

NORTH DAKOTA TRUST LANDS COMPLETION ACT OF 2026

APRIL 2, 2026.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2252]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2252) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

SEC. 2. DEFINITIONS.

In this Act:

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

(2) RESERVATION.—The term “reservation” means any Indian reservation located wholly or partially within the State of North Dakota and recognized under United States treaty, Executive order, or Act of Congress.

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

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

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

(A) a parcel of land granted to the State of North Dakota by Congress—
(i) on statehood; or

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

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

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

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

(6) UNAPPROPRIATED FEDERAL LAND.—

(A) IN GENERAL.—The term “unappropriated Federal land” means public land administered by the Bureau of Land Management located within the State of North Dakota, including public land that is mineral in character.

(B) EXCLUSIONS.—The term “unappropriated Federal land” does not include—

- (i) land (including an interest in land) acquired by the Bureau of Land Management;
- (ii) any area of critical environmental concern established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)); or
- (iii) land that is—
 - (I) withdrawn from—
 - (aa) entry, appropriation, or disposal under the public land laws;
 - (bb) location, entry, and patent under the mining laws; or
 - (cc) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials;
 - (II) located within a component of the National Landscape Conservation System;
 - (III) designated as a Research Natural Area;
 - (IV) located within any reservation;
 - (V) located within—
 - (aa) T. 147 N., R. 95 W.;
 - (bb) T. 148 N., R. 95 W.;
 - (cc) T. 148 N., R. 96 W.; or
 - (dd) T. 149 N., R. 95 W.;
 - (VI) located within a United States military reservation; or
 - (VII) designated by Congress or the President for conservation purposes.

SEC. 3. RELINQUISHMENT AND SELECTION; CONVEYANCE.

(a) RELINQUISHMENT AND SELECTION.—

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

(2) SELECTION.—

(A) IN GENERAL.—Subject to a mutual agreement between the State and the Secretary, the land exchange authorized under paragraph (1) may be carried out in a single phase or multiple phases.

(B) LIST.—For each phase of the land exchange, the State shall provide to the Secretary a selection list in accordance with this Act, including all selected parcels of unappropriated Federal land of substantially equivalent value.

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

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

(4) REVIEW.—Nothing in this subsection precludes the Secretary from conducting an environmental review of any parcel proposed for relinquishment under paragraph (1) if the Secretary determines that an environmental review is appropriate.

(b) CONVEYANCE.—

(1) CONVEYANCE BY SECRETARY.—

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

(B) REQUIREMENTS.—Conveyance of unappropriated Federal land by the Secretary under this Act—

- (i) shall be by patent or deed in a form acceptable to the State and the Secretary; and

