

112TH CONGRESS
2D SESSION

H. R. 5992

To direct the Secretary of the Interior to place certain lands in Skagit and San Juan Counties, Washington, into trust for the Samish Indian Nation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2012

Mr. LARSEN of Washington introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of the Interior to place certain lands in Skagit and San Juan Counties, Washington, into trust for the Samish Indian Nation, 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 “Samish Indian Nation
5 Homelands Act of 2012”.

6 **SEC. 2. DEFINITIONS.**

7 (a) PARCELS.—The term “parcels” means the 16
8 parcels of approximately 95 acres of land owned by the

1 Tribe, located in Skagit County and San Juan County,
2 Washington, and depicted on the Map.

3 (b) MAP.—The term “Map” means the map titled
4 “the Samish Indian Nation Homeland Map” dated June
5 20, 2012.

6 (c) SECRETARY.—The term “Secretary” means the
7 Secretary of the Interior.

8 (d) TRIBE.—The term “Tribe” means the Samish In-
9 dian Nation, a federally recognized Indian Tribe.

10 **SEC. 3. LAND INTO TRUST.**

11 (a) ACTION BY THE SECRETARY OF THE INTE-
12 RIOR.—

13 (1) FULFILLMENT OF CONDITIONS.—On fulfill-
14 ment of each condition described in paragraph (2),
15 and in accordance with the regulations of the De-
16 partment of the Interior for implementing the Na-
17 tional Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.) that are applicable to trust land acqui-
19 sitions for Indian tribes that are mandated by Fed-
20 eral legislation, the Secretary shall take the land de-
21 scribed in the Map into trust for the benefit of the
22 Tribe.

23 (2) CONDITIONS.—The conditions referred to in
24 paragraph (1) are that the Tribe shall—

1 (A) convey to the Secretary all right, title,
2 and interest in and to the parcels of land de-
3 scribed in the Map; and

4 (B) submit to the Secretary a request to
5 take the parcels of land described in the Map
6 into trust for the Tribe.

7 (b) SURVEY.—

8 (1) RESPONSIBILITY FOR SURVEY.—The Tribe
9 shall conduct a survey of the boundaries of the par-
10 cels described in the Map and designated for the
11 Tribe and submit the survey to the Bureau of Indian
12 Affairs.

13 (2) APPROVAL OF SURVEY.—

14 (A) Not later than 90 days after the date
15 on which the survey is submitted under this
16 subsection, the Director of the Bureau of In-
17 dian Affairs shall complete a review of the sur-
18 vey, and provide the Tribe with notice of con-
19 currence of the survey.

20 (B) Not later than 120 days after the date
21 on which concurrence is provided to the Tribe,
22 the Secretary shall submit a copy of the survey
23 to the appropriate Committees of Congress, and
24 make the survey available to the public at the
25 appropriate office of the Secretary.

1 (c) EFFECT OF ACT.—Nothing in this Act limits the
2 existing rights or claims of the Samish Indian Nation.

3 **SEC. 4. HUNTING, FISHING, TRAPPING, AND GATHERING.**

4 This Act shall not grant, restore, or diminish any
5 hunting, fishing, trapping or gathering treaty right of any
6 tribe.

7 **SEC. 5. GAMING PROHIBITION.**

8 The Tribe may not conduct on any land taken into
9 trust pursuant to this Act any gaming activities—

10 (1) as a matter of claimed inherent authority;

11 or

12 (2) under any Federal law (including the Indian
13 Gaming Regulatory Act (25 U.S.C. 2701 et seq.)
14 (including any regulations promulgated by the Sec-
15 retary or the National Indian Gaming Commission
16 pursuant to that Act)).

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