

## Union Calendar No.

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1240

[Report No. 118-]

To transfer administrative jurisdiction of certain Federal lands from the Army Corps of Engineers to the Bureau of Indian Affairs, to take such lands into trust for the Winnebago Tribe of Nebraska, and for other purposes.

---

### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2023

Mr. FEENSTRA (for himself, Mr. FLOOD, Mr. NUNN of Iowa, Ms. DAVIDS of Kansas, and Mr. SMITH of Nebraska) introduced the following bill; which was referred to the Committee on Natural Resources

JUNE --, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 28, 2023]

# **A BILL**

To transfer administrative jurisdiction of certain Federal lands from the Army Corps of Engineers to the Bureau of Indian Affairs, to take such lands into trust for the Winnebago Tribe of Nebraska, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        *This Act may be cited as the “Winnebago Land Trans-*  
5 *fer Act of 2023”.*

6 **SEC. 2. LAND TO BE TAKEN INTO TRUST.**

7        *(a) IN GENERAL.—Subject to all valid existing rights,*  
8 *all right, title, and interest (including improvements and*  
9 *appurtenances) of the United States in and to the Federal*  
10 *lands described in subsection (b), those Federal lands—*

11            *(1) are declared to be part of the Winnebago Res-*  
12 *ervation created by the Treaty between the United*  
13 *States and the Winnebago Tribe in 1865; and*

14            *(2) shall be held in trust by the United States for*  
15 *the benefit of the Winnebago Tribe of Nebraska subject*  
16 *to the same terms and conditions as those lands de-*  
17 *scribed in the Treaty with the Winnebago Tribe, 1865*  
18 *(14 Stat. 671).*

19        *(b) FEDERAL LANDS DESCRIBED.—The Federal lands*  
20 *described in this subsection are the following:*

21            *(1) That portion of Tract No. 119, the descrip-*  
22 *tion of which is filed in the United States District*  
23 *Court for the Northern District of Iowa (Western Di-*  
24 *vision), Civil Case No. 70–C–3015–W, executed May*  
25 *11, 1973, said tract being situated in Section 8 and*

1        *the accretion land thereto, the Southwest Quarter of*  
2        *Section 9, the West Half of Section 16, the East Half*  
3        *of Section 17, Township 86 North, Range 47 West of*  
4        *the Fifth Principal Meridian, Woodbury County,*  
5        *Iowa, lying Easterly of the Nebraska/Iowa State Line*  
6        *and Southerly of the Easterly extension of the North*  
7        *line of the Winnebago Reservation.*

8                *(2) Tract No. 210, as described in Schedule “A”*  
9                *of the “Declaration of Taking, Legal Description of*  
10                *Tract 210 and Judgment on Stipulation and Order*  
11                *of Distribution”, filed in the United States District*  
12                *Court for the Northern District of Iowa (Western Di-*  
13                *vision), Civil Case No. 70–C–3015–W.*

14                *(3) Tract No. 113, as described in the “Judgment*  
15                *on Declaration of Taking and Legal Description of*  
16                *Tract 113”, filed in the United States District Court*  
17                *for the District of Nebraska, Civ. No. 03498.*

18                *(c) GAMING PROHIBITION.—Class II and class III*  
19                *gaming under the Indian Gaming Regulatory Act (25*  
20                *U.S.C. 2701 et seq.) shall not be allowed at any time on*  
21                *the land taken into trust under subsection (a).*