- (ii) shall not be considered a sale, exchange, or conveyance for purposes of section 203, 205, 206, or 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1715, 1716, 1719).
- (2) RELINQUISHMENT AND CONVEYANCE BY STATE.—
 - (A) IN GENERAL.—As consideration for the conveyance of unappropriated Federal land under paragraph (1), on the date on which the unappropriated Federal land is conveyed to the State, the State shall concurrently relinquish and convey to the Secretary all right, title, and interest of the State in and to the State land grant parcel identified for relinquishment under subsection (a)(1).
 - (B) TITLE.—The State shall convey to the Secretary title, free of any financial claims, liabilities, or other financial encumbrances, to all parcels relinquished under subparagraph (A).
 - (C) LIMITATION.—Relinquishment and conveyance by the State of a State land grant parcel under this Act shall not be considered an exchange or acquisition for purposes of section 205 or 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715, 1716).
- (c) SUCCESSION TO RIGHTS AND OBLIGATIONS.—Each party to which land is conveyed under this Act shall, to the fullest extent allowable under Federal and State law, succeed to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit, or other valid existing right to which the land is subject.
- (d) MANAGEMENT AFTER RELINQUISHMENT.—
 - (1) RESERVATION.—If a State land grant parcel relinquished by the State and conveyed to the Secretary under this Act is located wholly or partially within the boundaries of any reservation, on request of the applicable Indian Tribe, the portion of the State land grant parcel located within the boundaries of the reservation shall be—
 - (A) taken into trust by the Secretary on behalf of, and for the benefit of, the Indian Tribe on the date of the conveyance; and
 - (B) considered to be a part of the reservation of the Indian Tribe.
 - (2) CONSULTATION REQUIRED.—Prior to the conveyance of a State land grant parcel located wholly or partially within the boundaries of any reservation, the State and the Secretary shall consult with affected Indian Tribes, including the Indian Tribe the land of which is subject to conveyance in accordance with Executive Order 13175 (25 U.S.C. 5301 note; relating to consultation and coordination with Indian tribal governments) and other applicable laws.
- (e) WITHDRAWAL.—
 - (1) IN GENERAL.—Subject to valid rights in existence on the date of enactment of this Act, all unappropriated Federal land selected by the State for conveyance under this Act, effective beginning on the date on which the State makes the selection for such Federal land and ending on the date described in paragraph (2), is withdrawn from all forms of—
 - (A) entry, appropriation, or disposal under the public land laws;
 - (B) location, entry, and patent under the mining laws; and
 - (C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.
 - (2) DATE DESCRIBED.—The date referred to in paragraph (1) is the date on which, as applicable—
 - (A) the unappropriated Federal land is conveyed by the Secretary to the State;
 - (B) the Secretary rejects the selection under subsection (a)(3); or
 - (C) the State withdraws the selection.

SEC. 4. VALUATION.

- (a) EQUAL VALUE.—With respect to a State land grant parcel conveyed under this Act in consideration for a parcel of unappropriated Federal land selected in accordance with this Act—
 - (1) the overall value of the State land grant parcel and the overall value of the parcel of unappropriated Federal land shall be substantially equal; or
 - (2) subject to subsection (c), if the overall value of the parcels is not equal, the party conveying the parcel of lesser value shall—
 - (A) equalize the value by the payment of funds to the other party; or
 - (B) enter the imbalance in value on a ledger account in accordance with subsection (e).
- (b) APPRAISAL REQUIRED.—
 - (1) IN GENERAL.—Except as provided in subsection (d), the value of the unappropriated Federal land selected in accordance with this Act and the value of a State land grant parcel conveyed under this Act shall be determined by ap-

praisals conducted by 1 or more independent appraisers selected jointly by the Secretary and the State.

(2) REQUIREMENTS.—An appraisal under paragraph (1) shall be completed in accordance with—

- (A) the Uniform Appraisal Standards for Federal Land Acquisitions; or
- (B) subject to subsection (d)(1), the Uniform Standards for Professional Appraisal Practice.

(c) EQUALIZATION.—With respect to a conveyance to the Secretary of a State land grant parcel of lesser value than the parcel of unappropriated Federal land to be conveyed to the State under this Act, the total value of the equalization payment described in subsection (a)(2)(A) or the ledger entry described in subsection (e), as applicable, may not exceed 25 percent of the total value of the parcel of unappropriated Federal land.

(d) LOW VALUE PARCELS.—

(1) IN GENERAL.—The Secretary, with the consent of the State, may use mass appraisals, a summary appraisal, or a statement of value made by a qualified appraiser carried out in accordance with the Uniform Standards for Professional Appraisal Practice to determine the value of a State land grant parcel or a parcel of unappropriated Federal land to be conveyed under this Act instead of an appraisal that complies with the Uniform Appraisal Standards for Federal Land Acquisitions if the State and the Secretary agree that market value of the State land grant parcel or parcel of unappropriated Federal land, as applicable, is—

- (A) less than \$500,000; and
- (B) less than \$500 per acre.

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

(e) LEDGER ACCOUNTS.—

(1) IN GENERAL.—With respect to a State land grant parcel conveyed under this Act in consideration for a parcel of unappropriated Federal land, if the overall value of the parcels is not equal, the Secretary and the State may agree to use a ledger account to make equal the value.

