

113TH CONGRESS
2D SESSION

H. R. 5701

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2014

Received

AN ACT

To require that certain Federal lands be held in trust by the United States for the benefit of federally recognized tribes in the State of Oregon, 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. SHORT TITLE.**

2 This Act may be cited as the “Western Oregon Indian
3 Tribal Lands Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

**TITLE I—RESERVATION OF CONFEDERATED TRIBES OF THE
GRAND RONDE COMMUNITY OF OREGON**

Sec. 101. Additional lands for reservation.

TITLE II—OREGON COASTAL LANDS

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Conveyance.

Sec. 204. Map and legal description.

Sec. 205. Administration.

Sec. 206. Land reclassification.

TITLE III—COW CREEK UMPQUA LAND CONVEYANCE

Sec. 301. Short title.

Sec. 302. Definitions.

Sec. 303. Conveyance.

Sec. 304. Map and legal description.

Sec. 305. Administration.

Sec. 306. Land reclassification.

TITLE IV—SILETZ TRIBE INDIAN RESTORATION ACT

Sec. 401. Purpose; clarification.

Sec. 402. Treatment of certain property of the Siletz tribe of the State of Or-
egon.

TITLE V—AMENDMENTS TO COQUILLE RESTORATION ACT

Sec. 501. Amendments to Coquille Restoration Act.

1 **TITLE I—RESERVATION OF CON-**
2 **FEDERATED TRIBES OF THE**
3 **GRAND RONDE COMMUNITY**
4 **OF OREGON**

5 **SEC. 101. ADDITIONAL LANDS FOR RESERVATION.**

6 Section 1 of the Act entitled “An Act to establish a
7 reservation for the Confederated Tribes of the Grand
8 Ronde Community of Oregon, and for other purposes,”
9 approved September 9, 1988 (Public Law 100–425; 102
10 Stat. 1594; 102 Stat. 2939; 104 Stat. 207; 106 Stat.
11 3255; 108 Stat. 708; 108 Stat. 4566; 112 Stat. 1896),
12 is amended—

13 (1) in subsection (a)—

14 (A) by striking “Subject to valid” and in-
15 serting the following:

16 “(1) IN GENERAL.—Subject to valid”; and

17 (B) by adding after paragraph (1) (as des-
18 ignated by subparagraph (A)) the following:

19 “(2) ADDITIONAL TRUST ACQUISITIONS.—

20 “(A) IN GENERAL.—The Secretary may
21 accept title to any additional number of acres of
22 real property located within the boundaries of
23 the original 1857 reservation of the Confed-
24 erated Tribes of the Grand Ronde Community
25 of Oregon established by Executive order dated

1 June 30, 1857, comprised of land within the
2 political boundaries of Polk and Yamhill Coun-
3 ties, Oregon, if that real property is conveyed or
4 otherwise transferred to the United States by or
5 on behalf of the Tribe.

6 “(B) TREATMENT OF TRUST LAND.—

7 “(i) Applications to take land into
8 trust within the boundaries of the original
9 1857 reservation shall be treated by the
10 Secretary as an on-reservation trust acqui-
11 sition.

12 “(ii) Any real property taken into
13 trust under this paragraph shall not be eli-
14 gible, or used, for any Class II or Class III
15 gaming activity carried out under the In-
16 dian Gaming Regulatory Act (25 U.S.C.
17 2701 et seq.), except for real property
18 within 2 miles of the gaming facility in ex-
19 istence on the date of enactment of this
20 paragraph that is located on State High-
21 way 18 in the Grand Ronde community of
22 Oregon.

23 “(C) RESERVATION.—All real property
24 taken into trust within those boundaries at any

1 time after September 9, 1988, shall be part of
 2 the reservation of the Tribe.”; and

3 (2) in subsection (c)—

4 (A) in the matter preceding the table, by
 5 striking “in subsection (a) are approximately
 6 10,311.60” and inserting “in subsection (a)(1)
 7 are approximately 11,349.92”; and

8 (B) in the table—

9 (i) by striking the following:

“6	7	8	Tax lot 800	5.55”;
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10 and inserting the following:

