An aerial photograph of a wide river flowing through a dense, green forest. The river is light blue and has some white rapids. The surrounding land is covered in thick trees and some open areas. The text is overlaid on the center of the image.

# H.R. 1240 - S. 3230 WINNEBAGO LAND TRANSFER ACT OF 2023

## Overview

Updated December 2023



**WHAT**

**WHEN**

**WHY**

# WHAT

The Winnebago Tribe seeks the return of nearly 1600 acres of land that was illegally condemned in 1970 by the U.S. Army Corp of Engineers.  
Return of the land requires congressional action.

The land is located on the Iowa side of the Missouri River and was part of the Tribe's reservation, established by a Treaty with the United States in 1865.

The Winnebago Land Transfer Act is pending in Congress and has bipartisan support and co-sponsors from Iowa, Nebraska and Kansas.

**WHEN**

**WHY**

# WHEN

The Winnebago Land Transfer Act of 2023 was introduced in the U.S. House of Representatives on February 28, 2023, and in the U.S. Senate on November 6, 2023.

A hearing on the House bill was held on June 7, 2023, before the House Natural Resources Subcommittee on Indian and Insular Affairs and the bill was passed out of the Committee.

The Senate bill has been referred to the Senate Committee on Indian Affairs. All the bill sponsors have requested that the Committee schedule a hearing on the bill as soon as possible.

After the House and Senate vote affirmatively on the bill, it will be sent to the President for signature.

WHAT

WHY

WHAT

WHEN

# WHY

Tribe has been working continuously for return of these lands for over 50 years.

The land was promised to the Tribe by treaty **forever**. The United States should honor the Treaty and right this wrong.

The land was not developed and is under a license agreement with the Iowa DNR, which includes a provision anticipating return of the land to the Tribe.

The land was taken illegally by the Army Corp and should be returned to the Tribe.

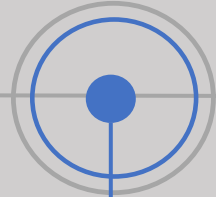
# LITIGATION HISTORY



# LITIGATION TIMELINE

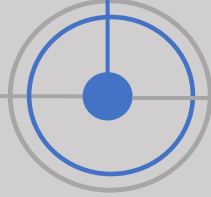
Two separate condemnation actions brought by Army Corps against Winnebago Tribe, one in Iowa and one in Nebraska

**1865**



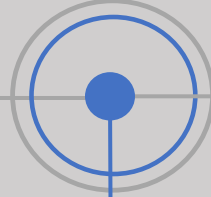
Winnebago Indian Reservation established by Treaty

**1970**



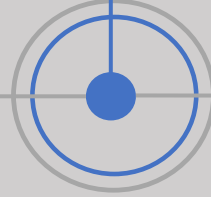
NE Dist. Ct. rules in favor of condemnation

**1970**



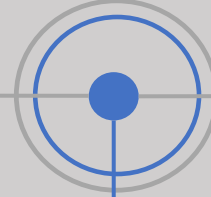
IA Dist. Ct. rules in favor of condemnation

**1971**



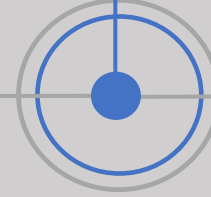
Attorney agrees to Iowa stipulation WITHOUT tribal authorization

**1973**



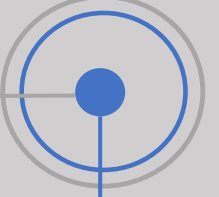
On appeal, 8<sup>th</sup> Circuit finds Nebraska condemnation illegal

**1976**



On appeal, 8<sup>th</sup> Circuit finds Iowa condemnation illegal but Court does not have authority to return the land due to *res judicata*

