

Union Calendar No. 157

107TH CONGRESS
1ST SESSION

H. R. 483

[Report No. 107-257]

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. WALDEN of Oregon (for himself, Mr. WU, Mr. BLUMENAUER, Mr. DEFAZIO, and Ms. HOOLEY of Oregon) introduced the following bill; which was referred to the Committee on Resources

OCTOBER 30, 2001

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on February 6, 2001]

A BILL

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

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. AUTHORIZATION FOR 99-YEAR LEASES.**

2 *The first section of the Act entitled “An Act to author-*
3 *ize the leasing of restricted Indian lands for public, reli-*
4 *gious, educational, residential, business, and other purposes*
5 *requiring the grant of long-term leases”, approved August*
6 *9, 1955 (25 U.S.C. 415(a)), is amended—*

7 (1) *by inserting “, the reservation of the Confed-*
8 *erated Tribes of the Warm Springs Reservation of Or-*
9 *egon,” after “Spanish Grant”); and*

10 (2) *by inserting “lands held in trust for the Con-*
11 *federated Tribes of the Warm Springs Reservation of*
12 *Oregon” before “, lands held in trust for the Cherokee*
13 *Nation of Oklahoma”.*

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

16 (a) *APPROVAL OF AGREEMENT.—The use of tribal*
17 *lands, resources, and other assets described in the document*
18 *entitled “Long-Term Global Settlement and Compensation*
19 *Agreement”, dated April 12, 2000 (hereafter referred to as*
20 *the “GSA”), entered into by the Department of the Interior,*
21 *the Confederated Tribes of the Warm Springs Reservation*
22 *of Oregon (in this section referred to as the “Tribes”), and*
23 *the Portland General Electric Company, and in the In-*
24 *cluded Agreements, as attached to the GSA on April 12,*
25 *2000, and delivered to the Department of the Interior on*
26 *that date, is approved and ratified. The authorization, exe-*

1 *ction, and delivery of the GSA is approved. In this section,*
2 *the GSA and the Included Agreements are collectively re-*
3 *ferred to as the “Agreement”. Any provision of Federal law*
4 *which applies to tribal land, resources, or other assets (in-*
5 *cluding proceeds derived therefrom) as a consequence of the*
6 *Tribes’ status as a federally recognized Indian tribe shall*
7 *not—*

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

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

14 (b) *AUTHORITY OF SECRETARY.—*

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

18 (A) *to approve the Agreement; and*

19 (B) *to implement the provisions of the*
20 *Agreement under which the Secretary has obliga-*
21 *tions as a party thereto.*

22 (2) *OTHER AGREEMENTS.—Any agreement ap-*
23 *proved by the Secretary prior to or after the date of*
24 *the enactment of this Act under the authority used to*
25 *approve the Agreement shall not require Congres-*

1 *sional approval or ratification to be valid and bind-*
2 *ing on the parties thereto.*

3 *(c) RULES OF CONSTRUCTION.—*

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

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

9 *(B) approval for provisions of the Agree-*
10 *ment and actions that are necessary to imple-*
11 *ment provisions of the Agreement that the par-*
12 *ties may be required to obtain under Federal*
13 *laws referred to in section 2(a) of this Act.*

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

21 **SEC. 3. EFFECTIVE DATE.**

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

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