“6	7	7, 8, 17, 18	Former tax lot 800, located within the SE ¼ SE ¼ of Sec- tion 7; SW ¼ SW ¼ of Section 8; NW ¼ NW ¼ of Section 17; and NE ¼ NE ¼ of Section 18	5.55”;
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11 (ii) in the acres column of the last
 12 item added by section 2(a)(1) of Public
 13 Law 103–445 (108 Stat. 4566), by strik-
 14 ing “240” and inserting “241.06”; and

15 (iii) by striking all text after

“6	7	18	E ½ NE ¼	43.42”;
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16 and inserting the following:

“6	8	1	W ½ SE ¼ SE ¼	20.6
6	8	1	N ½ SW ¼ SE ¼	19.99
6	8	1	SE ¼ NE ¼	9.99
6	8	1	NE ¼ SW ¼	10.46
6	8	1	NE ¼ SW ¼, NW ¼ SW ¼	12.99
6	7	6	SW ¼ NW ¼	37.39
6	7	5	SE ¼ SW ¼	24.87

6

6	7	5, 8	SW 1/4 SE 1/4 of Section 5; and NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4 of Section 8	109.9
6	8	1	NW 1/4 SE 1/4	31.32
6	8	1	NE 1/4 SW 1/4	8.89
6	8	1	SW 1/4 NE 1/4, NW 1/4 NE 1/4	78.4
6	7	8, 17	SW 1/4 SW 1/4 of Section 8; and NE 1/4 NW 1/4, NW 1/4 NW 1/4 of Section 17	14.33
6	7	17	NW 1/4 NW 1/4	6.68
6	8	12	SW 1/4 NE 1/4	8.19
6	8	1	SE 1/4 SW 1/4	2.0
6	8	1	SW 1/4 SW 1/4	5.05
6	8	12	SE 1/4, SW 1/4	54.64
6	7	17, 18	SW 1/4, NW 1/4 of Section 17; and SE 1/4, NE 1/4 of Section 18	136.83
6	8	1	SW 1/4 SE 1/4	20.08
6	7	5	NE 1/4 SE 1/4, SE 1/4 SE 1/4, E 1/2 SE 1/4 SW 1/4	97.38
4	7	31	SE 1/4	159.60
6	7	17	NW 1/4 NW 1/4	3.14
6	8	12	NW 1/4 SE 1/4	1.10
6	7	8	SW 1/4 SW 1/4	0.92
6	8	12	NE 1/4 NW 1/4	1.99
6	7	7	NW 1/4 NW 1/4 of Section 7; and	
6	8	12	S 1/2 NE 1/4, E 1/2 NE 1/4 NE 1/4 of Section 12	86.48
6	8	12	NE 1/4 NW 1/4	1.56
6	7	6	W 1/2 SW 1/4 SW 1/4 of Section 6; and	
6	8	1	E 1/2 SE 1/4 SE 1/4 of Section 1	35.82
6	7	5	E 1/2 NW 1/4 SE 1/4	19.88
6	8	12	NW 1/4 NE 1/4	0.29
6	8	1	SE 1/4 SW 1/4	2.5
6	7	8	NE 1/4 NW 1/4	7.16
6	8	1	SE 1/4 SW 1/4	5.5
6	8	1	SE 1/4 NW 1/4	1.34
Total				11,349.92".

1 **TITLE II—OREGON COASTAL**
2 **LANDS**

3 **SEC. 201. SHORT TITLE.**

4 This title may be cited as the “Oregon Coastal Lands
5 Act”.

6 **SEC. 202. DEFINITIONS.**

7 In this title:

8 (1) **CONFEDERATED TRIBES.**—The term “Con-
9 federated Tribes” means the Confederated Tribes of
10 Coos, Lower Umpqua, and Siuslaw Indians.

11 (2) **OREGON COASTAL LAND.**—The term “Or-
12 egon Coastal land” means the approximately 14,408
13 acres of land, as generally depicted on the map enti-
14 tled “Oregon Coastal Land Conveyance” and dated
15 March 27, 2013.

16 (3) **SECRETARY.**—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 203. CONVEYANCE.**

19 (a) **IN GENERAL.**—Subject to valid existing rights,
20 including rights-of-way, all right, title, and interest of the
21 United States in and to the Oregon Coastal land, includ-
22 ing any improvements located on the land, appurtenances
23 to the land, and minerals on or in the land, including oil
24 and gas, shall be—

1 (1) held in trust by the United States for the
2 benefit of the Confederated Tribes; and

3 (2) part of the reservation of the Confederated
4 Tribes.