**1985**



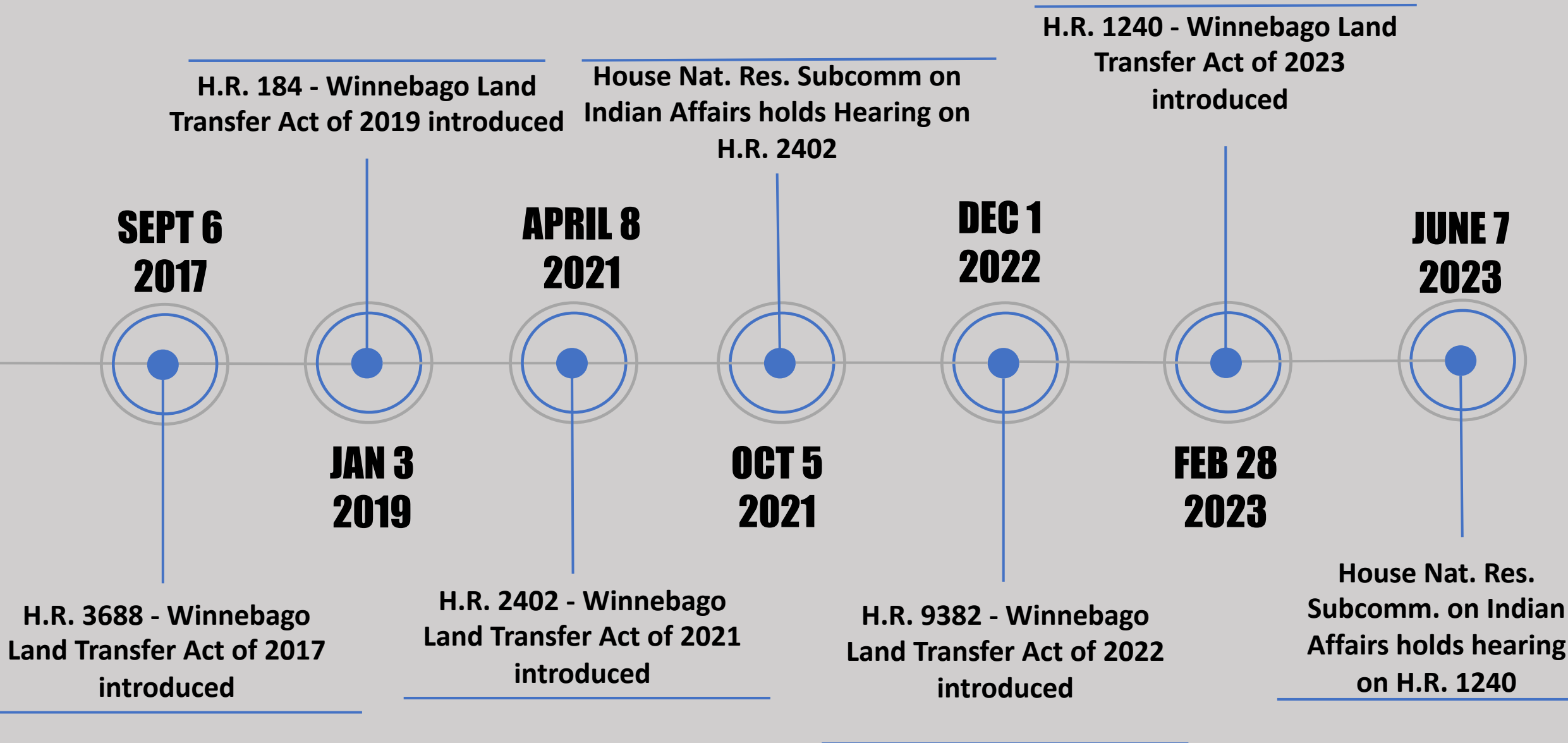


# LEGISLATIVE HISTORY





# LEGISLATIVE TIMELINE

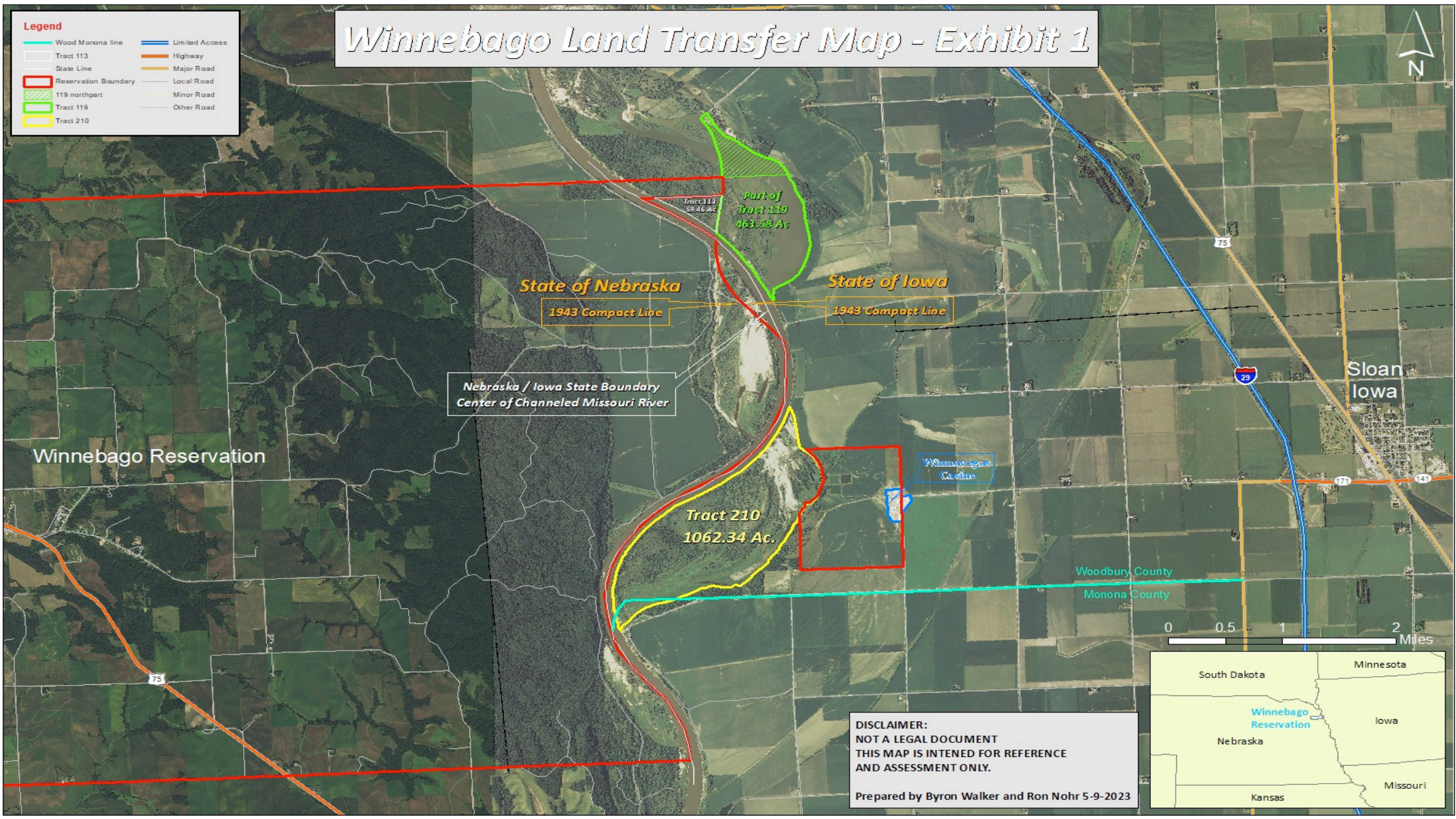




# Winnebago Land Transfer Map - Exhibit 1

**Legend**

Wood Monona line	Limited Access
Tract 113	Highway
State Line	Major Road
Reservation Boundary	Local Road
119 northpart	Minor Road
Tract 119	Other Road
Tract 210	



Nebraska / Iowa State Boundary  
Center of Channeled Missouri River

State of Nebraska  
1943 Compact Line

State of Iowa  
1943 Compact Line

Tract 210  
1062.34 Ac.

Tract 113  
59.46 Ac

Part of  
Tract 119  
463.58 Ac

Without regard  
to Cashtan

Woodbury County  
Monona County



**DISCLAIMER:**  
NOT A LEGAL DOCUMENT  
THIS MAP IS INTENDED FOR REFERENCE  
AND ASSESSMENT ONLY.  
  
Prepared by Byron Walker and Ron Nohr 5-9-2023

Winnebago Reservation


Sloan  
Iowa



TRACT

210



An aerial photograph showing a wide river curving through a landscape. The river is light blue and flows from the top center towards the right. The banks are lined with dense green trees. In the foreground, there is a large area of cleared land with scattered trees and patches of bare earth. In the background, there are large green agricultural fields. A white rounded rectangle with a thin border is overlaid on the left side of the image, containing text.

**TRACT 210**  
**APPROX: 1062**  
**ACRES**



TRACT

119 & 113



An aerial photograph showing a wide river on the left side, curving towards the top left. The riverbank is lined with a dense forest of green trees. To the right of the forest is a large, open grassy field with scattered trees and patches of bare earth. In the far distance, a large industrial facility with several tall smokestacks is visible against a clear blue sky. Two white rounded rectangular callout boxes with black text are overlaid on the image. The first callout box is positioned over the forest area, and the second is positioned over the grassy field area.

### TRACT 113

- Approx: 59 Acres
- Landlocked by 119, the river and existing tribal land

### South portion of TRACT 119

- Approx: 463 Acres
- Aligns with northern boundary of reservation



***Pinagigi!***

**The Winnebago Tribe  
appreciates your support!**