

111TH CONGRESS  
1ST SESSION

# H. R. 2040

To authorize a process by which the Secretary of the Interior shall process acquisitions of certain real property of the Samish Indian Nation into trust, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2009

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

---

## A BILL

To authorize a process by which the Secretary of the Interior shall process acquisitions of certain real property of the Samish Indian Nation into trust, 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. ADMINISTRATIVE LAND INTO TRUST PROCESS.**

4 (a) PROCESS.—For the purpose of processing acqui-  
5 sitions of real property of the Samish Indian Nation into  
6 trust under part 151 of title 25, Code of Federal Regula-  
7 tions, at the request of the Samish Indian Nation, the Sec-  
8 retary of the Interior shall process as on-reservation acqui-  
9 sitions any property in the areas described in subsection

1 (b) that the Samish Indian Nation both acquires and re-  
2 quests to deed to the Secretary.

3 (b) LAND DESCRIBED.—The property referred to in  
4 subsection (a) are the following islands located within  
5 Skagit County, Washington: Guemes Island; Cypress Is-  
6 land; Burrows Island; Allan Island; the western part of  
7 Fidalgo Island, to the following described line on the  
8 isthmus separating the western part of Fidalgo Island  
9 from the peninsula comprising the eastern part of Fidalgo  
10 Island: from the northwest side of Similk Bay in township  
11 34N, range 2E follow the north south section line, dividing  
12 section 08 from section 09, north across the Fidalgo Is-  
13 land isthmus into Fidalgo Bay; Samish Island, to the fol-  
14 lowing described boundary line on the eastern edge of the  
15 island: from the northeast side of Padilla Bay, cross the  
16 south east portion of Samish Island along the east west  
17 line dividing section 01, range 2E, township 35N from sec-  
18 tion 36, range 2E, township 36N, into Samish Bay and  
19 Siwash Slough; Cone Islands; Dot Island; Huckleberry Is-  
20 land; Jack Island; Northwest Island; Saddlebag Island;  
21 Strawberry Island; Towhead Island; Williamson Rocks;  
22 and Young Island.

23 **SEC. 2. USE OF LAND.**

24 Real property taken into trust under section 1 shall  
25 not be used for gaming under the Indian Gaming Regu-

1 latory Act (25 U.S.C. 2701 et seq.). The proclamation of  
2 a reservation for the Samish Indian Nation pursuant to  
3 the Indian Reorganization Act or the establishment of an  
4 initial reservation for the Samish Indian Nation shall not  
5 alter the prohibition of this section with regard to lands  
6 taken into trust pursuant to this Act.

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

8 This Act shall not grant, restore, or diminish any  
9 hunting, fishing, trapping, or gathering treaty right of the  
10 Samish Indian Nation.

11 **SEC. 4. CLARIFICATION OF EFFECT OF LAND TAKEN INTO**  
12 **TRUST.**

13 This Act shall not affect or diminish any right to  
14 which any other Indian tribe is entitled under law to apply  
15 to have land taken into trust with the area described in  
16 section 1. The designation of a geographic area in this  
17 Act for purposes of processing fee-to-trust applications  
18 under part 151 of title 25, Code of Federal Regulations,  
19 shall not be construed as creating a reservation for the  
20 Samish Indian Nation in such area. Any reservation for  
21 the Samish Indian Nation shall be established or created  
22 pursuant to Federal law.

○