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

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

- (A) balanced not later than 3 years after the date on which the ledger account is established; and
- (B) closed not later than 5 years after the date of the last conveyance of land under this Act.

(4) COSTS.—

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

(B) ADJUSTMENT.—If the Secretary or the State assume costs or other responsibilities under subparagraph (A), the Secretary or the State shall make adjustments to the value of the unappropriated Federal land conveyed to the State to compensate the Secretary or the State, as applicable, for assuming the costs or other responsibilities.

(5) MINERAL LAND.—If value is attributed to any parcel of unappropriated Federal land that has been selected by the State because of the presence of minerals under a lease entered into under the Mineral Leasing Act (30 U.S.C. 181 et seq.) that is in a producing or producible status, and the lease is to be conveyed under this Act, the value of the parcel shall be reduced by the amount that represents the likely Federal revenue sharing obligation under the Mineral Leasing Act (30 U.S.C. 181 et seq.) with the State, but the adjustment shall not be considered as reflecting a property right of the State.

(6) PUBLIC INSPECTION AND NOTICE.—

(A) PUBLIC INSPECTION.—Not later than 30 days before the date of any exchange of Federal land and non-Federal land under this act, all final appraisals and appraisal reviews for the land to be exchanged shall be available for public review at the office of the State Director of the Bureau of Land Management in the Montana-Dakotas State Office.

(B) NOTICE.—The Secretary shall make available on the public website of the Secretary, and the Secretary or the State, as applicable, shall publish in a newspaper of general circulation in North Dakota, a notice that the appraisals conducted under subsection (b) are available for public inspection.

SEC. 5. MISCELLANEOUS.

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

(b) **PROTECTION OF INDIAN RIGHTS.**—

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

(2) **LAND OR MINERALS HELD IN TRUST.**—Nothing in this Act affects—

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

(B) any individual Indian allotment.

(c) **HAZARDOUS MATERIALS.**—

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

(2) **CERTIFICATION.**—

(A) **IN GENERAL.**—Prior to completing a conveyance of unappropriated Federal land under this Act, the Secretary shall complete an inspection and a hazardous materials certification of the land to be conveyed.

(B) **STATE LAND GRANT PARCELS.**—Prior to completing a conveyance of a State land grant parcel under this Act, the State shall complete an inspection and a hazardous materials certification of the land to be conveyed.

(d) **GRAZING PERMITS.**—

(1) **IN GENERAL.**—If land conveyed under this Act is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of the conveyance, the Secretary or the State, as applicable, shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of the user agreements, including permitted stocking rates, grazing fee levels, access, and ownership and use of range improvements.

(2) **CANCELLATION.**—

(A) **IN GENERAL.**—Nothing in this Act prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the land subject to the permit, lease, or contract is sold, conveyed, transferred, or leased for nongrazing purposes.

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

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

SEC. 6. SAVINGS CLAUSE.

Nothing in this Act applies to or affects litigation or disputes pending on the date of enactment of this Act regarding the ownership of any land or mineral resources located within the State of North Dakota.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2252 is 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.

BACKGROUND AND NEED FOR LEGISLATION

In 1889, Congress passed legislation to “provide for the division of Dakota into two states, and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and state governments, and to be admitted into the union on an equal footing with the original states, and to make donations of

public lands to such states.”¹ This enabling statute granted approximately 2.6 million acres of individual parcels to North Dakota to generate revenue to “support common schools.”² Today, North Dakota manages approximately 706,600 acres of surface estate and 2.6 million acres of mineral estate.³ To generate revenue, the state manages roughly 8,300 oil and gas leases and approximately 4,400 agriculture leases on these lands.⁴ The revenue from these leases is deposited into 13 permanent trust funds and invested to provide long-term financing for education and other public benefits the state provides.⁵

