

117TH CONGRESS
1ST SESSION

S. 3126

To amend the Grand Ronde Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of the Grand Ronde Community, 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 Grand Ronde Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of the Grand Ronde Community, 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. GRAND RONDE RESERVATION ACT AMEND-**
4 **MENT.**

5 Section 2 of Public Law 100–425 (commonly known
6 as the “Grand Ronde Reservation Act”) (102 Stat. 1595)
7 is amended to read as follows:

1 **“SEC. 2. 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 the Grand Ronde Community of Oregon against the
 9 State of Oregon’, entered on January 12, 1987.

10 “(2) GRAND RONDE HUNTING AND FISHING
 11 AGREEMENT.—The term ‘Grand Ronde Hunting and
 12 Fishing Agreement’ means the agreement entitled
 13 ‘Agreement Among the State of Oregon, the United
 14 States of America and the Confederated Tribes of
 15 the Grand Ronde Community of Oregon to Perma-
 16 nently Define Tribal Hunting, Fishing, Trapping,
 17 and Animal Gathering Rights of the Tribe and its
 18 Members’ and entered into by the United States on
 19 December 2, 1986.

20 “(3) INDIAN TRIBE.—The term ‘Indian Tribe’
 21 has the meaning given the term in section 4 of the
 22 Indian Self-Determination and Education Assistance
 23 Act (25 U.S.C. 5304).

24 “(b) HUNTING, FISHING, TRAPPING, AND ANIMAL
 25 GATHERING AGREEMENTS.—

1 “(1) IN GENERAL.—The Grand Ronde Hunting
2 and Fishing Agreement shall remain in effect until
3 and unless replaced, amended, or otherwise modified
4 by 1 or more successor government-to-government
5 agreements between the Confederated Tribes of the
6 Grand Ronde Community and the State of Oregon
7 relating to the hunting, fishing, trapping, and ani-
8 mal gathering rights of the Confederated Tribes of
9 the Grand Ronde Community.

10 “(2) AMENDMENTS.—The Grand Ronde Hunt-
11 ing and Fishing Agreement or any successor agree-
12 ment entered into under paragraph (1) may be
13 amended from time to time by mutual consent of the
14 Confederated Tribes of the Grand Ronde Commu-
15 nity and the State of Oregon.

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

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

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