

Public Law 118–33
118th Congress

An Act

Dec. 26, 2023
[H.R. 2839]

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.

Oregon.

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

SECTION 1. SILETZ RESERVATION ACT AMENDMENT.

25 USC 711e
note.

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

“SEC. 4. HUNTING, FISHING, TRAPPING, AND ANIMAL GATHERING.

“(a) **DEFINITIONS.**—In this section:

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

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

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

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

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

“(2) **AMENDMENTS.**—The Siletz Agreement or any successor agreement entered into under paragraph (1) may be amended from time to time by mutual consent of the Confederated Tribes of Siletz Indians and the State of Oregon.

“(3) **CONTENTS OF NEW AGREEMENT OR AMENDMENTS.**—The Siletz Agreement or any successor agreement entered into under paragraph (1) shall not provide for exclusive or primary Siletz take opportunity outside the exterior boundaries of the

1855 Executive Order Siletz Coast Reservation (as described in section 7(f)(1)(A) of the Siletz Tribe Indian Restoration Act (Public Law 95–195; 91 Stat. 1418; 130 Stat. 1364)) relative to any other federally recognized Indian Tribe, and shall not provide for new or expanded take of fishery resources in the Columbia River or in the Willamette River from its mouth to the top of Willamette Falls.

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

“(d) EFFECT.—Nothing in this section enlarges, confirms, adjudicates, affects, or modifies any treaty or other right of an Indian Tribe.”.

Approved December 26, 2023.

LEGISLATIVE HISTORY—H.R. 2839:

HOUSE REPORTS: No. 118–300 (Comm. on Natural Resources).

CONGRESSIONAL RECORD, Vol. 169 (2023):

Dec. 11, considered and passed House.

Dec. 19, considered and passed Senate.

