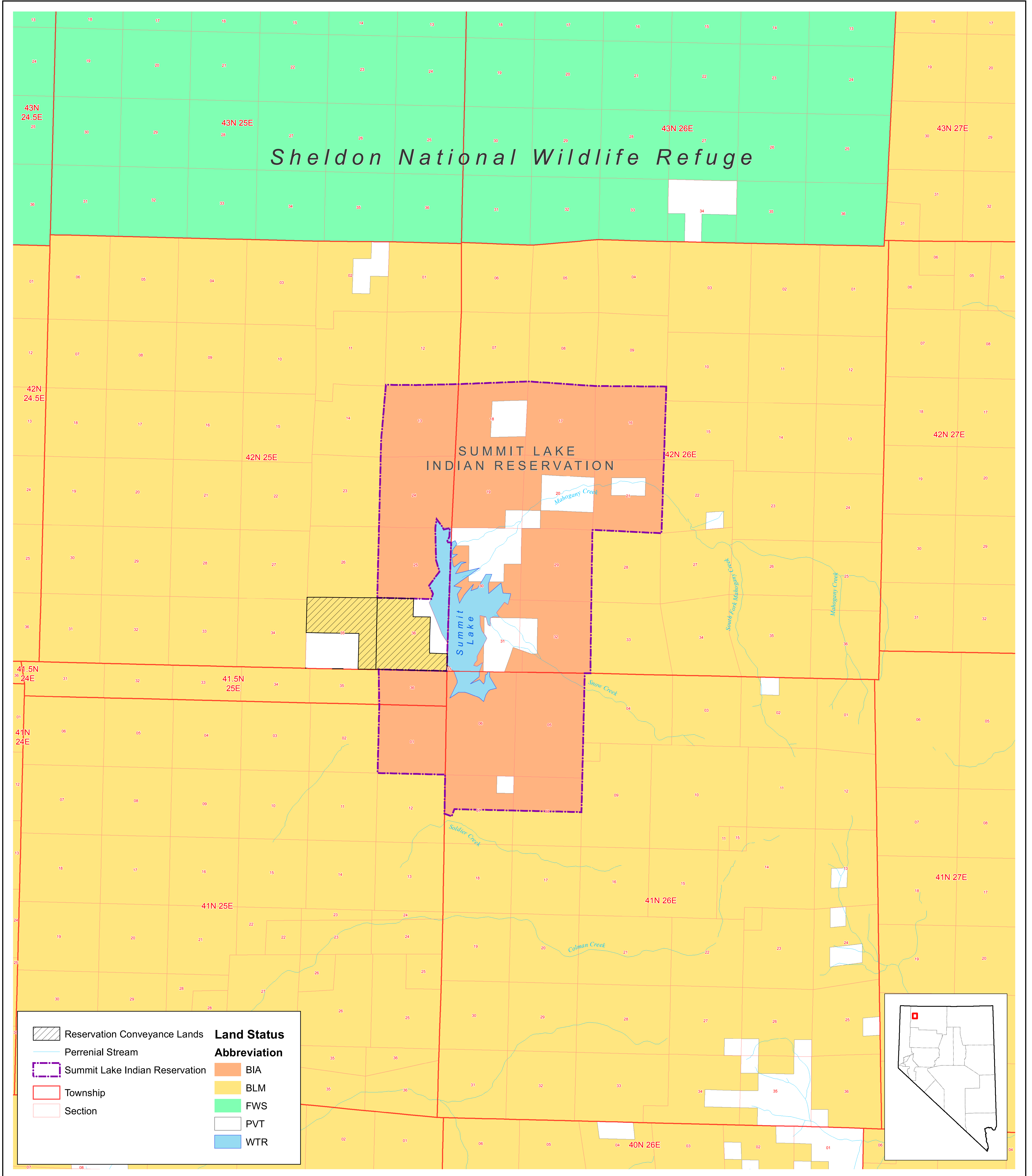
U.S. Congressional District 2 - Nevada

Map prepared at the request of Congressman Mark Amodei.
Copies of this map are available for public inspection in the
Office of the Regional Forester, Intermountain Region, Ogden, Utah.

