

119TH CONGRESS
1ST SESSION

S. 643

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

FEBRUARY 20, 2025

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 “(3) CONTENTS OF NEW AGREEMENT OR FU-
 17 TURE AMENDMENTS.—No successor agreement or
 18 amended agreement entered into under paragraph
 19 (1) shall—

20 “(A) purport to affirm, recognize, estab-
 21 lish, expand, adjudicate, waive, limit, abrogate
 22 or otherwise affect the ancestral, aboriginal,
 23 treaty, statutory, equitable, or other applicable
 24 rights of the Confederated Tribes of the Grand
 25 Ronde Community or any other Indian Tribe;

1 “(B) limit the State of Oregon from enter-
 2 ing into separate agreements with other Indian
 3 Tribes that address the authority to take spe-
 4 cies within the geographic scope of the agree-
 5 ment; or

6 “(C) be used in a civil or criminal action
 7 in a court of competent jurisdiction to enlarge,
 8 confirm, adjudicate, affect, or modify any treaty
 9 or other right of an Indian Tribe.

10 “(4) SOURCE OF AUTHORITY.—All hunting,
 11 fishing, trapping, and animal gathering rights of the
 12 Confederated Tribes of the Grand Ronde Commu-
 13 nity in any successor agreement or amended agree-
 14 ment entered into under paragraph (1) after the
 15 date of enactment of this paragraph shall derive
 16 solely from the authority of the State of Oregon.

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

24 “(d) EFFECT.—Nothing in this section, or in any
 25 successor agreement or amended agreement entered into

1 under paragraph (1), shall have the force or effect of de-
2 termining, defining, affirming, recognizing, abrogating,
3 limiting, or affecting the rights or claims of any Indian
4 Tribe, including any treaty and other sovereign rights.”.

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