

**TESTIMONY of
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STATE, PRIVATE, AND TRIBAL FORESTRY
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE**

**BEFORE THE
UNITED STATES SENATE
COMMITTEE ON INDIAN AFFAIRS**

July 12, 2023

Concerning

**S. 616, the Leech Lake Reservation Restoration Technical Corrections Act of 2023
S. 1987, a bill to provide for the settlement of water rights claims of the Fort Belknap
Indian Community, and for other purposes.**

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.

S. 1987, “A bill to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, and for other purposes”

S. 1987, a bill to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, and for other purposes, modifies and ratifies a water rights compact among the State of Montana, and the Fort Belknap Indian Community, which consists of the Gros Ventre and Assiniboine Tribes (Tribes) of the Fort Belknap Reservation of Montana. Among other things, it requires the Tribe's water rights to be held in trust for the benefit of the Tribes and their allottees, and it directs DOI and USDA to negotiate with the State of Montana for the exchange of specified parcels of state land located on and off the Reservation as well as for DOI to hold received land in trust for the benefit of the Tribes.

USDA, and other agencies within USDA, support the broad goals of this legislation and stand ready to work with the bill sponsors, the Committee, and implementing agencies to provide additional technical assistance on the legislation to ensure no unintended consequences related to all USDA equities prior to further consideration before the committee and the full Senate.

That concludes my testimony. Thank you for the opportunity to testify. I am happy to answer any questions the Committee may have for me.