As a provision of the enabling statute, if promised land parcels in townships had been sold before North Dakota became a state, the law permitted the state government to receive separate, unreserved federal lands “in lieu” of the unavailable lands.⁶ The law did not permit in-lieu-of selections to be located within Indian Reservations. However, subsequent establishments of Tribal Reservations trapped more than 31,000 surface acres and 130,000 acres of mineral estate previously selected by the State of North Dakota within these boundaries.⁷ According to the North Dakota Commissioner of University and Lands, Joseph Heringer, the lands within Tribal Reservations are “unable to be developed pursuant to the [s]tate’s mandate to generate income for schools, universities, and other public purposes.”⁸

H.R. 2252 remedies this limitation by allowing North Dakota to relinquish trapped state lands within Tribal Reservations to the federal government and select “in-lieu” federal lands elsewhere in the state. The bill requires the exchanges to be equal-value transactions. North Dakota could access and develop these lands to generate income for education and other public purposes while providing greater land ownership for Tribes within Reservation boundaries.

COMMITTEE ACTION

H.R. 2252 was introduced on March 21, 2025, by Representative Julie Fedorchak (R–ND). The bill was referred to the Committee on Natural Resources. On March 5, 2026, the Committee on Natural Resources met to consider the bill. Chairman Bruce Westerman (R–AR) offered an Amendment in the Nature of a Substitute designated Westerman_063 ANS. The Amendment in the Nature of a Substitute was agreed to by unanimous consent. The bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

¹25 U.S. Statutes at Large, c 180 p 676.

²“Mission, Vision & History,” North Dakota Department of Trust Lands, <https://www.land.nd.gov/mission-vision-history>.

³*Id.*

⁴Joseph Heringer, North Dakota Commissioner of University and School Lands, Testimony before the Senate Committee on Natural Resources, July 12, 2023, <https://www.energy.senate.gov/services/files/406A4831-28DD-4778-951F-F9C4314254F4>.

⁵*Id.*

⁶*Id.*

⁷“Legislation would improve access to state-owned minerals,” Minot Daily News, November 6, 2021, <https://www.minotdailynews.com/news/local-news/2021/11/legislation-would-improve-access-to-state-owned-minerals/>.

⁸Joseph Heringer, North Dakota Commissioner of University and School Lands, Testimony before the Senate Committee on Natural Resources, July 12, 2023, <https://www.energy.senate.gov/services/files/406A4831-28DD-4778-951F-F9C4314254F4>.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing in the 118th Congress by the Subcommittee on Federal Lands held on July 24, 2024.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 names the legislation the “North Dakota Trust Lands Completion Act of 2026.”

Section 2. Definitions

Section 2 defines key terms used in the legislation.

Section 3. Relinquishment and selection; Conveyance

Section 3 authorizes the Secretary of the Interior (Secretary) to allow the State of North Dakota (State) to select one or more parcels of unappropriated federal land of a substantially equivalent value if the State elects to relinquish all right, title, and interest in a State land grant parcel located wholly or partially within the boundaries of a Tribal Reservation. The selection process is subject to mutual agreement between the Secretary and State and may be carried out in one or more phases. For each phase, the State must submit a selection list identifying the parcels of unappropriated federal land proposed for conveyance. Adjustments to the selection list may be made within 120 days of submission to equalize the value of the State land grant parcels and the selected federal lands. The Secretary must approve or reject each selection, in whole or in part, within 180 days. Section 3 also clarifies that the Secretary may conduct environmental review of any parcel proposed for relinquishment if the Secretary determines such review is appropriate.

Section 3 also directs the Secretary to initiate the conveyance of selected unappropriated federal land within 60 days after the State’s selections are approved. The conveyance must be subject to valid existing rights, occur by patent or deed in a form acceptable to both the State and the Secretary, and will not be considered a sale, exchange, or conveyance for purposes of Sections 203, 205, 206, or 209 of the Federal Land Policy and Management Act of 1976 (FLPMA).⁹ On the same date that the unappropriated federal land is conveyed to the State, the State must concurrently relinquish and convey to the Secretary all right, title, and interest in the identified State land grant parcel. The State must convey the parcel free of any financial claims, liabilities, or encumbrances, and the relinquishment shall not be considered an exchange or acquisition under Sections 203, 205, or 206 of FLPMA.¹⁰ Section 3 further provides that each party receiving land under this legislation succeeds to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit, or other valid existing right to which the land is subject, to the fullest extent allowable under federal and state law.