Summit Lake Indian Reservation Conveyance

February 28, 2013

This map was prepared at the request of Representative Mark Amodei



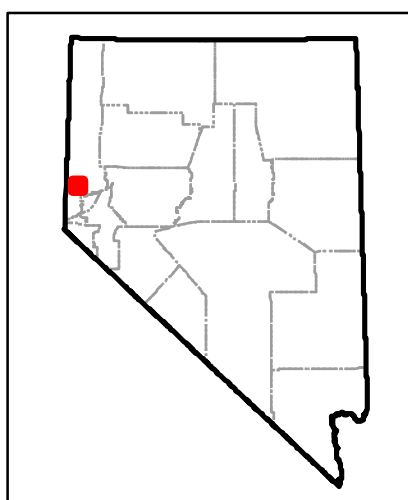
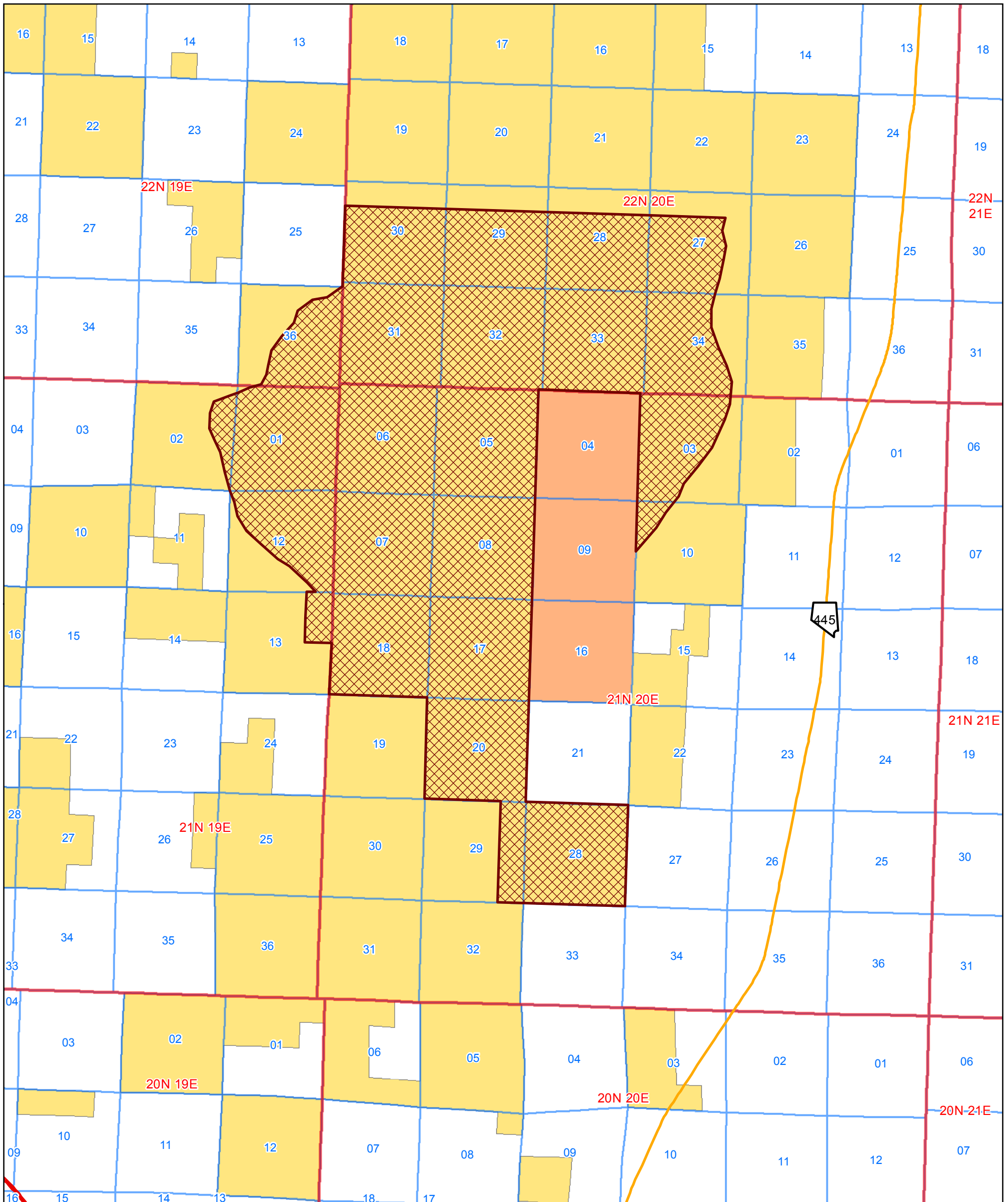
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Map is intended to be plotted at 34 X 44 inches

