

## Union Calendar No.

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2252

[Report No. 119-]

To authorize the relinquishment and in lieu selection of land and minerals in the State of North Dakota, to restore land and minerals to Indian Tribes within the State of North Dakota, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2025

Ms. FEDORCHAK introduced the following bill; which was referred to the Committee on Natural Resources

APRIL --, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 21, 2025]

# **A BILL**

To authorize the relinquishment and in lieu selection of land and minerals in the State of North Dakota, to restore land and minerals to Indian Tribes within the State of North Dakota, 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 “North Dakota Trust*  
5 *Lands Completion Act of 2026”.*

6 **SEC. 2. DEFINITIONS.**

7        *In this Act:*

8            (1) *NORTH DAKOTA ENABLING ACT.*—*The term*  
9 *“North Dakota Enabling Act” means the Act of Feb-*  
10 *ruary 22, 1889 (25 Stat. 676, chapter 180).*

11           (2) *RESERVATION.*—*The term “reservation”*  
12 *means any Indian reservation located wholly or par-*  
13 *tially within the State of North Dakota and recog-*  
14 *nized under United States treaty, Executive order, or*  
15 *Act of Congress.*

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

18           (4) *STATE.*—*The term “State” means the State*  
19 *of North Dakota, acting through the North Dakota*  
20 *Board of University and School Lands and its agent,*  
21 *the Department of Trust Lands.*

22           (5) *STATE LAND GRANT PARCEL.*—*The term*  
23 *“State land grant parcel” means—*

24                    (A) *a parcel of land granted to the State of*  
25 *North Dakota by Congress—*

1                   (i) on statehood; or

2                   (ii) through a grant pursuant to the  
3                   *North Dakota Enabling Act*;

4                   (B) a section of land numbered 16 or 36  
5                   granted to the State of North Dakota by Congress  
6                   for school purposes;

7                   (C) a parcel of land selected by the State of  
8                   North Dakota as indemnity for any section of  
9                   land numbered 16 or 36; and

10                  (D) a parcel of land other than a parcel of  
11                  land described in subparagraph (A), (B), or (C)  
12                  obtained by the State after statehood.

13                  (6) *UNAPPROPRIATED FEDERAL LAND.*—

14                   (A) *IN GENERAL.*—The term “unappropri-  
15                   ated Federal land” means public land adminis-  
16                   tered by the Bureau of Land Management lo-  
17                   cated within the State of North Dakota, includ-  
18                   ing public land that is mineral in character.

19                   (B) *EXCLUSIONS.*—The term “unappropri-  
20                   ated Federal land” does not include—

21                   (i) land (including an interest in land)  
22                   acquired by the Bureau of Land Manage-  
23                   ment;

24                   (ii) any area of critical environmental  
25                   concern established pursuant to section

1                    *202(c)(3) of the Federal Land Policy and*  
2                    *Management Act of 1976 (43 U.S.C.*  
3                    *1712(c)(3)); or*

4                    *(iii) land that is—*

5                    *(I) withdrawn from—*

6                    *(aa) entry, appropriation, or*  
7                    *disposal under the public land*  
8                    *laws;*

9                    *(bb) location, entry, and pat-*  
10                   *ent under the mining laws; or*

11                   *(cc) disposition under all*  
12                   *laws pertaining to mineral and*  
13                   *geothermal leasing or mineral ma-*  
14                   *terials;*

15                   *(II) located within a component*  
16                   *of the National Landscape Conserva-*  
17                   *tion System;*

18                   *(III) designated as a Research*  
19                   *Natural Area;*

20                   *(IV) located within any reserva-*  
21                   *tion;*

22                   *(V) located within—*

23                   *(aa) T. 147 N., R. 95 W.;*

24                   *(bb) T. 148 N., R. 95 W.;*

25                   *(cc) T. 148 N., R. 96 W.; or*

1                                    *(dd) T. 149 N., R. 95 W.;*  
2                                    *(VI) located within a United*  
3                                    *States military reservation; or*  
4                                    *(VII) designated by Congress or*  
5                                    *the President for conservation pur-*  
6                                    *poses.*