5 (b) SURVEY.—Not later than 1 year after the date
6 of enactment of this Act, the Secretary shall complete a
7 survey of the boundary lines to establish the boundaries
8 of the land taken into trust under subsection (a).

9 **SEC. 204. MAP AND LEGAL DESCRIPTION.**

10 (a) IN GENERAL.—As soon as practicable after the
11 date of enactment of this Act, the Secretary shall file a
12 map and legal description of the Oregon Coastal land
13 with—

14 (1) the Committee on Energy and Natural Re-
15 sources of the Senate; and

16 (2) the Committee on Natural Resources of the
17 House of Representatives.

18 (b) FORCE AND EFFECT.—The map and legal de-
19 scription filed under subsection (a) shall have the same
20 force and effect as if included in this title, except that
21 the Secretary may correct any clerical or typographical er-
22 rors in the map or legal description.

23 (c) PUBLIC AVAILABILITY.—The map and legal de-
24 scription filed under subsection (a) shall be on file and

1 available for public inspection in the Office of the Sec-
2 retary.

3 **SEC. 205. ADMINISTRATION.**

4 (a) IN GENERAL.—Unless expressly provided in this
5 title, nothing in this title affects any right or claim of the
6 Confederated Tribes existing on the date of enactment of
7 this Act to any land or interest in land.

8 (b) PROHIBITIONS.—

9 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
10 eral law (including regulations) relating to the ex-
11 port of unprocessed logs harvested from Federal
12 land shall apply to any unprocessed logs that are
13 harvested from the Oregon Coastal land taken into
14 trust under section 203.

15 (2) NON-PERMISSIBLE USE OF LAND.—Any real
16 property taken into trust under section 203 shall not
17 be eligible, or used, for any gaming activity carried
18 out under Public Law 100–497 (25 U.S.C. 2701 et
19 seq.).

20 (c) LAWS APPLICABLE TO COMMERCIAL FORESTRY
21 ACTIVITY.—Any commercial forestry activity that is car-
22 ried out on the Oregon Coastal land taken into trust under
23 section 203 shall be managed in accordance with all appli-
24 cable Federal laws.

1 (d) AGREEMENTS.—The Confederated Tribes shall
2 consult with the Secretary and other parties as necessary
3 to develop agreements to provide for access to the Oregon
4 Coastal land taken into trust under section 203 that pro-
5 vide for—

6 (1) honoring existing reciprocal right-of-way
7 agreements;

8 (2) administrative access by the Bureau of
9 Land Management; and

10 (3) management of the Oregon Coastal land
11 that are acquired or developed under the Land and
12 Water Conservation Fund Act of 1965 (16 U.S.C.
13 460l–4 et seq.), consistent with section 8(f)(3) of
14 that Act (162 U.S.C. 460l–8(f)(3)).

15 (e) LAND USE PLANNING REQUIREMENTS.—Except
16 as provided in subsection (c), once the Oregon Coastal
17 land is taken into trust under section 203, the land shall
18 not be subject to the land use planning requirements of
19 the Federal Land Policy and Management Act of 1976
20 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937
21 (43 U.S.C. 1181a et seq.).

22 **SEC. 206. LAND RECLASSIFICATION.**

23 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
24 RAILROAD GRANT LAND.—Not later than 180 days after
25 the date of enactment of this Act, the Secretary of Agri-

1 culture and the Secretary shall identify any Oregon and
2 California Railroad grant land that is held in trust by the
3 United States for the benefit of the Confederated Tribes
4 under section 203.

5 (b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—
6 Not later than 18 months after the date of enactment of
7 this Act, the Secretary shall identify public domain land
8 in the State of Oregon that—

9 (1) is approximately equal in acreage and con-
10 dition as the Oregon and California Railroad grant
11 land identified under subsection (a); and

12 (2) is located in the vicinity of the Oregon and
13 California Railroad grant land.