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Reno-Sparks Indian Colony Expansion

This map prepared at the request of Representative Mark Amodei
May 28, 2013






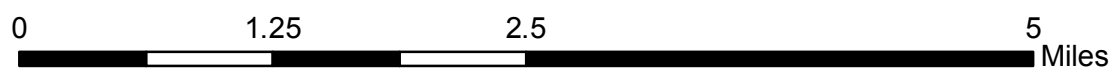
-  Colony Expansion Lands (Approx 11,180 Acres)
-  Township
-  Section

Major Highways

-  US Highway
-  State Route

Land Status

-  Bureau of Indian Affairs
-  Bureau of Land Management
-  Private



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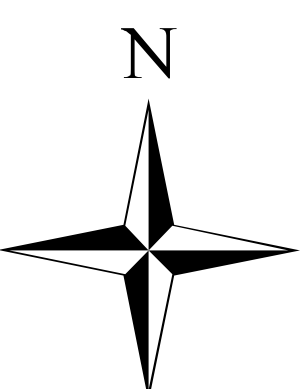
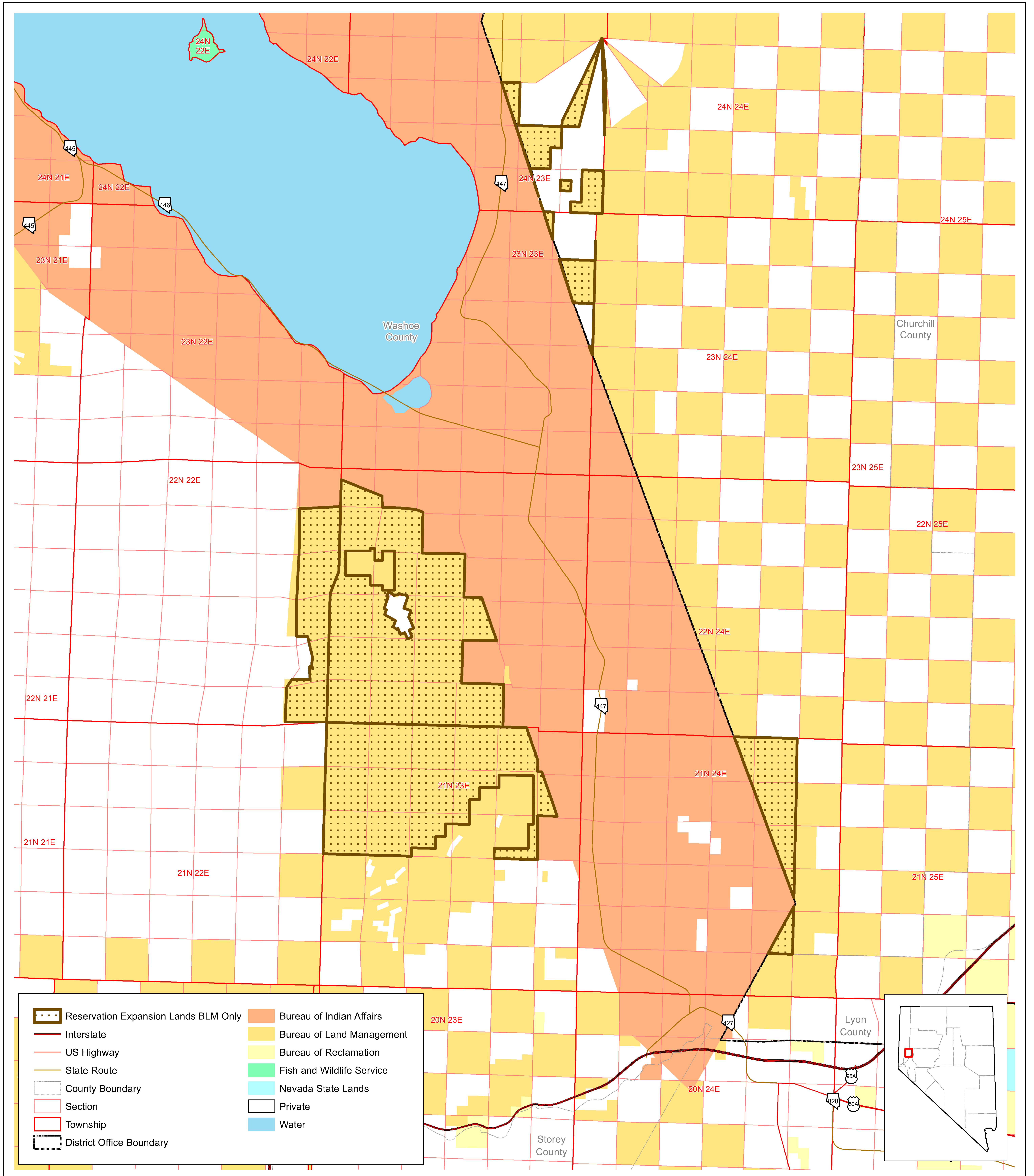


