

Senate holds hearing to fix 26-year-old mistake in Tribe's Reservation Act

By Dean Rhodes

Smoke Signals editor

WASHINGTON, D.C. — The U.S. Senate Committee on Indian Affairs held a hearing on Wednesday, June 24, to correct an error made in a 1994 piece of legislation that adversely affected the Grand Ronde Reservation Act.

The legislation would allow the Confederated Tribes of Grand Ronde to address any future survey errors discovered on its original Reservation with the federal government.

"This hearing ... brings the Grand Ronde closer to justice after an egregious and serious surveying error made by the federal government," Oregon Sen. Ron Wyden said in a press release.

"Nearly three decades ago, the Grand Ronde sought to fix a surveying error within their Reservation boundary only for the federal government to make another," said Oregon Sen. Jeff Merkley. "This hearing is an important step forward in the Grand Ronde's fight to right that wrong."

Grand Ronde Tribal Chairwoman Cheryle A. Kennedy testified before the House Subcommittee for Indigenous Peoples in early February seeking to correct the mistake written into the Grand Ronde Reservation Act in 1994. The Tribe submitted written testimony to the Senate because of the current COVID-19 coronavirus pandemic.

The Bureau of Land Management discovered a survey error on the Grand Ronde Reservation that dates back to 1871. The error was discovered after passage of the Grand Ronde Reservation Act in 1988 that returned 9,811 acres to the Tribe.

Surveyor David Thompson had incorrectly surveyed the eastern boundary of the Reservation, missing 84 acres that should have been included. The land also was excluded from a 1904 sale of unallotted lands within the Reservation and Grand Ronde was not compensated for it.

Until the error was discovered, BLM treated the land as Oregon and California Railroad Grant Lands and permitted private companies to harvest timber on the acreage.

After being informed of the sur-

vey error, the Grand Ronde Tribe determined the parcel, called the Thompson Strip, was unmanageable because of narrow boundaries and divided ownership interests. The Tribe agreed to accept a 240-acre parcel of grant lands adjacent to the Grand Ronde Reservation in exchange and surrender its claims to the Thompson Strip.

However, the Department of the Interior in 1994 "developed broad language that relinquished any future claims of this type within the state of Oregon" by the Grand Ronde Tribe.

"In agreeing to this land exchange in 1994, the intent of the parties was for Grand Ronde to relinquish its rights only to the Thompson Strip," Kennedy testified in February. "There was no intention by BLM or BIA officials involved in this land swap to extinguish the Tribe's land claim rights for the entire state of Oregon."

Kennedy said the Tribe only discovered the issue recently while working on a different amendment to the Reservation Act.

"While we are not aware of any specific new survey errors or land claim issues, we do want to be proactive about ensuring that the Tribe has the right to be compensated should another problem arise," she said. "As we re-acquire lands within our Reservation boundaries, my staff tells me that we frequently find small survey inconsistencies when title searches are conducted. We want to be prepared if and when additional errors are uncovered."

House Resolution 4888 was sponsored by Oregon Reps. Kurt Schrader, Suzanne Bonamici, Peter DeFazio and Earl Blumenauer. It would replace the phrase "state of Oregon" with the phrase "84 acres known as the Thompson Strip" in the Grand Ronde Reservation Act.

The companion bill in the U.S. Senate is supported by Wyden and Merkley.

"The United States made errors in surveying Grand Ronde lands, and it then took away from Grand Ronde its right to be compensated for these errors. That's not fair. I'd like to thank Sens. Merkley and Wyden for working to correct this injustice," Kennedy said in the same press release. ■

Growing season

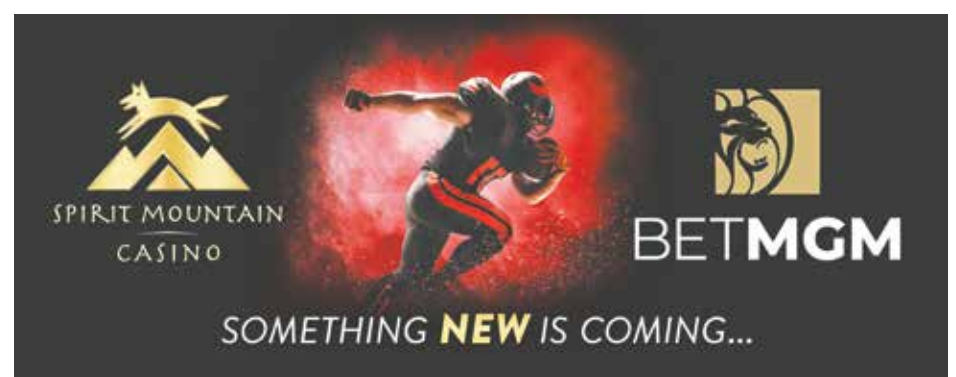


Photos by Timothy J. Gonzalez

Garden Coordinator Patti LeClaire and volunteer Jeannette Langley work on transplanting corn stalks at the Grand Community Garden on Thursday, June 18. Twenty-seven stalks were added to a bed already containing 62 stalks as the summer growing season is upon the Grand Ronde area.



A corn stalk is transplanted at the Grand Ronde Community Garden.



Casino selects sports betting company

Spirit Mountain Casino has selected Roar Digital LLC, a joint venture between MGM Resorts International and GVC Holdings, as the Grand Ronde Tribe's exclusive sports betting partner.

Roar Digital will open the BetMGM Sportsbook at Spirit Mountain Casino this year and also will roll out an on-Reservation sports betting app, as well as an eventual statewide online sports betting offering as it becomes available to the Tribe pending regulatory approval.

"This joint venture between two of the gaming industry's most recognizable brands will bring a world-class sports betting offering to Oregon," said Spirit Mountain Casino General Manager Stan Dillon in a press release issued by both entities. "We're excited to launch this partnership with BetMGM, which will allow us to extend our established position as the Northwest's premier entertainment destination."

BetMGM has 13 sportsbooks in Nevada, Mississippi, Michigan and New Jersey.

The Grand Ronde Tribal Council approved a compact amendment with the state in October 2019 that allows Spirit Mountain Casino to offer betting on sporting events. ■



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