

Union Calendar No. 346

110TH CONGRESS
2D SESSION

H. R. 4115

[Report No. 110–542, Parts I and II]

To provide for and approve the settlement of certain land claims of the
Sault Ste. Marie Tribe of Chippewa Indians.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2007

Mr. DINGELL (for himself and Mr. STUPAK) introduced the following bill;
which was referred to the Committee on Natural Resources

MARCH 6, 2008

Reported with an amendment and referred to the Committee on the Judiciary
for a period ending not later than April 4, 2008, for consideration of such
provisions of the bill and amendment as fall within the jurisdiction of
that committee pursuant to clause 1(k) of rule X

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

APRIL 4, 2008

Reported adversely from the Committee on the Judiciary; committed to the
Committee of the Whole House on the State of the Union and ordered
to be printed

[For text of introduced bill, see copy of bill as introduced on November 8, 2007]

A BILL

To provide for and approve the settlement of certain land
claims of the Sault Ste. Marie Tribe of Chippewa Indians.

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. ACCEPTANCE OF ALTERNATIVE LANDS AND EX-**
 4 **TINGUISHMENT OF CLAIMS.**

5 *(a) DEFINITIONS.—For the purposes of this Act, the*
 6 *following definitions apply:*

7 *(1) ALTERNATIVE LANDS.—The term “alter-*
 8 *native lands” means those lands identified as alter-*
 9 *native lands in the Settlement of Land Claim.*

10 *(2) CHARLOTTE BEACH LANDS.—The term*
 11 *“Charlotte Beach lands” means those lands in the*
 12 *Charlotte Beach area of Michigan and described as*
 13 *follows: Government Lots 1, 2, 3, and 4 of Section 7,*
 14 *T45N, R2E, and Lot 1 of Section 18, T45N, R2E,*
 15 *Chippewa County, State of Michigan.*

16 *(3) SECRETARY.—The term “Secretary” means*
 17 *the Secretary of the Interior.*

18 *(4) SETTLEMENT OF LAND CLAIM.—The term*
 19 *“Settlement of Land Claim” means the agreement be-*
 20 *tween the Tribe and the Governor of the State of*
 21 *Michigan executed on December 30, 2002, and filed*
 22 *with the Office of Secretary of State of the State of*
 23 *Michigan, including the document titled “Addendum*
 24 *to Settlement of Land Claim”, executed by the parties*
 25 *on November 14, 2007.*

1 (5) *TRIBE*.—*The term “Tribe” means the Sault*
 2 *Ste. Marie Tribe of Chippewa Indians, a federally*
 3 *recognized Indian tribe.*

4 (b) *LAND INTO TRUST; PART OF RESERVATION*.—

5 (1) *LAND INTO TRUST*.—*The Secretary shall take*
 6 *the alternative lands into trust for the benefit of the*
 7 *Tribe not later than 30 days after both of the fol-*
 8 *lowing have occurred:*

9 (A) *The Secretary has received a title insur-*
 10 *ance policy for the alternative lands that shows*
 11 *that the alternative lands are not subject to*
 12 *mortgages, liens, deeds of trust, options to pur-*
 13 *chase, or other security interests.*

14 (B) *The Secretary has confirmed that the*
 15 *National Environmental Policy Act of 1969 has*
 16 *been complied with regarding the trust acquisi-*
 17 *tion of the property.*

18 (2) *PART OF RESERVATION*.—*The alternative*
 19 *lands shall become part of the Tribe’s reservation im-*
 20 *mediately upon attaining trust status.*

21 (c) *GAMING*.—*The alternative lands shall be taken into*
 22 *trust as provided in this section as part of the settlement*
 23 *and extinguishment of the Tribe’s Charlotte Beach land*
 24 *claims, and so shall be deemed lands obtained in settlement*
 25 *of a land claim within the meaning of section*

1 20(b)(1)(B)(i) of the Indian Gaming Regulatory Act (25
2 U.S.C. 2719(b)(1)(B)(i)).

3 (d) *EXTINGUISHMENT OF CLAIMS.*—*In consideration*
4 *for the benefits to the Tribe under this Act, any and all*
5 *claims by the Tribe to the Charlotte Beach lands or against*
6 *the United States, the State of Michigan or any subdivision*
7 *thereof, the Governor of the State of Michigan, or any other*
8 *person or entity by the Tribe based on or relating to claims*
9 *to the Charlotte Beach lands (including without limitation,*
10 *claims for trespass damages, use, or occupancy), whether*
11 *based on aboriginal or recognized title, are extinguished*
12 *upon completion of the following:*

13 (1) *The Secretary having taken the alternative*
14 *lands into trust for the benefit of the Tribe under sub-*
15 *section (b).*

16 (2) *Congressional acceptance of the extinguish-*
17 *ment of any and all such claims to the Charlotte*
18 *Beach lands by the Bay Mills Indian Community.*

19 (e) *EFFECTUATION AND RATIFICATION OF AGREE-*
20 *MENT.*—

21 (1) *RATIFICATION.*—*The United States approves*
22 *and ratifies the Settlement of Land Claim.*

23 (2) *NOT PRECEDENT.*—*The provisions contained*
24 *in the Settlement of Land Claim are unique and shall*

1 *not be considered precedent for any future agreement*
2 *between any Indian tribe and State.*

3 (3) *ENFORCEMENT.—The Settlement of Land*
4 *Claim shall be enforceable by either the Tribe or the*
5 *Governor according to its terms. Exclusive jurisdic-*
6 *tion over any enforcement action is vested in the*
7 *United States District Court for the Western District*
8 *of Michigan.*

Union Calendar No. 346

110TH CONGRESS
2D Session

H. R. 4115

[Report No. 110-542, Parts I and II]

A BILL

To provide for and approve the settlement of certain land claims of the Sault Ste. Marie Tribe of Chippewa Indians.

APRIL 4, 2008

Reported adversely from the Committee on the Judiciary; committed to the Committee of the Whole House on the State of the Union and ordered to be printed