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Pyramid Lake Indian Reservation Expansion

June 13, 2013

This map was prepared at the request of Representative Mark Amodei



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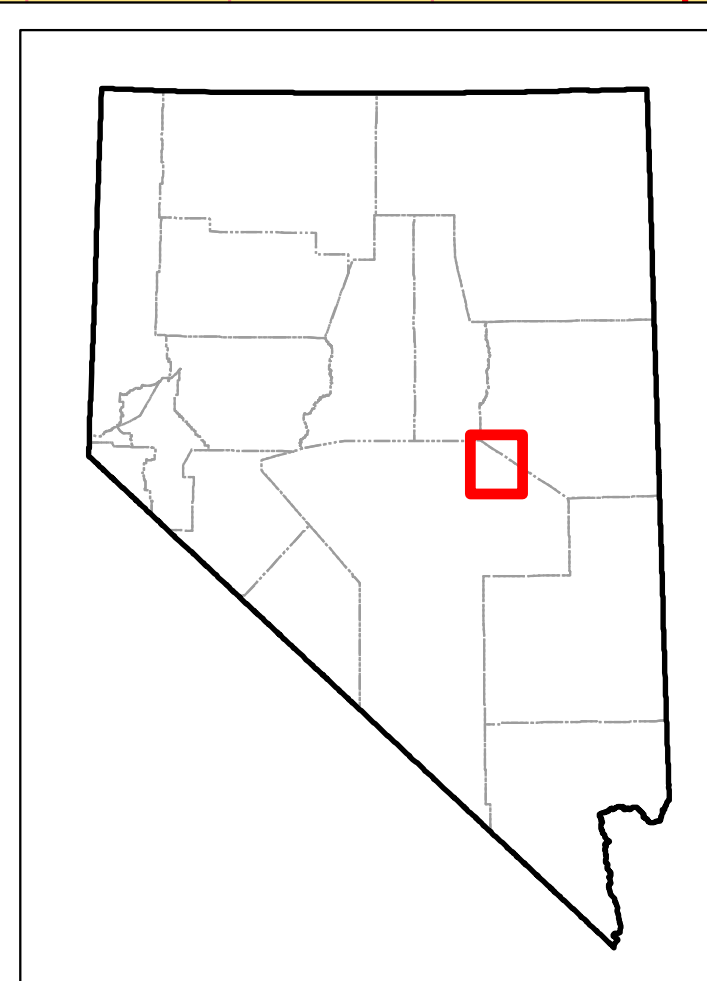
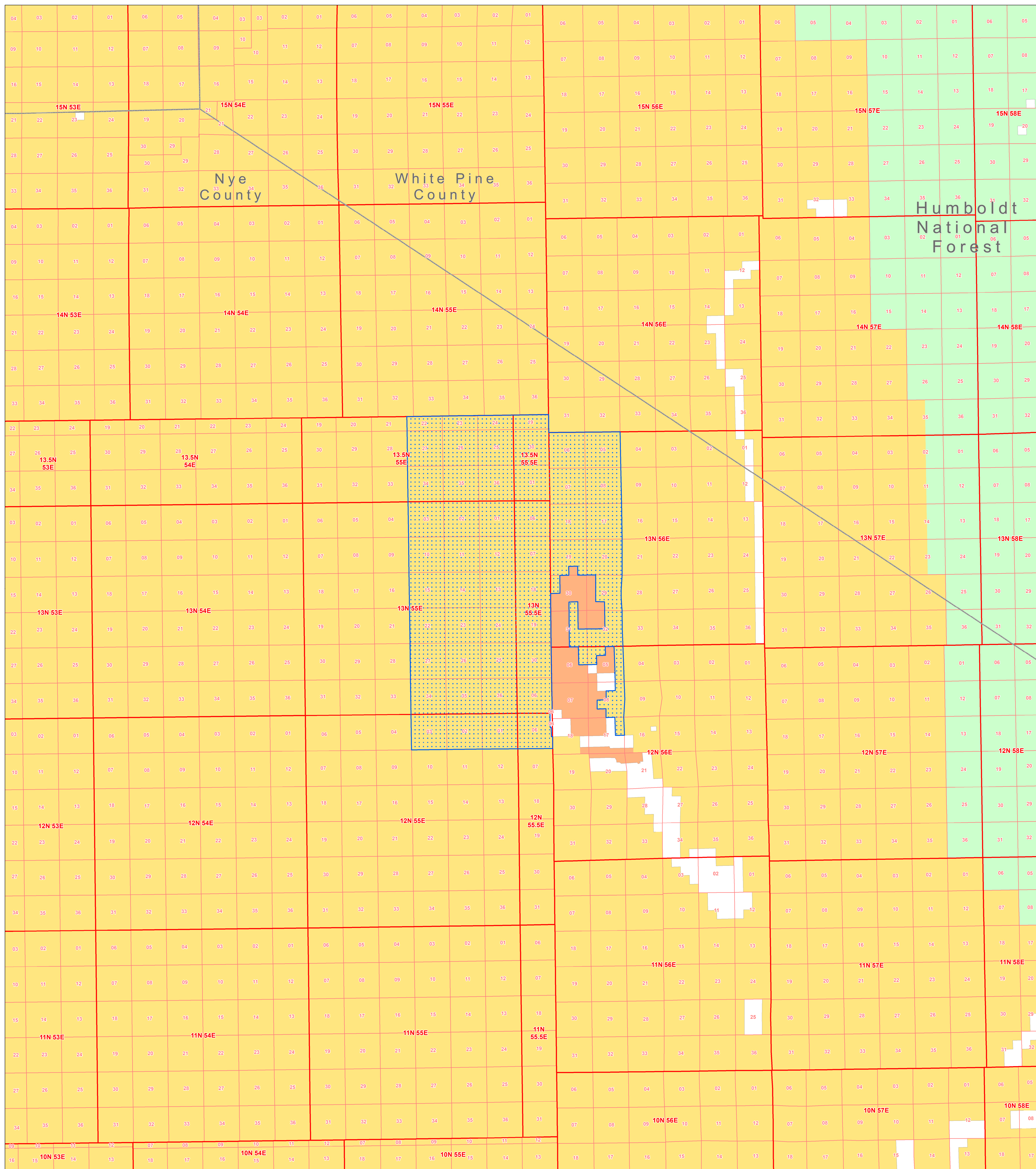
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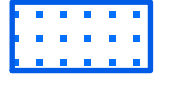