7 **SEC. 3. RELINQUISHMENT AND SELECTION; CONVEYANCE.**

8            *(a) RELINQUISHMENT AND SELECTION.—*

9                    *(1) IN GENERAL.—Subject to valid existing*  
10                   *rights, if the State elects to relinquish all right, title,*  
11                   *and interest of the State in and to a State land grant*  
12                   *parcel located wholly or partially within the bound-*  
13                   *aries of any reservation, the Secretary shall authorize*  
14                   *the State to select in accordance with this Act 1 or*  
15                   *more parcels of unappropriated Federal land of sub-*  
16                   *stantially equivalent value.*

17                   *(2) SELECTION.—*

18                   *(A) IN GENERAL.—Subject to a mutual*  
19                   *agreement between the State and the Secretary,*  
20                   *the land exchange authorized under paragraph*  
21                   *(1) may be carried out in a single phase or mul-*  
22                   *tiple phases.*

23                   *(B) LIST.—For each phase of the land ex-*  
24                   *change, the State shall provide to the Secretary*  
25                   *a selection list in accordance with this Act, in-*

1           *cluding all selected parcels of unappropriated*  
2           *Federal land of substantially equivalent value.*

3           (C) *ADJUSTMENTS.*—*Adjustments to parcels*  
4           *included in the selection list for each phase may*  
5           *be made as necessary, not later than 120 days of*  
6           *delivery of the list to the Secretary, to equalize*  
7           *the value of State land grant parcels and the*  
8           *overall value of the parcels of unappropriated*  
9           *Federal land selected.*

10          (3) *APPROVAL.*—*Not later than 180 days after*  
11          *the date on which the State makes a selection for each*  
12          *phase under paragraph (2), the Secretary shall ap-*  
13          *prove or reject, in whole or in part, the selection for*  
14          *that phase.*

15          (4) *REVIEW.*—*Nothing in this subsection pre-*  
16          *cludes the Secretary from conducting an environ-*  
17          *mental review of any parcel proposed for relinquish-*  
18          *ment under paragraph (1) if the Secretary determines*  
19          *that an environmental review is appropriate.*

20          (b) *CONVEYANCE.*—

21                 (1) *CONVEYANCE BY SECRETARY.*—

22                         (A) *IN GENERAL.*—*Not later than 60 days*  
23                         *after the date on which the Secretary approves a*  
24                         *State selection of unappropriated Federal land*  
25                         *under subsection (a)(3), the Secretary shall ini-*

1           *tiate the actions necessary to convey to the State*  
2           *the unappropriated Federal land.*

3           *(B) REQUIREMENTS.—Conveyance of unap-*  
4           *propriated Federal land by the Secretary under*  
5           *this Act—*

6                     *(i) shall be by patent or deed in a form*  
7                     *acceptable to the State and the Secretary;*  
8                     *and*

9                     *(ii) shall not be considered a sale, ex-*  
10                    *change, or conveyance for purposes of sec-*  
11                    *tion 203, 205, 206, or 209 of the Federal*  
12                    *Land Policy and Management Act of 1976*  
13                    *(43 U.S.C. 1713, 1715, 1716, 1719).*

14           *(2) RELINQUISHMENT AND CONVEYANCE BY*  
15           *STATE.—*

16                    *(A) IN GENERAL.—As consideration for the*  
17                    *conveyance of unappropriated Federal land*  
18                    *under paragraph (1), on the date on which the*  
19                    *unappropriated Federal land is conveyed to the*  
20                    *State, the State shall concurrently relinquish*  
21                    *and convey to the Secretary all right, title, and*  
22                    *interest of the State in and to the State land*  
23                    *grant parcel identified for relinquishment under*  
24                    *subsection (a)(1).*

1                   (B) *TITLE.*—*The State shall convey to the*  
2                   *Secretary title, free of any financial claims, li-*  
3                   *abilities, or other financial encumbrances, to all*  
4                   *parcels relinquished under subparagraph (A).*

5                   (C) *LIMITATION.*—*Relinquishment and con-*  
6                   *veyance by the State of a State land grant parcel*  
7                   *under this Act shall not be considered an ex-*  
8                   *change or acquisition for purposes of section 205*  
9                   *or 206 of the Federal Land Policy and Manage-*  
10                   *ment Act of 1976 (43 U.S.C. 1715, 1716).*

