

114TH CONGRESS
1ST SESSION

H. R. 1438

To require that certain Federal lands be held in trust by the United States for the benefit of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2015

Mr. DEFAZIO introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require that certain Federal lands be held in trust by the United States for the benefit of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw 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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

4 (2) OREGON COASTAL LAND.—The term “Or-
5 regon Coastal land” means the approximately 14,408
6 acres of land, as generally depicted on the map enti-
7 tled “Oregon Coastal Land Conveyance” and dated
8 March 27, 2013.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 **SEC. 3. CONVEYANCE.**

12 (a) IN GENERAL.—Subject to valid existing rights,
13 including rights-of-way, all right, title, and interest of the
14 United States in and to the Oregon Coastal land, includ-
15 ing any improvements located on the land, appurtenances
16 to the land, and minerals on or in the land, including oil
17 and gas, shall be—

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

20 (2) part of the reservation of the Confederated
21 Tribes.

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

1 **SEC. 4. MAP AND LEGAL DESCRIPTION.**

2 (a) IN GENERAL.—As soon as practicable after the
3 date of enactment of this Act, the Secretary shall file a
4 map and legal description of the Oregon Coastal land
5 with—

6 (1) the Committee on Energy and Natural Re-
7 sources of the Senate; and

8 (2) the Committee on Natural Resources of the
9 House of Representatives.

10 (b) FORCE AND EFFECT.—The map and legal de-
11 scription filed under subsection (a) shall have the same
12 force and effect as if included in this Act, except that the
13 Secretary may correct any clerical or typographical errors
14 in the map or legal description.

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

19 **SEC. 5. ADMINISTRATION.**

20 (a) IN GENERAL.—Unless expressly provided in this
21 Act, nothing in this Act affects any right or claim of the
22 Confederated Tribes existing on the date of enactment of
23 this Act to any land or interest in land.

24 (b) PROHIBITIONS.—

25 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
26 eral law (including regulations) relating to the ex-

1 port of unprocessed logs harvested from Federal
2 land shall apply to any unprocessed logs that are
3 harvested from the Oregon Coastal land taken into
4 trust under section 3.

5 (2) NON-PERMISSIBLE USE OF LAND.—Any real
6 property taken into trust under section 3 shall not
7 be eligible, or used, for any gaming activity carried
8 out under Public Law 100–497 (25 U.S.C. 2701 et
9 seq.).

10 (c) LAWS APPLICABLE TO COMMERCIAL FORESTRY
11 ACTIVITY.—Any commercial forestry activity that is car-
12 ried out on the Oregon Coastal land taken into trust under
13 section 3 shall be managed in accordance with all applica-
14 ble Federal laws.

15 (d) AGREEMENTS.—The Confederated Tribes shall
16 consult with the Secretary and other parties as necessary
17 to develop agreements to provide for access to the Oregon
18 Coastal land taken into trust under section 3 that provide
19 for—

20 (1) honoring existing reciprocal right-of-way
21 agreements;

22 (2) administrative access by the Bureau of
23 Land Management; and

24 (3) management of the Oregon Coastal lands
25 that are acquired or developed under the Land and

1 Water Conservation Fund Act of 1965 (16 U.S.C.
2 460l-4 et seq.), consistent with section 8(f)(3) of
3 that Act (162 U.S.C. 460l-8(f)(3)).

4 (e) LAND USE PLANNING REQUIREMENTS.—Except
5 as provided in subsection (c), once the Oregon Coastal
6 land is taken into trust under section 3, the land shall
7 not be subject to the land use planning requirements of
8 the Federal Land Policy and Management Act of 1976
9 (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937
10 (43 U.S.C. 1181a et seq.).

11 **SEC. 6. LAND RECLASSIFICATION.**

12 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
13 RAILROAD GRANT LAND.—Not later than 180 days after
14 the date of enactment of this Act, the Secretary of Agri-
15 culture and the Secretary shall identify any Oregon and
16 California Railroad grant land that is held in trust by the
17 United States for the benefit of the Confederated Tribes
18 under section 3.

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

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

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

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

8 (d) RECLASSIFICATION.—

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

13 (2) APPLICABILITY.—The Act of August 28,
14 1937 (43 U.S.C. 1181a et seq.), shall apply to land
15 reclassified as Oregon and California Railroad grant
16 land under paragraph (1).

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