

118TH CONGRESS
1ST SESSION

H. R. 2839

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2023

Received

AN ACT

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,*

1 **SECTION 1. SILETZ RESERVATION ACT AMENDMENT.**

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

5 **“SEC. 4. HUNTING, FISHING, TRAPPING, AND ANIMAL GATH-**
6 **ERING.**

7 “(a) DEFINITIONS.—In this section:

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

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

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

1 “(b) HUNTING, FISHING, TRAPPING, AND ANIMAL
2 GATHERING AGREEMENTS.—

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

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

16 “(3) CONTENTS OF NEW AGREEMENT OR
17 AMENDMENTS.—The Siletz Agreement or any suc-
18 cessor agreement entered into under paragraph (1)
19 shall not provide for exclusive or primary Siletz take
20 opportunity outside the exterior boundaries of the
21 1855 Executive Order Siletz Coast Reservation (as
22 described in section 7(f)(1)(A) of the Siletz Tribe
23 Indian Restoration Act (Public Law 95–195; 91
24 Stat. 1418; 130 Stat. 1364)) relative to any other
25 federally recognized Indian Tribe, and shall not pro-

1 vide for new or expanded take of fishery resources
2 in the Columbia River or in the Willamette River
3 from its mouth to the top of Willamette Falls.

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

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

Passed the House of Representatives December 11,
2023.

Attest: KEVIN F. MCCUMBER,
Clerk.