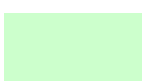


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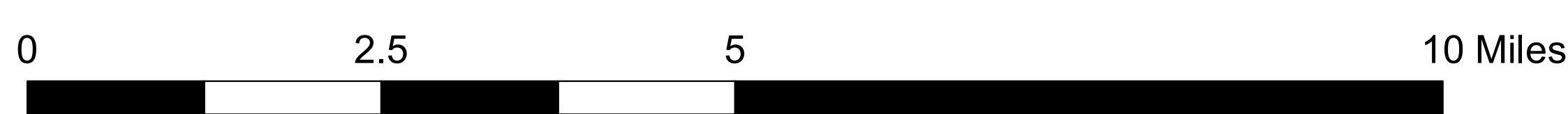
Duckwater Reservation Expansion

January 12, 2015

This map was prepared at the request of Senator Harry Reid and Senator Dean Heller

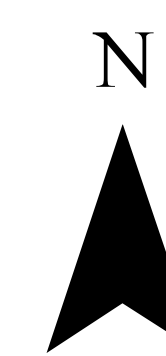


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|---|-----------------------------|---|---------------------------|
|  | Reservation Expansion Lands |  | Land Ownership |
|  | BLM Wilderness |  | Bureau of Indian Affairs |
|  | BLM Wilderness Study Area |  | Bureau of Land Management |
|  | Township |  | Forest Service |
|  | Section |  | Private |



1:60,000

Map is intended to be plotted at 34 X 44 inches



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