

**TESTIMONY OF TRINA LOCKE**  
**DIRECTORATE OF ENVIRONMENTAL AND NATURAL RESOURCES**  
**BUREAU OF INDIAN AFFAIRS**  
**UNITED STATES DEPARTMENT OF THE INTERIOR**  
**BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS**  
**LEGISLATIVE HEARING**

S. 1508, Shivwits Band of Paiutes Jurisdictional Clarity Act  
S. 2735, Shingle Springs Band of Miwok Indians Land Transfer Act of 2025  
S.1513, Lower Elwha Klallam Tribe Project Lands Restoration Act  
S.236, A bill to amend the Act of August 9, 1955 (commonly known as the “Long-Term Leasing Act”), to authorize leases of up to 99 years for land in the Mashpee Wampanoag Tribe Reservation and land held in trust for the Wampanoag Tribe of Gay Head (Aquinnah), and for other purposes

**December 17, 2025**

Chairman Murkowski, Vice Chairman Schatz, and Members of the Committee, thank you for the opportunity to testify on behalf of the U.S. Department of the Interior (Department) regarding S. 1508, Shivwits Band of Paiutes Jurisdictional Clarity Act, S. 2735, Shingle Springs Band of Miwok Indians Land Transfer Act of 2025, S.1513, Lower Elwha Klallam Tribe Project Lands Restoration Act, and S.236, a bill to amend the Act of August 9, 1955 (commonly known as the “Long-Term Leasing Act”), to authorize leases of up to 99 years for land in the Mashpee Wampanoag Tribe Reservation and land held in trust for the Wampanoag Tribe of Gay Head (Aquinnah), and for other purposes. My name is Trina Locke, and I am the Directorate of Environmental and Natural Resources for the Bureau for Indian Affairs at the U.S. Department of the Interior (Department).

**S. 1508, Shivwits Band of Paiutes Jurisdictional Clarity Act**

S. 1508 confers jurisdiction on the State of Utah over certain civil cases involving the Shivwits Band of Paiutes (Band). This legislation will ensure the Shivwits Band and third-party businesses will have access to state and federal court forums to resolve contract disputes.

The legislation maintains the Band’s sovereign immunity unless the Band explicitly waives it. This protects the Band from unconsented lawsuits while allowing them to agree to Utah State court jurisdiction for contracts and agreements they participate in. This legislation also expands existing law so the Band can agree to leases of their lands for extended terms to provide the Band with more opportunities for economic development.

The Department takes no position on the grant of jurisdiction to the State of Utah. However, the Department supports the authority for the Band to enter into leases for 99 years. Tribal governments are in the best position to determine the duration of such leases in pursuit of economic development.

### **S. 2735, Shingle Springs Band of Miwok Indians Land Transfer Act of 2025**

S. 2735 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 S. 2735 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 S. 2735 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.

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.

### **S. 1513, Lower Elwha Klallam Tribe Project Lands Restoration Act**

S. 1513 would place approximately 1,082.63 acres of Federal lands managed by the National Park Service into trust for the benefit of the Lower Elwha Klallam Tribe and become part of the Tribe's existing reservation. The bill prohibits gaming on the land under the Indian Gaming Regulatory Act.

The parcels to be placed into trust were part of the Elwha Hydroelectric Project. The Elwha River Ecosystem and Fisheries Restoration Act granted the National Park Service jurisdiction of the lands and management of the excess lands is costly in administration, liability, resource management, and law enforcement. Sections of the lands that include the Elwha River must be managed in accordance with the Wild and Scenic Rivers Act with certain exceptions subject to the Elwha River Ecosystem and Fisheries Restoration Act.

The bill requires the Secretary of the Interior (Secretary) to conduct a survey to define the boundaries of the land taken into trust and gives the Secretary authority to correct minor errors

and make minor boundary adjustments consistent with the Bureau of Indian Affairs (BIA) defined procedures for transferring lands into trust status per 25 CFR Part 151. S. 1513 also ensures that the land transfer does not affect the treaty rights of the S'Klallams Indians under the Treaty of Point No Point.

Through its plenary authority, Congress can direct the Secretary 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 conveying these lands into trust for the Lower Elwha Klallam Tribe.

**S. 236, To amend the Act of August 9, 1955 (commonly known as the “Long-Term Leasing Act”), to authorize leases of up to 99 years for land in the Mashpee Wampanoag Tribe Reservation and land held in trust for the Wampanoag Tribe of Gay Head (Aquinnah), and for other purposes**

S. 236 would amend the Long-Term Leasing Act so that the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay Head (Aquinnah) can agree to leases of their lands for extended terms. This legislation would provide parity with other federally recognized tribes that already possess long-term leasing authority. The Department supports the authority for the Tribes to enter into leases for 99 years as tribal governments are in the best position to determine the duration of such leases.