

Public Law 107–102
107th Congress

An Act

Dec. 27, 2001
[H.R. 483]

Regarding the use of the trust land and resources of the Confederated Tribes
of the Warm Springs Reservation of Oregon.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. AUTHORIZATION FOR 99-YEAR LEASES.

The first section of the Act entitled “An Act to authorize the leasing of restricted Indian lands for public, religious, educational, residential, business, and other purposes requiring the grant of long-term leases”, approved August 9, 1955 (25 U.S.C. 415(a)), is amended—

(1) by inserting “, the reservation of the Confederated Tribes of the Warm Springs Reservation of Oregon,” after “Spanish Grant”); and

(2) by inserting “lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon” before “, lands held in trust for the Cherokee Nation of Oklahoma”.

SEC. 2. USE OF CERTAIN TRUST LANDS AND RESOURCES FOR ECONOMIC DEVELOPMENT.

(a) APPROVAL OF AGREEMENT.—The use of tribal lands, resources, and other assets described in the document entitled “Long-Term Global Settlement and Compensation Agreement”, dated April 12, 2000 (hereafter referred to as the “GSA”), entered into by the Department of the Interior, the Confederated Tribes of the Warm Springs Reservation of Oregon (in this section referred to as the “Tribes”), and the Portland General Electric Company, and in the Included Agreements, as attached to the GSA on April 12, 2000, and delivered to the Department of the Interior on that date, is approved and ratified. The authorization, execution, and delivery of the GSA is approved. In this section, the GSA and the Included Agreements are collectively referred to as the “Agreement”. Any provision of Federal law which applies to tribal land, resources, or other assets (including proceeds derived therefrom) as a consequence of the Tribes’ status as a federally recognized Indian tribe shall not—

(1) render the Agreement unenforceable or void against the parties; or

(2) prevent or restrict the Tribes from pledging, encumbering, or using funds or other assets that may be paid to or received by or on behalf of the Tribes in connection with the Agreement.

(b) AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—Congress hereby deems that the Secretary of the Interior had and has the authority—

(A) to approve the Agreement; and

(B) to implement the provisions of the Agreement under which the Secretary has obligations as a party thereto.

(2) OTHER AGREEMENTS.—Any agreement approved by the Secretary prior to or after the date of the enactment of this Act under the authority used to approve the Agreement shall not require Congressional approval or ratification to be valid and binding on the parties thereto.

(c) RULES OF CONSTRUCTION.—

(1) SCOPE OF SECTION.—This section shall be construed as addressing only—

(A) the validity and enforceability of the Agreement with respect to provisions of Federal law referred to in section 2(a) of this Act; and

(B) approval for provisions of the Agreement and actions that are necessary to implement provisions of the Agreement that the parties may be required to obtain under Federal laws referred to in section 2(a) of this Act.

(2) AUTHORITY.—Nothing in this Act shall be construed to imply that the Secretary of the Interior did not have the authority under Federal law as in effect immediately before the enactment of this Act to approve the use of tribal lands, resources, or other assets in the manner described in the Agreement or in the implementation thereof.

SEC. 3. EFFECTIVE DATE.

25 USC 415 note.

This Act shall take effect as of April 12, 2000.

Approved December 27, 2001.

LEGISLATIVE HISTORY—H.R. 483:

HOUSE REPORTS: No. 107-257 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Oct. 30, considered and passed House.

Dec. 13, considered and passed Senate.

