

## Union Calendar No.

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

# H. R. 2839

[Report No. 118-]

To amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2023

Ms. HOYLE of Oregon (for herself, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. CHAVEZ-DEREMER, and Ms. SALINAS) introduced the following bill; which was referred to the Committee on Natural Resources

JULY --, 2023

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

# **A BILL**

To amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, 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. SILETZ RESERVATION ACT AMENDMENT.**

4 Section 4 of Public Law 96–340 (commonly known  
5 as the “Siletz Reservation Act”) (94 Stat. 1074) is  
6 amended to read as follows:

7 **“SEC. 4. HUNTING, FISHING, TRAPPING, AND ANIMAL GATH-**  
8 **ERING.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) CONSENT DECREE.—The term ‘Consent  
11 Decree’ means the final judgment and decree of the  
12 United States District Court for the District of Or-  
13 egon, in the action entitled ‘Confederated Tribes of  
14 Siletz Indians of Oregon against State of Oregon’,  
15 entered on May 2, 1980.

16 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’  
17 has the meaning given the term in section 4 of the  
18 Indian Self-Determination and Education Assistance  
19 Act (25 U.S.C. 5304).

20 “(3) SILETZ AGREEMENT.—The term ‘Siletz  
21 Agreement’ means the agreement entitled ‘Agree-  
22 ment Among the State of Oregon, the United States  
23 of America and the Confederated Tribes of the Siletz  
24 Indians of Oregon to Permanently Define Tribal  
25 Hunting, Fishing, Trapping, and Gathering Rights

1 of the Siletz Tribe and its Members’ and entered  
2 into by the United States on April 22, 1980.

3 “(b) HUNTING, FISHING, TRAPPING, AND ANIMAL  
4 GATHERING AGREEMENTS.—

5 “(1) IN GENERAL.—The Siletz Agreement shall  
6 remain in effect until and unless replaced, amended,  
7 or otherwise modified by 1 or more successor gov-  
8 ernment-to-government agreements between the  
9 Confederated Tribes of Siletz Indians and the State  
10 of Oregon relating to the hunting, fishing, trapping,  
11 and animal gathering rights of the Confederated  
12 Tribes of Siletz Indians.

13 “(2) AMENDMENTS.—The Siletz Agreement or  
14 any successor agreement entered into under para-  
15 graph (1) may be amended from time to time by  
16 mutual consent of the Confederated Tribes of Siletz  
17 Indians and the State of Oregon.

18 “(3) CONTENTS OF NEW AGREEMENT OR  
19 AMENDMENTS.—The Siletz Agreement or any suc-  
20 cessor agreement entered into under paragraph (1)  
21 shall not provide for exclusive or primary Siletz take  
22 opportunity outside the exterior boundaries of the  
23 1855 Executive Order Siletz Coast Reservation (as  
24 described in section 7(f)(1)(A) of the Siletz Tribe  
25 Indian Restoration Act (Public Law 95–195; 91

1 Stat. 1418; 130 Stat. 1364)) relative to any other  
2 federally recognized Indian Tribe, and shall not pro-  
3 vide for new or expanded take of fishery resources  
4 in the Columbia River or in the Willamette River  
5 from its mouth to the top of Willamette Falls.

6 “(c) JUDICIAL REVIEW.—In any action brought in  
7 the United States District Court for the District of Or-  
8 egon to rescind, overturn, modify, or provide relief under  
9 Federal law from the Consent Decree, the United States  
10 District Court for the District of Oregon shall review the  
11 application of the parties on the merits without regard to  
12 the defense of res judicata or collateral estoppel.

13 “(d) EFFECT.—Nothing in this section enlarges, con-  
14 firms, adjudicates, affects, or modifies any treaty or other  
15 right of an Indian Tribe.”