

119TH CONGRESS
2D SESSION

H. R. 2252

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “North Dakota Trust
3 Lands Completion Act of 2026”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) NORTH DAKOTA ENABLING ACT.—The term
7 “North Dakota Enabling Act” means the Act of
8 February 22, 1889 (25 Stat. 676, chapter 180).

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

14 (3) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

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

20 (5) STATE LAND GRANT PARCEL.—The term
21 “State land grant parcel” means—

22 (A) a parcel of land granted to the State
23 of North Dakota by Congress—

24 (i) on statehood; or

25 (ii) through a grant pursuant to the
26 North Dakota Enabling Act;

1 (B) a section of land numbered 16 or 36
2 granted to the State of North Dakota by Con-
3 gress for school purposes;

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

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

10 (6) UNAPPROPRIATED FEDERAL LAND.—

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

16 (B) EXCLUSIONS.—The term “unappropri-
17 ated Federal land” does not include—

18 (i) land (including an interest in land)
19 acquired by the Bureau of Land Manage-
20 ment;

21 (ii) any area of critical environmental
22 concern established pursuant to section
23 202(c)(3) of the Federal Land Policy and
24 Management Act of 1976 (43 U.S.C.
25 1712(c)(3)); or

1 (iii) land that is—

2 (I) withdrawn from—

3 (aa) entry, appropriation, or
4 disposal under the public land
5 laws;

6 (bb) location, entry, and
7 patent under the mining laws; or

8 (cc) disposition under all
9 laws pertaining to mineral and
10 geothermal leasing or mineral
11 materials;

12 (II) located within a component
13 of the National Landscape Conserva-
14 tion System;

15 (III) designated as a Research
16 Natural Area;

17 (IV) located within any reserva-
18 tion;

19 (V) located within—

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

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

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

23 (dd) T. 149 N., R. 95 W.;

24 (VI) located within a United
25 States military reservation; or

1 (VII) designated by Congress or
2 the President for conservation pur-
3 poses.

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

5 (a) RELINQUISHMENT AND SELECTION.—

6 (1) IN GENERAL.—Subject to valid existing
7 rights, if the State elects to relinquish all right, title,
8 and interest of the State in and to a State land
9 grant parcel located wholly or partially within the
10 boundaries of any reservation, the Secretary shall
11 authorize the State to select in accordance with this
12 Act 1 or more parcels of unappropriated Federal
13 land of substantially equivalent value.

14 (2) SELECTION.—

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

20 (B) LIST.—For each phase of the land ex-
21 change, the State shall provide to the Secretary
22 a selection list in accordance with this Act, in-
23 cluding all selected parcels of unappropriated
24 Federal land of substantially equivalent value.

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

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

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

18 (b) CONVEYANCE.—

19 (1) CONVEYANCE BY SECRETARY.—

20 (A) IN GENERAL.—Not later than 60 days
21 after the date on which the Secretary approves
22 a State selection of unappropriated Federal
23 land under subsection (a)(3), the Secretary
24 shall initiate the actions necessary to convey to
25 the State the unappropriated Federal land.

1 (B) REQUIREMENTS.—Conveyance of un-
2 appropriated Federal land by the Secretary
3 under this Act—

4 (i) shall be by patent or deed in a
5 form acceptable to the State and the Sec-
6 retary; and

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

12 (2) RELINQUISHMENT AND CONVEYANCE BY
13 STATE.—

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

23 (B) TITLE.—The State shall convey to the
24 Secretary title, free of any financial claims, li-

1 abilities, or other financial encumbrances, to all
2 parcels relinquished under subparagraph (A).

3 (C) LIMITATION.—Relinquishment and
4 conveyance by the State of a State land grant
5 parcel under this Act shall not be considered an
6 exchange or acquisition for purposes of section
7 205 or 206 of the Federal Land Policy and
8 Management Act of 1976 (43 U.S.C. 1715,
9 1716).

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

16 (d) MANAGEMENT AFTER RELINQUISHMENT.—

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

1 (A) taken into trust by the Secretary on
2 behalf of, and for the benefit of, the Indian
3 Tribe 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
8 wholly or partially within the boundaries of any res-
9 ervation, the State and the Secretary shall consult
10 with affected Indian Tribes, including the Indian
11 Tribe the land of which is subject to conveyance in
12 accordance with Executive Order 13175 (25 U.S.C.
13 5301 note; relating to consultation and coordination
14 with Indian tribal governments) and other applicable
15 laws.

