

118TH CONGRESS
2D SESSION

S. 5287

To take certain Federal land in the State of Washington into trust for
the Lower Elwha Klallam Tribe, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Ms. CANTWELL (for herself and Mrs. MURRAY) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To take certain Federal land in the State of Washington
into trust for the Lower Elwha Klallam Tribe, 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 “Lower Elwha Klallam
5 Tribe Project Lands Restoration Act”.

6 **SEC. 2. LAND TAKEN INTO TRUST FOR THE LOWER ELWHA**
7 **KLALLAM TRIBE.**

8 (a) DEFINITIONS.—In this section:

9 (1) RESERVATION.—The term “Reservation”
10 means the Lower Elwha Indian Reservation, also

1 known as the Lower Elwha Reservation, located in
2 the State of Washington.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (3) TRIBE.—The term “Tribe” means the
6 Lower Elwha Tribal Community, also known as the
7 Lower Elwha Klallam Tribe, located in the State of
8 Washington.

9 (b) LAND HELD IN TRUST.—

10 (1) IN GENERAL.—Subject to all valid existing
11 rights of the United States, the approximately
12 1,082.63 acres of Federal land generally depicted as
13 “NPS Parcels to be Transferred to Tribe” on the
14 map entitled “Olympic National Park Proposed
15 Transfer of Elwha Lands”, numbered 149/178020,
16 and dated December 2021, is hereby taken into and
17 held in trust by the United States for the benefit of
18 the Tribe.

19 (2) INCLUSION IN RESERVATION.—The land
20 taken into trust under paragraph (1) shall be part
21 of the Reservation.

22 (3) LAW APPLICABLE TO CERTAIN LAND.—The
23 land taken into trust under paragraph (1) shall not
24 be subject to any requirements for valuation, ap-
25 praisal, or equalization under any Federal law.

1 (c) LAND MANAGEMENT.—Of the land taken into
 2 and held in trust under subsection (b)(1), the portion of
 3 the Elwha River subject to section 3(c)(3) of the Elwha
 4 River Ecosystem and Fisheries Restoration Act (Public
 5 Law 102–495; 106 Stat. 3175) shall be managed in ac-
 6 cordance with subsection (b) of the first section of the
 7 Wild and Scenic Rivers Act (16 U.S.C. 1271), except for
 8 necessary modifications under section 3(c)(3) of the Elwha
 9 River Ecosystem and Fisheries Restoration Act (Public
 10 Law 102–495; 106 Stat. 3175).

11 (d) MAP AND SURVEY.—

12 (1) BOUNDARY ADJUSTMENT; SURVEY.—As
 13 soon as practicable after the date of enactment of
 14 this Act, the Secretary shall conduct a survey to de-
 15 fine the boundaries of the land taken into and held
 16 in trust under subsection (b)(1).

17 (2) ADJUSTMENTS.—The Secretary may—

18 (A) make minor boundary adjustments to
 19 the land taken into and held in trust under sub-
 20 section (b)(1); and

21 (B) correct any minor errors in any map,
 22 acreage estimate, or description of that land.

23 (e) GAMING PROHIBITION.—No land taken into and
 24 held in trust for the benefit of the Tribe under this section

1 shall be considered Indian lands for the purpose of the
2 Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

3 **SEC. 3. NO IMPACT ON TREATY RIGHTS.**

4 Nothing in this Act affects treaty rights under the
5 Treaty between the United States of America and the
6 S’Klallams Indians, concluded at Point no Point, Wash-
7 ington Territory, January 26, 1855 (12 Stat. 933) (com-
8 monly known as the “Treaty of Point No Point”).

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