

107TH CONGRESS
2D SESSION

S. 2986

To provide for and approve the settlement of certain land claims of the
Bay Mills Indian Community, Michigan.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2002

Ms. STABENOW introduced the following bill; which was read twice and
referred to the Committee on Indian Affairs

A BILL

To provide for and approve the settlement of certain land
claims of the Bay Mills Indian Community, Michigan.

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 “Bay Mills Indian Com-
5 munity Land Claim Settlement Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ALTERNATIVE LAND.**—The term “alter-
9 native land” means the land identified as alternative
10 land in the Settlement of Land Claim.

1 (2) CHARLOTTE BEACH LAND.—The term
 2 “Charlotte Beach land” means the land in the Char-
 3 lotte Beach area of the State, more particularly de-
 4 scribed as Government Lots 1, 2, 3 and 4 of Section
 5 7, T. 45 N., R. 2 E., and Lot 1 of Section 18, T.
 6 45. N, R. 2 E., Chippewa County, Michigan.

7 (3) COMMUNITY.—The term “Community”
 8 means the Bay Mills Indian Community of the
 9 State, a federally-recognized Indian tribe.

10 (4) SECRETARY.—The term “Secretary” means
 11 the Secretary of the Interior.

12 (5) SETTLEMENT OF LAND CLAIM.—The term
 13 “Settlement of Land Claim” means the agreement
 14 between the Community and the Governor of the
 15 State executed on August 23, 2002, and filed with
 16 the Office of the Secretary of State of the State.

17 (6) STATE.—The term “State” means the State
 18 of Michigan.

19 **SEC. 3. ACCEPTANCE OF ALTERNATIVE LAND AND EXTIN-**
 20 **GUISHMENT OF CLAIMS.**

21 (a) ALTERNATIVE LAND.—

22 (1) IN GENERAL.—As soon as practicable after
 23 the date of enactment of this Act, and not later than
 24 30 days after the date on which the Secretary re-
 25 ceives a title insurance policy for the alternative land

1 that indicates that the alternative land is not subject
 2 to any mortgage, lien, deed of trust, option to pur-
 3 chase, or other security interest, the Secretary shall
 4 take the alternative land into trust for the benefit of
 5 the Community.

6 (2) RESERVATION.—On attaining trust status
 7 under paragraph (1), the alternative land shall be-
 8 come part of the reservation of the Community.

9 (b) LAND CLAIM.—The alternative land—

10 (1) shall be taken into trust under subsection
 11 (a) as part of the settlement and extinguishment of
 12 the Charlotte Beach land claims of the Community;
 13 and

14 (2) shall be deemed to be land obtained in set-
 15 tlement of a land claim within the meaning of sec-
 16 tion 20(b)(1)(B)(i) of the Indian Gaming Regulatory
 17 Act (25 U.S.C. 2719(b)(1)(B)(i)).

18 (c) EXTINGUISHMENT OF CLAIMS.—

19 (1) IN GENERAL.—As of the date of enactment
 20 of this Act, any and all claims by the Community to
 21 Charlotte Beach land or against the United States,
 22 the State (or any political subdivision of the State),
 23 the Governor of the State, or any other person or
 24 entity based on or relating to claims to the Charlotte
 25 Beach land (including claims for trespass damages,

1 use, or occupancy), whether based on aboriginal or
2 recognized title, are extinguished.

3 (2) CONSIDERATION.—The extinguishment of
4 claims under paragraph (1) shall be considered to be
5 in consideration for benefits provided the Commu-
6 nity under this Act.

7 **SEC. 4. EFFECTUATION AND RATIFICATION OF AGREE-**
8 **MENT.**

9 (a) IN GENERAL.—The United States approves the
10 Settlement of Land Claim.

11 (b) INCORPORATION OF TERMS.—The terms of the
12 Settlement of Land Claim—

13 (1) are incorporated into this Act; and

14 (2) shall be in full force and effect.

15 (c) ENFORCEMENT.—The Settlement of Land Claim
16 may be enforced by the Community or the Governor of
17 the State in accordance with the terms of the Settlement
18 of Land Claim.

19 (d) JURISDICTION.—The United States District
20 Court for the District of Michigan shall have exclusive ju-
21 risdiction over any action under subsection (c) to enforce
22 the Settlement of Land Claim.

1 (e) PUBLICATION.—The Secretary shall publish the
2 text of the Settlement of Land Claim in the Federal Reg-
3 ister.