11                  (c) *SUCCESSION TO RIGHTS AND OBLIGATIONS.*—*Each*  
12                  *party to which land is conveyed under this Act shall, to*  
13                  *the fullest extent allowable under Federal and State law,*  
14                  *succeed to the rights and obligations of the conveying party*  
15                  *with respect to any lease, right-of-way, permit, or other*  
16                  *valid existing right to which the land is subject.*

17                  (d) *MANAGEMENT AFTER RELINQUISHMENT.*—

18                         (1) *RESERVATION.*—*If a State land grant parcel*  
19                         *relinquished by the State and conveyed to the Sec-*  
20                         *retary under this Act is located wholly or partially*  
21                         *within the boundaries of any reservation, on request*  
22                         *of the applicable Indian Tribe, the portion of the*  
23                         *State land grant parcel located within the boundaries*  
24                         *of the reservation shall be—*

1           (A) taken into trust by the Secretary on be-  
2 half of, and for the benefit of, the Indian Tribe  
3 on the date of the conveyance; and

4           (B) considered to be a part of the reserva-  
5 tion of the Indian Tribe.

6           (2) *CONSULTATION REQUIRED.*—Prior to the  
7 conveyance of a State land grant parcel located whol-  
8 ly or partially within the boundaries of any reserva-  
9 tion, the State and the Secretary shall consult with  
10 affected Indian Tribes, including the Indian Tribe the  
11 land of which is subject to conveyance in accordance  
12 with Executive Order 13175 (25 U.S.C. 5301 note; re-  
13 lating to consultation and coordination with Indian  
14 tribal governments) and other applicable laws.

15           (e) *WITHDRAWAL.*—

16           (1) *IN GENERAL.*—Subject to valid rights in ex-  
17 istence on the date of enactment of this Act, all unap-  
18 propriated Federal land selected by the State for con-  
19 veyance under this Act, effective beginning on the date  
20 on which the State makes the selection for such Fed-  
21 eral land and ending on the date described in para-  
22 graph (2), is withdrawn from all forms of—

23           (A) entry, appropriation, or disposal under  
24 the public land laws;

1           (B) location, entry, and patent under the  
2           mining laws; and

3           (C) disposition under all laws pertaining to  
4           mineral and geothermal leasing or mineral ma-  
5           terials.

6           (2) *DATE DESCRIBED.*—The date referred to in  
7           paragraph (1) is the date on which, as applicable—

8           (A) the unappropriated Federal land is con-  
9           veyed by the Secretary to the State;

10           (B) the Secretary rejects the selection under  
11           subsection (a)(3); or

12           (C) the State withdraws the selection.

13 **SEC. 4. VALUATION.**

14           (a) *EQUAL VALUE.*—With respect to a State land  
15           grant parcel conveyed under this Act in consideration for  
16           a parcel of unappropriated Federal land selected in accord-  
17           ance with this Act—

18           (1) the overall value of the State land grant par-  
19           cel and the overall value of the parcel of unappropri-  
20           ated Federal land shall be substantially equal; or

21           (2) subject to subsection (c), if the overall value  
22           of the parcels is not equal, the party conveying the  
23           parcel of lesser value shall—

24           (A) equalize the value by the payment of  
25           funds to the other party; or

1                   (B) enter the imbalance in value on a ledger  
2                   account in accordance with subsection (e).

3           (b) *APPRAISAL REQUIRED.*—

4                   (1) *IN GENERAL.*—Except as provided in sub-  
5                   section (d), the value of the unappropriated Federal  
6                   land selected in accordance with this Act and the  
7                   value of a State land grant parcel conveyed under  
8                   this Act shall be determined by appraisals conducted  
9                   by 1 or more independent appraisers selected jointly  
10                  by the Secretary and the State.

11                  (2) *REQUIREMENTS.*—An appraisal under para-  
12                  graph (1) shall be completed in accordance with—

13                               (A) the Uniform Appraisal Standards for  
14                               Federal Land Acquisitions; or

15                               (B) subject to subsection (d)(1), the Uniform  
16                               Standards for Professional Appraisal Practice.

