

112TH CONGRESS
1ST SESSION

S. 908

To provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon.

IN THE SENATE OF THE UNITED STATES

MAY 5, 2011

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon.

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. TREATMENT OF CERTAIN PROPERTY OF THE**

4 **SILETZ TRIBE OF THE STATE OF OREGON.**

5 Section 7 of the Siletz Tribe Indian Restoration Act
6 (25 U.S.C. 711e) is amended by adding at the end the
7 following:

8 “(f) TREATMENT OF CERTAIN PROPERTY.—

9 “(1) IN GENERAL.—The Secretary may accept
10 title to any additional number of acres of real prop-

1 erty located within the boundaries of the original
 2 1855 Siletz Coast Reservation established by Execu-
 3 tive Order dated November 9, 1855, comprised of
 4 land within the political boundaries of Benton,
 5 Douglas, Lane, Lincoln, Tillamook, and Yamhill
 6 Counties in the State of Oregon, if that real prop-
 7 erty is conveyed or otherwise transferred to the
 8 United States by or on behalf of the tribe.

9 “(2) TREATMENT AS PART OF RESERVATION.—

10 Subject to paragraph (3), all real property that is
 11 taken into trust under paragraph (1) shall—

12 “(A) be considered and evaluated as an on-
 13 reservation acquisition under part 151.10 of
 14 title 25, Code of Federal Regulations (or suc-
 15 cessor regulations); and

16 “(B) become part of the reservation of the
 17 tribe.

18 “(3) APPROVAL OF COUNTY GOVERNMENTS.—

19 “(A) DEFINITION OF COUNTY.—In this
 20 paragraph, the term ‘County’ means the fol-
 21 lowing counties in the State of Oregon:

22 “(i) Benton County.

23 “(ii) Douglas County.

24 “(iii) Lane County.

25 “(iv) Lincoln County.

1 “(v) Tillamook County.

2 “(vi) Yamhill County.

3 “(B) NOTIFICATION TO SECRETARY.—

4 “(i) OPT-IN.—

5 “(I) IN GENERAL.—Subject to
6 clause (iii), any real property taken
7 into trust under this subsection shall
8 be considered and evaluated as an on-
9 reservation acquisition under part
10 151.10 of title 25, Code of Federal
11 Regulations (or successor regulations),
12 if the Board of County Commissioners
13 or other appropriate County executive
14 of the County in which the real prop-
15 erty is located submits to the Sec-
16 retary written approval of that consid-
17 eration and evaluation in the form of
18 a resolution or other appropriate gov-
19 erning document.

20 “(II) ACTION BY SECRETARY.—If
21 a Board of County Commissioners or
22 other appropriate County executive
23 submits written approval to the Sec-
24 retary under subclause (I), the Sec-
25 retary shall consider and evaluate in

1 accordance with subclause (I) any real
2 property taken into trust in that
3 County under this subsection by not
4 later than 30 days after the date on
5 which the Secretary receives the writ-
6 ten approval.

7 “(ii) OTHER ACQUISITIONS.—If a
8 Board of County Commissioners or other
9 appropriate County executive does not sub-
10 mit written approval to the Secretary
11 under subclause (I), any real property
12 taken into trust in that County under this
13 subsection shall be considered and evalu-
14 ated under the appropriate provisions of
15 part 151 of title 25, Code of Federal Regu-
16 lations (or successor regulations), as deter-
17 mined by the Secretary.

18 “(iii) OPT-OUT.—

19 “(I) IN GENERAL.—A Board of
20 County Commissioners or other ap-
21 propriate County executive that sub-
22 mits written approval to the Secretary
23 under clause (i)(I) may revoke that
24 approval by submitting to the Sec-
25 retary written documentation of the

1 revocation in the form of a resolution
2 or other appropriate governing docu-
3 ment for—

4 “(aa) any real property
5 taken into trust in that County
6 under this subsection; or

7 “(bb) a specific transaction
8 in which real property is taken
9 into trust in that County under
10 this subsection.

11 “(II) NO RETROACTIVITY.—Any
12 revocation submitted under subclause
13 (I) shall apply only to real property
14 that is taken into trust on or after the
15 date on which the Secretary receives
16 the revocation.

17 “(III) ACTION BY SECRETARY.—

18 “(aa) IN GENERAL.—If a
19 Board of County Commissioners
20 or other appropriate County ex-
21 ecutive submits a revocation to
22 the Secretary under subclause
23 (I)(aa), the Secretary shall con-
24 sider and evaluate any real prop-
25 erty taken into trust in that

1 County under the appropriate
2 provisions of part 151 of title 25,
3 Code of Federal Regulations (or
4 successor regulations), as deter-
5 mined by the Secretary, by not
6 later than 30 days after the date
7 on which the Secretary receives
8 the revocation.

9 “(bb) SPECIFIC TRANS-
10 ACTIONS.—If a Board of County
11 Commissioners or other appro-
12 priate County executive submits
13 a revocation to the Secretary
14 under subclause (I)(bb), the Sec-
15 retary shall consider and evaluate
16 that specific transaction in which
17 real property is taken into trust
18 in that County under this sub-
19 section under the appropriate
20 provisions of part 151 of title 25,
21 Code of Federal Regulations (or
22 successor regulations), as deter-
23 mined by the Secretary, begin-
24 ning on the date on which the
25 Secretary receives the revocation.

1 “(4) PROHIBITION ON GAMING.—Any real prop-
2 erty taken into trust under paragraph (1) shall not
3 be eligible, or used, for any gaming activity carried
4 out under the Indian Gaming Regulatory Act (25
5 U.S.C.A. 2701 et seq.).”

○