14 (c) MAPS.—Not later than 2 years after the date of
15 enactment of this Act, the Secretary shall submit to Con-
16 gress and publish in the Federal Register one or more
17 maps depicting the land identified in subsections (a) and
18 (b).

19 (d) RECLASSIFICATION.—

20 (1) IN GENERAL.—After providing an oppor-
21 tunity for public comment, the Secretary shall re-
22 classify the land identified in subsection (b) as Or-
23 egon and California Railroad grant land.

24 (2) APPLICABILITY.—The Act of August 28,
25 1937 (43 U.S.C. 1181a et seq.), shall apply to land

1 reclassified as Oregon and California Railroad grant
2 land under paragraph (1).

3 **TITLE III—COW CREEK UMPQUA**
4 **LAND CONVEYANCE**

5 **SEC. 301. SHORT TITLE.**

6 This title may be cited as the “Cow Creek Umpqua
7 Land Conveyance Act”.

8 **SEC. 302. DEFINITIONS.**

9 In this title:

10 (1) COUNCIL CREEK LAND.—The term “Council
11 Creek land” means the approximately 17,519 acres
12 of land, as generally depicted on the map entitled
13 “Canyon Mountain Land Conveyance” and dated
14 June 27, 2013.

15 (2) TRIBE.—The term “Tribe” means the Cow
16 Creek Band of Umpqua Tribe of Indians.

17 (3) SECRETARY.—The term “Secretary” means
18 the Secretary of the Interior.

19 **SEC. 303. CONVEYANCE.**

20 (a) IN GENERAL.—Subject to valid existing rights,
21 including rights-of-way, all right, title, and interest of the
22 United States in and to the Council Creek land, including
23 any improvements located on the land, appurtenances to
24 the land, and minerals on or in the land, including oil and
25 gas, shall be—

1 (1) held in trust by the United States for the
2 benefit of the Tribe; and

3 (2) part of the reservation of the Tribe.

4 (b) SURVEY.—Not later than 1 year after the date
5 of enactment of this Act, the Secretary shall complete a
6 survey of the boundary lines to establish the boundaries
7 of the land taken into trust under subsection (a).

8 **SEC. 304. MAP AND LEGAL DESCRIPTION.**

9 (a) IN GENERAL.—As soon as practicable after the
10 date of enactment of this Act, the Secretary shall file a
11 map and legal description of the Council Creek land
12 with—

13 (1) the Committee on Energy and Natural Re-
14 sources of the Senate; and

15 (2) the Committee on Natural Resources of the
16 House of Representatives.

17 (b) FORCE AND EFFECT.—The map and legal de-
18 scription filed under subsection (a) shall have the same
19 force and effect as if included in this title, except that
20 the Secretary may correct any clerical or typographical er-
21 rors in the map or legal description.

22 (c) PUBLIC AVAILABILITY.—The map and legal de-
23 scription filed under subsection (a) shall be on file and
24 available for public inspection in the Office of the Sec-
25 retary.

1 **SEC. 305. ADMINISTRATION.**

2 (a) IN GENERAL.—Unless expressly provided in this
3 title, nothing in this title affects any right or claim of the
4 Tribe existing on the date of enactment of this Act to any
5 land or interest in land.

6 (b) PROHIBITIONS.—

7 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
8 eral law (including regulations) relating to the ex-
9 port of unprocessed logs harvested from Federal
10 land shall apply to any unprocessed logs that are
11 harvested from the Council Creek land.

12 (2) NON-PERMISSIBLE USE OF LAND.—Any real
13 property taken into trust under section 303 shall not
14 be eligible, or used, for any gaming activity carried
15 out under Public Law 100–497 (25 U.S.C. 2701 et
16 seq.).

17 (c) FOREST MANAGEMENT.—Any forest management
18 activity that is carried out on the Council Creek land shall
19 be managed in accordance with all applicable Federal
20 laws.

21 **SEC. 306. LAND RECLASSIFICATION.**

22 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
23 RAILROAD GRANT LAND.—Not later than 180 days after
24 the date of enactment of this Act, the Secretary of Agri-
25 culture and the Secretary shall identify any Oregon and
26 California Railroad grant land that is held in trust by the

1 United States for the benefit of the Tribe under section
2 303.

3 (b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—

4 Not later than 18 months after the date of enactment of
5 this Act, the Secretary shall identify public domain land
6 in the State of Oregon that—

7 (1) is approximately equal in acreage and con-
8 dition as the Oregon and California Railroad grant
9 land identified under subsection (a); and

10 (2) is located in the vicinity of the Oregon and
11 California Railroad grant land.

