

113TH CONGRESS  
2D SESSION

# H. R. 5511

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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2014

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

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## 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 one 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, including the National Indian Forest Re-  
15 sources Management Act (25 U.S.C. 3101 et seq.).

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

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

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

1           (3) management of the Oregon Coastal land  
2           that are acquired or developed under the Land and  
3           Water Conservation Fund Act of 1965 (16 U.S.C.  
4           4601–4 et seq.), consistent with section 8(f)(3) of  
5           that Act (162 U.S.C. 4601–8(f)(3)).

6           (e) LAND USE PLANNING REQUIREMENTS.—Except  
7           as provided in subsection (c), once the Oregon Coastal  
8           land is taken into trust under section 3, the land shall  
9           not be subject to the land use planning requirements of  
10          the Federal Land Policy and Management Act of 1976  
11          (43 U.S.C. 1701 et seq.) or the Act of August 28, 1937  
12          (43 U.S.C. 1181a et seq.).

13       **SEC. 6. LAND RECLASSIFICATION.**

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

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

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

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

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

11          (d) RECLASSIFICATION.—

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

16           (2) APPLICABILITY.—The Act of August 28,  
17           1937 (43 U.S.C. 1181a et seq.) shall apply to land  
18           reclassified as Oregon and California Railroad grant  
19           land under paragraph (1).

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