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LEECH LAKE RESERVATION RESTORATION AMENDMENTS ACT OF 2025

OCTOBER 14, 2025.—Ordered to be printed

Ms. MURKOWSKI, from the Committee on Indian Affairs,
submitted the following

R E P O R T

[To accompany S. 622]

[Including cost estimate of the Congressional Budget Office]

The Committee on Indian Affairs, to which was referred the bill (S. 622) to amend the Leech Lake Band of Ojibwe Reservation Restoration Act to provide for the transfer of additional Federal land to the Leech Lake Band of Ojibwe, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

S. 622 would amend the *Leech Lake Band of Ojibwe Restoration Act* (Restoration Act)¹ to provide for the transfer of additional Forest Service lands located in the Chippewa National Forest in Cass County, Minnesota, to the Secretary of the Interior for the benefit of the Leech Lake Band of Ojibwe Indians.

BACKGROUND AND NEED

The Leech Lake Band of Ojibwe Indians (Tribe) is a federally-recognized Indian Tribe located in Minnesota whose original reservation was established by treaties and executive orders.² The original reservation was reduced in size, from 550,000 acres to 29,000

¹Pub. L. No. 116-255, 134 Stat. 1139 (2020).

²See Treaty of February 22, 1855 (10 Stat. 1165); Treaty of March 19, 1867 (16 Stat. 719); Executive Order of October 29, 1873; Executive Order of November 4, 1873; and Executive Order of and May 26, 1874.

acres,³ through a series of federal actions including the passage of the *Nelson Act of January 14, 1889*,⁴ the establishment of the Chippewa National Forest,⁵ and “a series of Secretarial transfers,” which were land transactions approved by the Department of the Interior (DOI) without the consent of the Tribe or affected individual Indian allottees. The Tribe and individual Indian allottees sought to restore the Secretarial transfer lands through litigation, however, their claims were time barred. The Tribe seeks legislation to carry out the restoration.

Enacted in 2020, the Restoration Act transferred approximately 11,760 acres of land in the Chippewa National Forest from the Department of Agriculture (USDA) to the DOI into trust status for the Tribe. These 11,760 acres were wrongfully transferred from the Tribe through Secretarial transfers in the 1950s. After passage, and pursuant to a survey required by the Restoration Act, the Bureau of Land Management conducted a detailed review of Chippewa National Forest land holdings within Cass County, Minnesota, and discovered an additional 4,362.21 acres were wrongfully transferred from the Tribe via these DOI Secretarial transfers.

S. 622 is therefore necessary to return the additional 4,362.21 acres and ensure prompt and efficient return of any subsequently identified acres back to the Tribe. In addition, some of the parcels wrongfully transferred in the 1940s and 1950s are now isolated and would result in highly fragmented in-holdings, and other identified parcels are unusable swamplands. To ensure the consolidation of both Chippewa National Forest and the Tribe’s reservation lands, and to avoid restoring lands that would be landlocked or otherwise unusable, the legislation also provides an authorization for acre-for-acre substitution of lands within the Chippewa National Forest in Cass County, Minnesota under certain conditions.

SUMMARY

S. 622 transfers additional Forest Service land located in the Chippewa National Forest, in Cass County, Minnesota, to be placed in trust by the Secretary of the Interior for the benefit of the Tribe. The bill would also authorize an acre-for-acre substitution of lands within the Chippewa National Forest in Cass County, Minnesota, pursuant to agreement between the USDA and Tribe, if the Tribe identifies certain parcels as unsuitable. These land transfers may occur on a rolling basis as land is identified and surveys are completed. The bill reaffirms the hunting, fishing, and recreation rights of non-Tribal members under the Restoration Act and its amendments.

LEGISLATIVE HISTORY

S. 622 was introduced by Senators Smith and Klobuchar on February 18, 2025. The Committee held a business meeting on March 5, 2025, to consider S. 622 and ordered the bill to be reported favorably, without amendment, by voice vote.

³*Legislative Hearing to receive Testimony on S. 616, S. 1898, and S. 1987 Before the S. Comm. on Indian Affairs*, 118th Cong. (2023) (statement of Lenny Fineday, Leech Lake Band of Ojibwe Indians).

⁴25 Stat. 642 (1889).

⁵Morris Act of 1902, 32 Stat. 400; Act of May 23, 1908, 35 Stat. 260.

In the 118th Congress, Senators Smith and Klobuchar introduced a similar bill, S. 616, on March 1, 2023. The Committee held a hearing on S. 616 on July 12, 2023 (S. Hrg. 118–225). On May 1, 2024, the Committee held a business meeting to consider S. 616 and ordered the bill to be reported favorably, with amendments, by voice vote (S. Rept. No. 118–225).

COMMITTEE RECOMMENDATION

The Senate Committee on Indian Affairs in an open business meeting on March 5, 2025, by a majority voice vote of a quorum present, recommends that the Senate pass S. 622, without amendment.

SECTION-BY-SECTION ANALYSIS

Section 1—Short title

This section provides the short title of the bill as the “Leech Lake Reservation Restoration Amendments Act of 2025.”

Section 2—Transfer of additional federal land

Section 2(a) removes the requirement that the Tribe keep returned lands in tax-exempt fee status as part of the Chippewa National Forest until the Tribe develops a plan for economic and residential development, and replaces with intention to not immediately modify the use of the federal land.

