



**Testimony of President Guy Capoeman  
Quinault Indian Nation  
to the House Natural Resources Subcommittee on Indian and Insular Affairs  
*Federal Indian Trust Asset Management: Progress Made But Improvement  
Needed* Hearing  
February 25, 2025**

Good afternoon, Chairman Hurd, Ranking Member Leger Fernandez, Chairman Westerman, Ranking Member Huffman, and Members of the Subcommittee. Thank you for giving me the opportunity to testify before you today on the Quinault Nation's ("Quinault") experiences with the Indian Trust Asset Reform Act ("ITARA"). My name is Guy Capoeman, and I am the duly elected President of the Quinault Indian Nation's Business Committee. I have held this position for the past four years and am currently serving in my second term. I am honored to be here and look forward to discussing ITARA.

As you know, ITARA was enacted into law on June 22, 2016. This legislation was intended to enhance tribal self-determination by granting Indian tribes' greater authority over the management of their trust assets. Under ITARA, "tribes are authorized to conduct forestry programs under tribal law and regulations and to assume functions previously considered as inherent federal functions of the Bureau of Indian Affairs ("BIA")."

A key component of ITARA was the establishment of a voluntary demonstration project that allows participating tribes to develop and implement their own Indian Trust Asset Management Plans ("ITAMP"). These plans enable tribes to set objectives and priorities for assets located within their reservations or under their jurisdiction, and to manage activities such as surface leasing and forest land management without requiring further approval from the Secretary of the Interior. Additionally, the Act directs the Department of the Interior ("DOI") to streamline processes related to the administration of Indian trust assets, including valuations and appraisals.

However, while ITARA was intended to support tribes, its implementation has been fraught with challenges. Lack of clarity and significant delays in execution have undermined its goals. For example, the BIA struggled to define parameters of ITARA. It was not until October 1, 2018—over two years after ITARA's passage—that the BIA provided initial guidance to tribes. Even with this guidance Tribes continued to face uncertainty, and Quinault, for example, spent almost three years seeking answers to ITARA implementation.

On September 24, 2021, Quinault formally expressed its interest in participating in the ITARA Demonstration Project by submitting a letter to then Assistant Secretary of Indian Affairs Bryan Newland. This letter outlined Quinault's proposed project and included the required resolution and other documentation. Quinault was subsequently advised to modify certain language in its submission to align with the requirements of the demonstration project. It was not until November 17, 2023, through a letter from Assistant Secretary Newland, that Quinault received approval to proceed with developing an ITAMP as part of the demonstration project.

Since receiving approval, Quinault has worked to develop its ITAMP, contracting with entities to assist with the plan's preparation after securing the necessary development funding. Despite these efforts, the process has been protracted. More than eight and a half years after ITARA's passage, and despite persistent efforts to navigate an initially unclear program and overcome federal delays, Quinault remains in the process of finalizing its ITAMP in a format that complies with purported federal requirements.

These issues are not unique to Quinault but are instead endemic to ITARA. In 2023, as required by the National Indian Forest Resources Management Act ("NIFRMA") the US Forest Service Division of Forestry and Intertribal Timber Council, in support of the Secretary of the Interior, completed its ten-year Indian Forest Management Assessment Team ("IFMAT") report. The IFMAT report primarily serves to conduct a comprehensive evaluation of Indian forest lands and associated management practices while also assessing the status, management, health, and utilization of these forests. The 2023 IFMAT report addressed ITARA in detail and stated the following important determinations:

- ITARA promises self-governance benefits for interested tribes. However, many tribes have little or no knowledge about ITARA. Tribes carrying out forest management activities under ITARA are performing functions previously considered inherent federal functions performed by the BIA, yet funds are not made available to the tribes for these additional responsibilities.
- Funding, policy, and procedural guidance concerning ITARA implementation needs to be provided to BIA Regional offices. [...] Sources of funding should be identified, and information provided to tribes about how to secure needed funding to participate in the ITARA Demonstration Project.
- [The federal government should] redirect funds to tribes retained by the DOI/BIA for performing functions previously considered inherent federal functions but now carried out by tribes under ITARA. This reform would shift funds from the BIA to the tribes who are actually performing the functions and provide additional funds for tribes to achieve tribally defined state-of-the-art forest management.
- [The] IFMAT [...] recommends the Secretary of the Interior extend the ITARA Demonstration Project indefinitely.

Quinault and other tribes believe that ITARA has the potential to benefit Indian nations across the country. However, the very challenges ITARA was designed to address—excessive regulation, lack of clarity, and inadequate federal responsiveness—continue to impede its success and undermine its goal of promoting Tribal self-determination. To address these issues

and support the implementation of ITARA, Quinault respectfully requests that the Subcommittee take the following actions:

- As recommended in the IFMAT report, the ITARA Demonstration Project, set to expire in June 2026, should be extended indefinitely to allow tribes to continue working toward the self-governance and forest management outcomes envisioned by the Act.
- Continue to support ITARA and similar legislation that advances Tribal self-governance while minimizing overreaching regulatory requirements and oversight by the federal government. This is particularly critical in light of the administration's emphasis on reducing unnecessary regulation and the potential downsizing of BIA staff traditionally responsible for overseeing federal functions that can be assumed by Tribes under ITARA.
- As more Tribes assume forestry program management responsibilities under ITARA, the BIA's role should be reevaluated. ITARA empowers Tribes to manage forestry operations and approvals more efficiently, cost-effectively, and in alignment with their unique needs, eliminating the need for unnecessary federal involvement and oversight.
- Require the DOI, the BIA, and other relevant agencies to implement ITARA as originally intended by streamlining processes, providing clear guidance where needed, and ensuring timely review and approval of ITAMPs as well as support for Demonstration Projects.

ITARA has the potential to empower tribes by reducing federal oversight and promoting tribal autonomy. However, the very federal intervention ITARA sought to minimize has delayed its implementation. Quinault believes in ITARA's promise and its ability to give tribes the authority to manage, protect, and utilize their natural resources for the benefit of their communities and the country as a whole. We respectfully urge the Subcommittee to support the actions outlined here and to champion tribal autonomy, resource stewardship, and economic independence.

Thank you for the opportunity to testify today.