



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Indian and Insular Affairs Subcommittee staff, Ken Degenfelder
(Ken.Degenfelder@mail.house.gov), and Kirstin Liddell
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Date: April 28, 2025
Subject: Legislative Hearing on 4 Bills

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, April 30, 2025, at 2:00 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 40 acres of U.S. Forest Service land, commonly known as the “Four Corners” 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

¹ Marks-Marino, D. *Quapaw Nation*. Institute for Tribal Environmental Professionals, Northern Arizona University. June 2020. http://www7.nau.edu/itep/main/tcc/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-cg-00051-TCW No.12-51X. https://ecf.cofc.uscourts.gov/cgi-bin/show_public_doc?2013cg00051-353-0.

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

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

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.

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. Goodeagle et al. v. United States. No. 12-431L (2016), available at <https://turtletalk.files.wordpress.com/2016/09/162-goodeagle-response-to-155.pdf>. Pg 21.

¹⁰ *Thomas Charles Bear v. United States*. Case 1:13-cg-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#bkground>.

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

¹⁴ *Elouise Pepion Cobell et al. v. Gale A. Norton et al.* Civil Action No. 96-1285 (RCL). Defendant's Motion for Expedited Clarification or In the Alternative, Modification of the December 23, 2002, Order. Exhibit 1. https://www.justice.gov/archive/civil/cases/cobell/docs/pdf/07232004_motion.pdf

¹⁵ *Thomas Charles Bear v. United States*. Case 1:13-cg-00051-TCW Doc.359 p. 6. Congressional reference; settlement.

¹⁶ 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/112th-congress/house-resolution/668?q=%7B%22search%22%3A%22H.Res.668%22%7D&s=2&r=1>

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.

¹⁷ H.R. 4715, *Quapaw Tribal Landowner Settlement Act of 2021*. Rep. Markwayne Mullin (R-OK-2). 117th Congress. <https://www.congress.gov/bill/117th-congress/house-bill/4715>.

¹⁸ H.R. 10472, *Quapaw Tribal Settlement Act of 2024*. Rep. Josh Brecheen (R-OK-2). 118th Congress. <https://www.congress.gov/bill/118th-congress/house-bill/10472>.

¹⁹ Tiller, Veronica E. Velarde. *Tiller’s Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 344.

²⁰ *Id.*

²¹ 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>.

²² One Pager on H.R. 2302 provided to the IIA Team by the Shingle Springs Band of Miwok. On file.

²³ *Id.*

²⁴ *Id.*

²⁵ House Natural Resources Committee. Testimony of Nicholas Fonseca, Chairman, Shingle Springs Band of Miwok. July 23, 2013. <https://naturalresources.house.gov/uploadedfiles/fonsecatestimony07-23-13.pdf>.

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](#).

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

²⁶ Public Law No: 113-127.

²⁷ 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/srpt197/CRPT-113srpt197.pdf>.

²⁸ Conversation between IIA Staff and the Shingle Springs Band of Miwok Indians. 04.09.25.

²⁹ Id. The tribe completed fee to trust applications in 2015 for different parcels, but they remain in pending status.

³⁰ Id.

³¹ Id.

³² 25 U.S.C. 2701 et seq.

³³ Tiller, Veronica E. Velarde. *Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 762.

³⁴ Id.

³⁵ Quinault Indian Nation. *About Us*. <https://quinaultindiannation.com/171/About-Us>.

³⁶ *Makah Indian Tribe v. Quileute Indian Tribe*. 873 F.3d 1157. (2017).

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](#).

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

The Pit River Tribe consists of eleven 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

³⁷ Act of February 8, 1887, Ch. 119, 24 Stat. 388.

³⁸ Briefing Paper and Background on H.R. 9371, the *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

³⁹ *Id.*

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 *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Briefing Paper and Background on H.R. 9371, the *Quinault 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/>

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 40 acres of land owned by the USFS, known as the "Four Corners," 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](#).

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-ep-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-ep-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 Gemmill, Pit River Tribal Chairman. June 11, 2015. On file.

⁶³ 25 U.S.C. 2701 et seq.

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” 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.