Section 2(b) amends section 2 of the Restoration Act to:

- Clarify the USDA Secretary’s authority to transfer to the DOI Secretary lands managed by the Forest Service in the Chippewa National Forest were sold without the unanimous consent of Tribal landowners, according to Bureau of Indian Affairs records;
- Require the USDA Secretary to substitute alternative National Forest System land located in Cass County, Minnesota to avoid in-holdings and to ensure consolidation of Tribal and Forest Service lands; and
- Provide that the USDA Secretary may transfer land to the DOI Secretary on a rolling basis pursuant to agreement between the USDA and the Tribe.

Section 2(c) reaffirms the hunting, fishing, and recreation rights of non-Tribal members remains unchanged by the Restoration Act and its amendments.

Section 2(d) requires the USDA to provide public engagement and comment in implementing this section.

COST AND BUDGETARY CONSIDERATIONS

S. 622, Leech Lake Reservation Restoration Amendments Act of 2025			
As ordered reported by the Senate Committee on Indian Affairs on March 5, 2025			
By Fiscal Year, Millions of Dollars	2025	2025-2030	2025-2035
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	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?	Yes
		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.			

S. 622 would amend the Leech Lake Band of Ojibwe Reservation Restoration Act to require the Department of Agriculture (USDA) to transfer to the Leech Lake Band of Ojibwe tribe certain federal land located in the Chippewa National Forest in Cass County, Minnesota. The Department of Agriculture would need to transfer land that federal records show was transferred by the Department of the Interior to USDA without the unanimous consent of the rightful landowners.

S. 622 would allow USDA to substitute other National Forest System land located in Cass County for land required to be transferred under the bill for one of the following reasons:

- To avoid inholdings, that is land that is completely surrounded by public land, or
- To transfer land that is adjacent to or near existing Leech Lake trust land and land of cultural importance to the tribe.

The bill would allow USDA to transfer land to the tribe on a rolling basis as the land is identified and surveyed.

Receipts generated from the sale of timber and minerals and the issuance of special use permits—for example, for recreational events—on federal land are recorded in the federal budget as offsetting receipts, that is, as reductions in direct spending. Under current law, some of those receipts are spent without further appropriation, which results in an offsetting increase in direct spending of a similar magnitude as the receipts.

CBO cannot determine which parcels of land would be transferred under the bill and whether those parcels would include timber and mineral rights or special use authorizations. However, CBO expects that any loss of receipts from the land transfers would increase net direct spending by a negligible amount over the 2025–2035 period.

In addition, the Secretary of Agriculture would need to provide for public engagement and comment. Based on the cost of similar activities, CBO estimates that public comment, as well as any other administrative costs for USDA to implement S. 622 would be

insignificant. Any related spending would be subject to the availability of appropriated funds.

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

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

REGULATORY AND PAPERWORK IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires each report accompanying a bill to evaluate the regulatory and paperwork impact that would be incurred in carrying out the bill. The Committee believes that S. 622, as reported, will have minimal impact on regulatory or paperwork requirements.

EXECUTIVE TESTIMONY AND COMMUNICATIONS

The testimony provided by the Forest Service, U.S. Department of Agriculture from the July 12, 2023, hearing on S. 616 follows:

STATEMENT OF JOHN CROCKETT, ASSOCIATE DEPUTY CHIEF,
STATE, PRIVATE, AND TRIBAL FORESTRY, FOREST SERVICE,
U.S. DEPARTMENT OF AGRICULTURE

Chairman Schatz, Vice-Chair Murkowski, and Members of the Committee, thank you for the opportunity to appear before you today to discuss the views of the U.S. Department of Agriculture on bills that include provisions related to the USDA Forest Service.

S. 616, “Leech Lake Reservation Restoration Technical Corrections Act of 2023”

Following the passage of the Leech Lake Band of Ojibwe Reservation Restoration Act, the U.S. Department of Agriculture (USDA) Forest Service has been working closely with the Leech Lake Band of Ojibwe. In the early stages of implementation of the Act, the Forest Service and the U.S. Department of the Interior (DOI) identified additional lands that had been wrongfully transferred from the Band and its members to the Chippewa National Forest. S. 616, the Leech Lake Reservation Restoration Technical Corrections Act of 2023, would amend the Leech Lake Band of Ojibwe Reservation Restoration Act to address the wrongful transfer of lands from the DOI to the USDA for inclusion as a part of the Chippewa National Forest.

The bill would direct the USDA to transfer specified land in the Chippewa National Forest to the Leech Lake Band of Ojibwe—specifically land that was sold without the consent of a majority of the rightful landowners, according to records maintained by the Bureau of Indian Affairs. Upon agreement between the USDA and the tribe, the Department would substitute alternative National Forest System land located in Cass County, Minnesota, on an acre-for-acre basis, for those parcels of federal land to be transferred that are found to be unsuitable for the future uses of the tribe. The bill would further allow the USDA

to transfer land to the tribe on a rolling basis as that land is identified and surveys are completed. Any such agreement, and any transfer of land made pursuant to such agreement, would be considered a final agency action.

The technical amendments in S. 616 would address the newly identified acreage not included in the original legislation. The USDA appreciates and supports the intent of the Leech Lake Reservation Restoration Technical Corrections Act of 2023.

CHANGES IN EXISTING LAW

In the opinion of the Committee, it is necessary to dispense with the requirements of subsection 12 of rule XXVI of the Standing Rules of the Senate to expedite business of the Senate.