16 (e) WITHDRAWAL.—

17 (1) IN GENERAL.—Subject to valid rights in ex-
18 istence on the date of enactment of this Act, all un-
19 appropriated Federal land selected by the State for
20 conveyance under this Act, effective beginning on
21 the date on which the State makes the selection for
22 such Federal land and ending on the date described
23 in paragraph (2), is withdrawn from all forms of—

24 (A) entry, appropriation, or disposal under
25 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
9 conveyed by the Secretary to the State;

10 (B) the Secretary rejects the selection
11 under 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 ac-
17 cordance with this Act—

18 (1) the overall value of the State land grant
19 parcel and the overall value of the parcel of unap-
20 propriated Federal land shall be substantially equal;
21 or

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

1 (A) equalize the value by the payment of
2 funds to the other party; or

3 (B) enter the imbalance in value on a ledg-
4 er account in accordance with subsection (e).

5 (b) APPRAISAL REQUIRED.—

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

13 (2) REQUIREMENTS.—An appraisal under para-
14 graph (1) shall be completed in accordance with—

15 (A) the Uniform Appraisal Standards for
16 Federal Land Acquisitions; or

17 (B) subject to subsection (d)(1), the Uni-
18 form Standards for Professional Appraisal
19 Practice.

20 (c) EQUALIZATION.—With respect to a conveyance to
21 the Secretary of a State land grant parcel of lesser value
22 than the parcel of unappropriated Federal land to be con-
23 veyed to the State under this Act, the total value of the
24 equalization payment described in subsection (a)(2)(A) or
25 the ledger entry described in subsection (e), as applicable,

1 may not exceed 25 percent of the total value of the parcel
2 of unappropriated Federal land.

3 (d) LOW VALUE PARCELS.—

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

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

18 (B) less than \$500 per acre.

19 (2) DIVISION.—A State land grant parcel or a
20 parcel of unappropriated Federal land may not be
21 artificially divided in order to qualify for a summary
22 appraisal, mass appraisal, or statement of value
23 under paragraph (1).

24 (e) LEDGER ACCOUNTS.—

1 (1) IN GENERAL.—With respect to a State land
2 grant parcel conveyed under this Act in consider-
3 ation for a parcel of unappropriated Federal land, if
4 the overall value of the parcels is not equal, the Sec-
5 retary and the State may agree to use a ledger ac-
6 count to make equal the value.

7 (2) IMBALANCES.—A ledger account described
8 in paragraph (1) shall reflect imbalances in value to
9 be reconciled in a subsequent transaction.

10 (3) ACCOUNT BALANCING.—Each ledger ac-
11 count described in paragraph (1) shall be—

12 (A) balanced not later than 3 years after
13 the date on which the ledger account is estab-
14 lished; and

15 (B) closed not later than 5 years after the
16 date of the last conveyance of land under this
17 Act.

18 (4) COSTS.—

19 (A) IN GENERAL.—The Secretary or the
20 State may assume costs or other responsibilities
21 or requirements for conveying land under this
22 Act that ordinarily are borne by the other
23 party.

24 (B) ADJUSTMENT.—If the Secretary or the
25 State assume costs or other responsibilities

1 under subparagraph (A), the Secretary or the
2 State shall make adjustments to the value of
3 the unappropriated Federal land conveyed to
4 the State to compensate the Secretary or the
5 State, as applicable, for assuming the costs or
6 other responsibilities.

7 (5) MINERAL LAND.—If value is attributed to
8 any parcel of unappropriated Federal land that has
9 been selected by the State because of the presence
10 of minerals under a lease entered into under the
11 Mineral Leasing Act (30 U.S.C. 181 et seq.) that is
12 in a producing or producible status, and the lease is
13 to be conveyed under this Act, the value of the par-
14 cel shall be reduced by the amount that represents
15 the likely Federal revenue sharing obligation under
16 the Mineral Leasing Act (30 U.S.C. 181 et seq.)
17 with the State, but the adjustment shall not be con-
18 sidered as reflecting a property right of the State.

