

**Testimony of Sylvia Miller, Vice-Chairwoman  
Puyallup Tribe of Indians  
On the  
Puyallup Tribe of Indians Land into Trust Confirmation Act, S. 382  
Before the  
Senate Committee on Indian Affairs  
May 3, 2023**

Good afternoon, my name is Sylvia Miller. I am the Vice-Chairwoman of the Puyallup Tribe of Indians. I would like to thank Chairman Schatz and Ranking Member Senator Murkowski for the opportunity to present this testimony on S. 382. I would also like to thank Senator Cantwell for her tireless work on behalf of Indian country generally and on S. 382 specifically.

The Puyallup Tribe is a federally recognized Tribe located in Pierce County, Washington along the shores of Commencement Bay, a large inlet of Puget Sound. The Tribe is a signatory to the Treaty of Medicine Creek, Dec. 26, 1854, 10 Stat. 1132. Under this Treaty, the Tribe reserved the lands for its Reservation, which was established by two subsequent Executive Orders. Exec. Order Jan. 20, 1857; and Exec. Order Sept. 6, 1873. Pursuant to the Treaty, the Puyallup Tribe secured its approximately 20,000-acre Reservation, which was to be a permanent homeland for our Tribe and its people. However, the ink had barely dried on the Treaty and the Executive Orders when concerted efforts were undertaken to take the Tribe's lands. Over the next fifty years after the Treaty, most of the land within our Reservation was taken as a result of spurious Acts of Congress, illegal sales of reservation land, and outright theft. *See* H.R. Rep. No. 101-57, at 3 (1989).

Despite these land takings, in 1983, the Tribe's title to the bed of the Puyallup River and adjacent exposed lands, including lands within the Port of Tacoma, was confirmed by the federal court. *Puyallup Tribe v. Port of Tacoma*, 717 F.2d 1251 (9th Cir. 1983). This decision gave rise to an historic Settlement Agreement between twelve parties including the Tribe, the City of Tacoma, the Port of Tacoma, the State of Washington, and the Federal Government, which was enacted by Congress. *Puyallup Tribe of Indians Settlement Act of 1989*, Pub. L. 101-41 (1989). The Settlement Act restored to the Tribe nearly 1,000 acres of land, including lands within the Port of Tacoma. Today, the Puyallup Reservation consists of approximately 28 square miles in Pierce County, Washington, and includes parts of six cities including the cities of Tacoma, Fife, Puyallup, and Milton. Unfortunately, only 1,252.7 acres of the Tribe's Reservation land is held in federal trust by the United States for the Tribe and its members.

Thus, the recent history of the Puyallup Tribe is in large measure a history of a people struggling to overcome the adverse effects of the loss of most of our lands. Having

suffered for generations from the loss of lands caused by the federal government, the Tribe's top priority is restoring our homelands, in particular land that is along Commencement Bay and the Blair Waterway.

Our efforts to restore our homeland to trust is complicated by the fact that the City of Tacoma was the location of multiple kinds of industrial activities, including timber mills and a copper smelter, that took place throughout the 20<sup>th</sup> Century. Thus, most of the Tribe's territory is contaminated by legacy pollution, which means that while the land is now cleaned up to federal and state standards, there remains some measure of the contaminants that can still be detected. I would like to include for the record of this hearing letter on this issue from Assistant Secretary Newland to Chairman Sterud. This is one reason why this legislation is needed as it will allow us to begin to heal the wounds of the 19<sup>th</sup> century and have our land fully protected by trust status.

S. 382 concerns approximately 17.2 acres of land that will restore the Tribe's place along Commencement Bay, as well as expand the Tribe's presence along the Blair Waterway. The Tribe's acquisition of these lands was historic. But restoring these lands to federally protected trust status will be monumental. It will help correct some of the many wrongs that the United States inflicted on the Puyallup Tribe. This legislation is supported by the City of Tacoma, the Port of Tacoma, Pierce County, and the State of Washington. The Tribe has worked to build relationships with these stakeholders. I would like to include these letters in the record of this hearing.

Our plans for these lands are exciting. The property along the Blair Waterway is a critical component of fulfilling the promise of the Puyallup Land Settlement, which recognized the Tribe's right to engage in foreign trade. These lands are adjacent to our existing Settlement Act trust land which is designated a Foreign Trade Zone. By adding these lands in the Port, the Tribe is well positioned to develop a 21<sup>st</sup> century shipping terminal that will help address the backlog facing our Nation's ports. The placing of this land into trust will make this land the first international tribal trade center in modern times.

The property along Commencement Bay will be the first Puyallup Trust land along these sacred waters in more than 100 years. On this property we are planning a first of its kind Northwest Indigenous/internationally inspired restaurant, which will introduce the food of my people to people from around the world. Celebrated Chef Roy Yamaguchi is our partner in this exciting venture. We are also proud to be working with key stakeholders, including Kenmore Air, to bring a seaplane terminal to these lands. This will be the first seaplane terminal in the south Puget Sound. This terminal will further open the beautiful Puget Sound to visitors from around the country and around the world.

We are so excited about these opportunities, but it is the restoration of these lands to Tribal trust status that means the most to us. We lost so much of our land. It is the Tribal Council's primary goal to restore as much as we can in our lifetime. By doing this, we are fulfilling the hopes of our ancestors when they signed the Treaty that reserved these lands as our permanent homelands.

I again want to thank the Committee and the Washington State Senators for your tireless work on behalf of the Puyallup Tribe and all of Indian country. I am happy to answer any questions that you might have.