17           (c) *EQUALIZATION.*—With respect to a conveyance to  
18           the Secretary of a State land grant parcel of lesser value  
19           than the parcel of unappropriated Federal land to be con-  
20           veyed to the State under this Act, the total value of the  
21           equalization payment described in subsection (a)(2)(A) or  
22           the ledger entry described in subsection (e), as applicable,  
23           may not exceed 25 percent of the total value of the parcel  
24           of unappropriated Federal land.

25           (d) *LOW VALUE PARCELS.*—

1           (1) *IN GENERAL.*—*The Secretary, with the con-*  
2           *sent of the State, may use mass appraisals, a sum-*  
3           *mary appraisal, or a statement of value made by a*  
4           *qualified appraiser carried out in accordance with*  
5           *the Uniform Standards for Professional Appraisal*  
6           *Practice to determine the value of a State land grant*  
7           *parcel or a parcel of unappropriated Federal land to*  
8           *be conveyed under this Act instead of an appraisal*  
9           *that complies with the Uniform Appraisal Standards*  
10           *for Federal Land Acquisitions if the State and the*  
11           *Secretary agree that market value of the State land*  
12           *grant parcel or parcel of unappropriated Federal*  
13           *land, as applicable, is—*

14                     (A) *less than \$500,000; and*

15                     (B) *less than \$500 per acre.*

16           (2) *DIVISION.*—*A State land grant parcel or a*  
17           *parcel of unappropriated Federal land may not be ar-*  
18           *tificially divided in order to qualify for a summary*  
19           *appraisal, mass appraisal, or statement of value*  
20           *under paragraph (1).*

21           (e) *LEDGER ACCOUNTS.*—

22           (1) *IN GENERAL.*—*With respect to a State land*  
23           *grant parcel conveyed under this Act in consideration*  
24           *for a parcel of unappropriated Federal land, if the*  
25           *overall value of the parcels is not equal, the Secretary*

1       *and the State may agree to use a ledger account to*  
2       *make equal the value.*

3               (2) *IMBALANCES.*—*A ledger account described in*  
4       *paragraph (1) shall reflect imbalances in value to be*  
5       *reconciled in a subsequent transaction.*

6               (3) *ACCOUNT BALANCING.*—*Each ledger account*  
7       *described in paragraph (1) shall be—*

8                       (A) *balanced not later than 3 years after*  
9       *the date on which the ledger account is estab-*  
10       *lished; and*

11                      (B) *closed not later than 5 years after the*  
12       *date of the last conveyance of land under this*  
13       *Act.*

14               (4) *COSTS.*—

15                      (A) *IN GENERAL.*—*The Secretary or the*  
16       *State may assume costs or other responsibilities*  
17       *or requirements for conveying land under this*  
18       *Act that ordinarily are borne by the other party.*

19                      (B) *ADJUSTMENT.*—*If the Secretary or the*  
20       *State assume costs or other responsibilities under*  
21       *subparagraph (A), the Secretary or the State*  
22       *shall make adjustments to the value of the unap-*  
23       *propriated Federal land conveyed to the State to*  
24       *compensate the Secretary or the State, as appli-*

1           *cable, for assuming the costs or other responsibil-*  
2           *ities.*

3           (5) *MINERAL LAND.*—*If value is attributed to*  
4           *any parcel of unappropriated Federal land that has*  
5           *been selected by the State because of the presence of*  
6           *minerals under a lease entered into under the Mineral*  
7           *Leasing Act (30 U.S.C. 181 et seq.) that is in a pro-*  
8           *ducing or producible status, and the lease is to be con-*  
9           *veyed under this Act, the value of the parcel shall be*  
10          *reduced by the amount that represents the likely Fed-*  
11          *eral revenue sharing obligation under the Mineral*  
12          *Leasing Act (30 U.S.C. 181 et seq.) with the State,*  
13          *but the adjustment shall not be considered as reflect-*  
14          *ing a property right of the State.*

15          (6) *PUBLIC INSPECTION AND NOTICE.*—

16                 (A) *PUBLIC INSPECTION.*—*Not later than*  
17                 *30 days before the date of any exchange of Fed-*  
18                 *eral land and non-Federal land under this act,*  
19                 *all final appraisals and appraisal reviews for*  
20                 *the land to be exchanged shall be available for*  
21                 *public review at the office of the State Director*  
22                 *of the Bureau of Land Management in the Mon-*  
23                 *tana-Dakotas State Office.*

