

Calendar No. 517

118TH CONGRESS
2D SESSION**S. 616****[Report No. 118–225]**

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.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2023

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

SEPTEMBER 18, 2024

Reported by Mr. SCHATZ, with amendments

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the Leech Lake Reservation
3 Restoration ~~Technical Corrections~~ *Amendments* Act of
4 2023.

5 **SEC. 2. TRANSFER OF ADDITIONAL FEDERAL LAND.**

6 (a) FINDINGS.—Section 2(a)(5) of the Leech Lake
7 Band of Ojibwe Reservation Restoration Act (Public Law
8 116–255; 134 Stat. 1140) is amended by striking sub-
9 paragraph (B) and inserting the following:

10 “(B) does not intend immediately to mod-
11 ify the use of the Federal land.”.

12 (b) INCLUSION OF ADDITIONAL FEDERAL LAND.—
13 Section 2 of the Leech Lake Band of Ojibwe Reservation
14 Restoration Act (Public Law 116–255; 134 Stat. 1139)
15 is amended—

16 (1) in subsection (b)(1)—

17 (A) in subparagraph (A)—

18 (i) by striking “means the approxi-
19 mately” and inserting “means—

20 “(i) the approximately”;

21 (ii) in clause (i) (as so designated), by
22 striking the period at the end and inserting
23 “; and”; and

24 (iii) by adding at the end the fol-
25 lowing:

“(ii) any other land managed by the Secretary, through the Chief of the Forest Service, located in the Chippewa National Forest in Cass County, Minnesota, which records maintained by the Bureau of Indian Affairs show was sold without the ~~consent of a majority~~ *unanimous consent* of the rightful landowners.”; and

(B) in subparagraph (B)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

“(i) any land transferred pursuant to an agreement entered into between the Secretary and the Tribe under subsection (c)(2);”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) AGREEMENT.—

“(A) IN GENERAL.—On agreement between the Secretary and the Tribe, the Secretary shall substitute, for purposes of the transfer under paragraph (1), 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 under that paragraph ~~that are found to be unsuitable for the future uses of the Tribe~~ *in a manner that avoids in-holdings and provides a preference for land adjacent to or near existing Leech Lake trust lands and lands of cultural importance to the Tribe, to the maximum extent practicable.*

“(B) FREQUENCY OF TRANSFERS.—Pursuant to an agreement entered into under subparagraph (A), the Secretary may transfer land to the ~~Tribe~~ *Secretary of the Interior* on a rolling basis as that land is *identified and surveys are completed.*”; ~~and identified and surveys are completed.~~

1 “(C) ~~FINAL AGENCY ACTION.~~—An agree-
 2 ment described in subparagraph (A), and any
 3 transfer of land made pursuant to an agree-
 4 ment entered into under that subparagraph,
 5 shall be considered a final agency action under
 6 subchapter II of chapter 5, and chapter 7, of
 7 title 5, United States Code.”; and

8 (3) in subsection (d)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A), by inserting
 11 “described in subsection (b)(1)(A)(i)” after
 12 “Federal land”; and

13 (ii) in subparagraph (B), by striking
 14 “submit a map and legal description of the
 15 Federal land” and inserting “submit maps
 16 and legal descriptions of the Federal land
 17 transferred pursuant to paragraphs (1)
 18 and (2) of subsection (c), as applicable,”;

19 (B) in paragraph (2)—

20 (i) by striking “map and legal descrip-
 21 tion” and inserting “maps and legal de-
 22 scriptions”; and

23 (ii) by striking “map or legal descrip-
 24 tion” and inserting “maps or legal descrip-
 25 tions”; and

- 1 (C) in paragraph (3), by striking “map
- 2 and legal description” and inserting “maps and
- 3 legal descriptions”.

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