

117TH CONGRESS
1ST SESSION

S. 3123

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.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1, 2021

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

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”) (96 Stat. 1074) is
6 amended to read as follows:

1 **“SEC. 4. HUNTING, FISHING, TRAPPING, AND ANIMAL GATH-**
 2 **ERING.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) CONSENT DECREE.—The term ‘Consent
 5 Decree’ means the final judgment and decree of the
 6 United States District Court for the District of Or-
 7 egon, in the action entitled ‘Confederated Tribes of
 8 Siletz Indians of Oregon against State of Oregon’,
 9 entered on May 2, 1980.

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

14 “(3) SILETZ AGREEMENT.—The term ‘Siletz
 15 Agreement’ means the agreement entitled ‘Agree-
 16 ment Among the State of Oregon, the United States
 17 of America and the Confederated Tribes of the Siletz
 18 Indians of Oregon to Permanently Define Tribal
 19 Hunting, Fishing, Trapping, and Gathering Rights
 20 of the Siletz Tribe and its Members’ and entered
 21 into by the United States on April 22, 1980.

22 “(b) HUNTING, FISHING, TRAPPING, AND ANIMAL
 23 GATHERING AGREEMENTS.—

24 “(1) IN GENERAL.—The Siletz Agreement shall
 25 remain in effect until and unless replaced, amended,
 26 or otherwise modified by 1 or more successor gov-

1 ernment-to-government agreements between the
 2 Confederated Tribes of Siletz Indians and the State
 3 of Oregon relating to the hunting, fishing, trapping,
 4 and animal gathering rights of the Confederated
 5 Tribes of Siletz Indians.

6 “(2) AMENDMENTS.—The Siletz Agreement or
 7 any successor agreement entered into under para-
 8 graph (1) may be amended from time to time by
 9 mutual consent of the Confederated Tribes of Siletz
 10 Indians and the State of Oregon.

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

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

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