19 (6) PUBLIC INSPECTION AND NOTICE.—

20 (A) PUBLIC INSPECTION.—Not later than
21 30 days before the date of any exchange of
22 Federal land and non-Federal land under this
23 act, all final appraisals and appraisal reviews
24 for the land to be exchanged shall be available
25 for public review at the office of the State Di-

1 rector of the Bureau of Land Management in
2 the Montana-Dakotas State Office.

3 (B) NOTICE.—The Secretary shall make
4 available on the public website of the Secretary,
5 and the Secretary or the State, as applicable,
6 shall publish in a newspaper of general circula-
7 tion in North Dakota, a notice that the apprais-
8 als conducted under subsection (b) are available
9 for public inspection.

10 **SEC. 5. MISCELLANEOUS.**

11 (a) IN GENERAL.—Land or minerals conveyed under
12 this Act shall be subject to all applicable Federal, State,
13 and Tribal law.

14 (b) PROTECTION OF INDIAN RIGHTS.—

15 (1) TREATY RIGHTS.—Nothing in this Act
16 modifies, limits, expands, or otherwise affects any
17 treaty-reserved right or other right of any Indian
18 Tribe recognized by any other means, including trea-
19 ties or agreements with the United States, Executive
20 orders, statutes, regulations, or case law.

21 (2) LAND OR MINERALS HELD IN TRUST.—

22 Nothing in this Act affects—

23 (A) land or minerals held in trust by the
24 United States as of the date of enactment of

1 this Act on behalf of, and for the benefit of, any
2 Indian Tribe; or

3 (B) any individual Indian allotment.

4 (c) HAZARDOUS MATERIALS.—

5 (1) IN GENERAL.—The Secretary and the State
6 shall make available for review and inspection any
7 record relating to hazardous materials on land to be
8 conveyed under this Act.

9 (2) CERTIFICATION.—

10 (A) IN GENERAL.—Prior to completing a
11 conveyance of unappropriated Federal land
12 under this Act, the Secretary shall complete an
13 inspection and a hazardous materials certifi-
14 cation of the land to be conveyed.

15 (B) STATE LAND GRANT PARCELS.—Prior
16 to completing a conveyance of a State land
17 grant parcel under this Act, the State shall
18 complete an inspection and a hazardous mate-
19 rials certification of the land to be conveyed.

20 (d) GRAZING PERMITS.—

21 (1) IN GENERAL.—If land conveyed under this
22 Act is subject to a lease, permit, or contract for the
23 grazing of domestic livestock in effect on the date of
24 the conveyance, the Secretary or the State, as appli-
25 cable, shall allow the grazing to continue for the re-

1 mainder of the term of the lease, permit, or con-
2 tract, subject to the related terms and conditions of
3 the user agreements, including permitted stocking
4 rates, grazing fee levels, access, and ownership and
5 use of range improvements.

6 (2) CANCELLATION.—

7 (A) IN GENERAL.—Nothing in this Act
8 prevents the Secretary or the State from can-
9 celing or modifying a grazing permit, lease, or
10 contract if the land subject to the permit, lease,
11 or contract is sold, conveyed, transferred, or
12 leased for nongrazing purposes.

13 (B) BASE PROPERTIES.—If land conveyed
14 by the State under this Act is used by a grazing
15 permittee or lessee to meet the base property
16 requirements for a Federal grazing permit or
17 lease, the land shall continue to qualify as a
18 base property for the remaining term of the
19 lease or permit and the term of any renewal or
20 extension of the lease or permit.

21 (C) RANGE IMPROVEMENTS.—Nothing in
22 this Act prohibits a holder of a grazing lease,
23 permit, or contract from being compensated for
24 range improvements pursuant to the terms of

1 the lease, permit, or contract under existing
2 Federal or State laws.

3 **SEC. 6. SAVINGS CLAUSE.**

4 Nothing in this Act applies to or affects litigation or
5 disputes pending on the date of enactment of this Act re-
6 garding the ownership of any land or mineral resources
7 located within the State of North Dakota.

Passed the House of Representatives May 19, 2026.

Attest:

Clerk.

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AN ACT

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.