24                 (B) *NOTICE.*—*The Secretary shall make*  
25                 *available on the public website of the Secretary,*

1           *and the Secretary or the State, as applicable,*  
2           *shall publish in a newspaper of general circula-*  
3           *tion in North Dakota, a notice that the apprais-*  
4           *als conducted under subsection (b) are available*  
5           *for public inspection.*

6 **SEC. 5. MISCELLANEOUS.**

7           *(a) IN GENERAL.—Land or minerals conveyed under*  
8           *this Act shall be subject to all applicable Federal, State,*  
9           *and Tribal law.*

10          *(b) PROTECTION OF INDIAN RIGHTS.—*

11            *(1) TREATY RIGHTS.—Nothing in this Act modi-*  
12            *fies, limits, expands, or otherwise affects any treaty-*  
13            *reserved right or other right of any Indian Tribe rec-*  
14            *ognized by any other means, including treaties or*  
15            *agreements with the United States, Executive orders,*  
16            *statutes, regulations, or case law.*

17            *(2) LAND OR MINERALS HELD IN TRUST.—Noth-*  
18            *ing in this Act affects—*

19              *(A) land or minerals held in trust by the*  
20              *United States as of the date of enactment of this*  
21              *Act on behalf of, and for the benefit of, any In-*  
22              *Indian Tribe; or*

23              *(B) any individual Indian allotment.*

24          *(c) HAZARDOUS MATERIALS.—*

1           (1) *IN GENERAL.*—*The Secretary and the State*  
2           *shall make available for review and inspection any*  
3           *record relating to hazardous materials on land to be*  
4           *conveyed under this Act.*

5           (2) *CERTIFICATION.*—

6           (A) *IN GENERAL.*—*Prior to completing a*  
7           *conveyance of unappropriated Federal land*  
8           *under this Act, the Secretary shall complete an*  
9           *inspection and a hazardous materials certifi-*  
10          *cation of the land to be conveyed.*

11          (B) *STATE LAND GRANT PARCELS.*—*Prior*  
12          *to completing a conveyance of a State land grant*  
13          *parcel under this Act, the State shall complete*  
14          *an inspection and a hazardous materials certifi-*  
15          *cation of the land to be conveyed.*

16          (d) *GRAZING PERMITS.*—

17          (1) *IN GENERAL.*—*If land conveyed under this*  
18          *Act is subject to a lease, permit, or contract for the*  
19          *grazing of domestic livestock in effect on the date of*  
20          *the conveyance, the Secretary or the State, as applica-*  
21          *ble, shall allow the grazing to continue for the re-*  
22          *mainder of the term of the lease, permit, or contract,*  
23          *subject to the related terms and conditions of the user*  
24          *agreements, including permitted stocking rates, graz-*

1        *ing fee levels, access, and ownership and use of range*  
2        *improvements.*

3            (2) *CANCELLATION.*—

4            (A) *IN GENERAL.*—*Nothing in this Act pre-*  
5        *vents the Secretary or the State from canceling*  
6        *or modifying a grazing permit, lease, or contract*  
7        *if the land subject to the permit, lease, or con-*  
8        *tract is sold, conveyed, transferred, or leased for*  
9        *nongrazing purposes.*

10           (B) *BASE PROPERTIES.*—*If land conveyed*  
11        *by the State under this Act is used by a grazing*  
12        *permittee or lessee to meet the base property re-*  
13        *quirements for a Federal grazing permit or lease,*  
14        *the land shall continue to qualify as a base prop-*  
15        *erty for the remaining term of the lease or per-*  
16        *mit and the term of any renewal or extension of*  
17        *the lease or permit.*

18           (C) *RANGE IMPROVEMENTS.*—*Nothing in*  
19        *this Act prohibits a holder of a grazing lease,*  
20        *permit, or contract from being compensated for*  
21        *range improvements pursuant to the terms of the*  
22        *lease, permit, or contract under existing Federal*  
23        *or State laws.*

1 **SEC. 6. SAVINGS CLAUSE.**

2       *Nothing in this Act applies to or affects litigation or*  
3 *disputes pending on the date of enactment of this Act re-*  
4 *garding the ownership of any land or mineral resources lo-*  
5 *cated within the State of North Dakota.*