12 (c) MAPS.—Not later than 2 years after the date of
13 enactment of this Act, the Secretary shall submit to Con-
14 gress and publish in the Federal Register one or more
15 maps depicting the land identified in subsections (a) and
16 (b).

17 (d) RECLASSIFICATION.—

18 (1) IN GENERAL.—After providing an oppor-
19 tunity for public comment, the Secretary shall re-
20 classify the land identified in subsection (b) as Or-
21 egon and California Railroad grant land.

22 (2) APPLICABILITY.—The Act of August 28,
23 1937 (43 U.S.C. 1181a et seq.), shall apply to land
24 reclassified as Oregon and California Railroad grant
25 land under paragraph (1).

1 **TITLE IV—SILETZ TRIBE INDIAN**
2 **RESTORATION ACT**

3 **SEC. 401. PURPOSE; CLARIFICATION.**

4 (a) PURPOSE.—The purpose of this title is to facili-
5 tate fee-to-trust applications for the Siletz Tribe within
6 the geographic area specified in the amendment made by
7 this title.

8 (b) CLARIFICATION.—Except as specifically provided
9 otherwise by this title or the amendment made by this
10 title, nothing in this title or the amendment made by this
11 title, shall prioritize for any purpose the claims of any fed-
12 erally recognized Indian tribe over the claims of any other
13 federally recognized Indian tribe.

14 **SEC. 402. TREATMENT OF CERTAIN PROPERTY OF THE**
15 **SILETZ TRIBE OF THE STATE OF OREGON.**

16 Section 7 of the Siletz Tribe Indian Restoration Act
17 (25 U.S.C. 711e) is amended by adding at the end the
18 following:

19 “(f) TREATMENT OF CERTAIN PROPERTY.—

20 “(1) IN GENERAL.—

21 “(A) TITLE.—The Secretary may accept
22 title to any additional number of acres of real
23 property located within the boundaries of the
24 original 1855 Siletz Coast Reservation estab-
25 lished by Executive order dated November 9,

1 1855, comprised of land within the political
2 boundaries of Benton, Douglas, Lane, Lincoln,
3 Tillamook, and Yamhill Counties in the State of
4 Oregon, if that real property is conveyed or oth-
5 erwise transferred to the United States by or on
6 behalf of the tribe.

7 “(B) TRUST.—Land to which title is ac-
8 cepted by the Secretary under this paragraph
9 shall be held in trust by the United States for
10 the benefit of the tribe.

11 “(2) TREATMENT AS PART OF RESERVATION.—
12 All real property that is taken into trust under para-
13 graph (1) shall—

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

18 “(B) become part of the reservation of the
19 tribe.

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

**TITLE V—AMENDMENTS TO
COQUILLE RESTORATION ACT**

SEC. 501. AMENDMENTS TO COQUILLE RESTORATION ACT.

Section 5(d) of the Coquille Restoration Act (25 U.S.C. 715c(d)) is amended—

(1) by striking paragraph (5) and inserting the following:

“(5) MANAGEMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary, acting through the Assistant Secretary for Indian Affairs, shall manage the Coquille Forest in accordance with the laws pertaining to the management of Indian trust land.

“(B) ADMINISTRATION.—

“(i) UNPROCESSED LOGS.—Unprocessed logs harvested from the Coquille Forest shall be subject to the same Federal statutory restrictions on export to foreign nations that apply to unprocessed logs harvested from Federal land.

“(ii) SALES OF TIMBER.—Notwithstanding any other provision of law, all sales of timber from land subject to this subsection shall be advertised, offered, and

1 awarded according to competitive bidding
2 practices, with sales being awarded to the
3 highest responsible bidder.”;
4 (2) by striking paragraph (9); and
5 (3) by redesignating paragraphs (10) through
6 (12) as paragraphs (9) through (11), respectively.

Passed the House of Representatives December 9,
2014.

Attest:

KAREN L. HAAS,
Clerk.