

QUINULT INDIAN NATION LAND TRANSFER ACT

SEPTEMBER 15, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2389]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2389) to take certain land in the State of Washington into trust for the benefit of the Quinault Indian Nation, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2389 is to take certain land in the State of Washington into trust for the benefit of the Quinault Indian Nation, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

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.¹ The tribe has an estimated enrollment of 2,700 members.² Its reservation encompasses 208,150 acres of land.³

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.⁴ However, the Treaty of Olympia

¹ Tiller, Veronica E. Velarde. *Tiller's Guide to Indian Country: Economic Profiles of American Indian Reservations*. 3rd ed. Pg. 762.

² *Id.*

³ Quinault Indian Nation. *About Us*. <https://quinaultindiannation.com/171/About-Us>.

⁴ *Makah Indian Tribe v. Quileute Indian Tribe*. 873 F.3d 1157. (2017).

was dismissed with the passage of the General Allotment Act,⁵ and the Quinault Indian Nation found their lands separated into 2,340 80-acre allotments to individual members.⁶ 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.⁷ 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 \$60,000.⁸ 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.⁹ 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.¹⁰ Since then, the USFS has owned and managed Allotment 1157 on the Quinault Indian Nation’s reservation.¹¹

The Quinault Indian Nation has attempted to reacquire ownership of the land on their reservation for the benefit of their tribe. Currently, about 48 percent of the land has been reacquired, including the land adjacent to Allotment 1157.¹² The tribe has support to reacquire Allotment 1157 from local stakeholders¹³ and the federal government,¹⁴ and plans to use the land for heritage and cultural purposes.¹⁵ 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.¹⁶

COMMITTEE ACTION

H.R. 2389 was introduced on March 26, 2025, by Representative Emily Randall (D-WA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Indian and Insular Affairs. On April 30, 2025, the Subcommittee on Indian and Insular Affairs held a hearing on the bill. On June 25, 2025, the Committee on Natural Resources met to consider the bill. The Subcommittee on Indian and Insular Affairs was discharged from further consideration of H.R. 2389 by unanimous consent. The bill was ordered favorably reported to the House of Representatives by unanimous consent.

⁵ Act of February 8, 1887, Ch. 119, 24 Stat. 388.

⁶ Briefing Paper and Background on H.R. 9371, the *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

⁷ *Id.*

⁸ 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.

⁹ Briefing Paper and Background on H.R. 9371, the *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

¹⁰ *Id.*

¹¹ *Id.*

¹² Briefing Paper and Background on H.R. 9371, the *Quinault Indian Nation Land Transfer Act*. Sept. 2024. On file.

¹³ Jefferson County Board of Commissioners letter to President Capoean. August 5, 2024. On file.

¹⁴ 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.

¹⁵ *Id.*

¹⁶ 25 U.S.C. 2701 et seq.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Indian and Insular Affairs held on April 30, 2025.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the bill the “Quinault Indian Nation Land Transfer Act”.

Section 2. Land taken into trust for the benefit of the Quinault Indian Nation

Section 2 places the USFS parcel of land known as “Allotment 1157” into trust for the Quinault Indian Nation. Gaming, pursuant to the Indian Gaming Regulatory Act would be prohibited on the land placed into trust under this Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

H.R. 2389, Quinault Indian Nation Land Transfer Act			
As ordered reported by the House Committee on Natural Resources on June 25, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2389 would transfer approximately 72 acres of land in the state of Washington from the Forest Service to the Department of

the Interior (DOI). Under the bill, DOI would hold title to that land for the benefit of the Quinault Indian Nation. The bill also would prohibit certain types of gaming on that land. Using information from DOI, CBO estimates that the administrative costs to implement H.R. 2389 would not be significant; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Julia Aman. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

2. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to take certain land in the State of Washington into trust for the benefit of the Quinault Indian Nation, and for other purposes.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to the Congressional Budget Office, H.R. 2389 contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources,
H.R. 2389 would make no changes in existing law.