⁹43 U.S.C. 1713, 1715, 1716, 1719.

¹⁰43 U.S.C. 1715, 1716.

Additionally, Section 3 stipulates that if a State land grant parcel relinquished by the State is located wholly or partially within the boundaries of a Tribal Reservation, the applicable Indian Tribe may request that any portion of the parcel located within the Reservation's boundaries be taken into trust by the Secretary on behalf of the Tribe and considered part of the Reservation. Prior to any such conveyance, the Secretary and State must consult with the affected Indian Tribe in accordance with Executive Order 13175 and other relevant laws.¹¹

Finally, Section 3 provides that any federal land selected by the State for conveyance will be withdrawn from entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under laws governing mineral and geothermal leasing or mineral materials. Section 3 also clarifies that these withdrawals take effect on the date the State makes the selection and remain in place until the land is conveyed to the State, the Secretary rejects the selection, or the State withdraws the selection.

Section 4. Valuation

Section 4 requires that the overall value of a State land grant parcel conveyed to the Secretary and the value of unappropriated federal land selected by the State be substantially equal. If the parcels are not of equal value, the party conveying the parcel of lesser value must either equalize the difference through a payment or record the value imbalance in a ledger account for reconciliation in a later transaction. Section 4 requires that the value of land to be conveyed be determined through appraisals conducted by one or more independent appraisers jointly selected by the Secretary and the State and in accordance with standard appraisal regulations.

Section 4 further clarifies that, in instances where the State conveys a parcel that is of lesser value than the federal land it receives, the total equalization payment or ledger adjustment may not exceed 25 percent of the value of the federal parcel. For parcels of relatively low value (i.e., less than \$500,000 per parcel or \$500 per acre), the Secretary, with the consent of the State, may rely on a mass appraisal, summary appraisal, or statement of value prepared by a qualified appraiser. Parcels may not be artificially divided to qualify for this streamlined appraisal process. Additionally, Section 4 allows the Secretary and State to use a ledger account, which reflects imbalances in value between conveyed parcels, to allow for imbalances to be reconciled in a subsequent transaction. Under Section 4, ledger accounts must be balanced within three years of being established and closed within 5 years after the final conveyance.

Furthermore, Section 4 establishes that the Secretary or the State may assume costs or responsibilities associated with conveying land that would normally fall to the other party, and that the value of the conveyed land may be adjusted accordingly to compensate for those costs. Section 4 also stipulates that, in instances where the State selects federal land because of the presence of leased minerals under the Mineral Leasing Act, the value of such

¹¹ 25 U.S.C. 5301 note; relating to consultation and coordination with Indian tribal governments.

land be reduced by the amount of future federal revenue sharing obligations the federal government would have otherwise received.¹² Such adjustment may not be interpreted as establishing property rights of the State.

Finally, Section 4 requires that final appraisals and appraisal reviews be made available for public inspection at least 30 days prior to any land conveyance. Section 4 also clarifies that the Secretary must make the appraisals available at the Bureau of Land Management's Montana-Dakotas State Office, publish notice on the Department of the Interior's website, and provide notice in a newspaper of general circulation in the State.

Section 5. Miscellaneous

Section 5 stipulates that any land or minerals conveyed under the legislation remain subject to applicable federal, state, and Tribal laws. Section 5 further clarifies that nothing in the bill modifies, limits, expands, or affects any rights of Indian Tribes. Additionally, Section 5 clarifies that nothing in the bill affects any current land or minerals held in trust by the United States on behalf of, or for the benefit of, any Indian Tribe or individual Indian allotment. Section 5 further requires the Secretary and State to conduct an inspection and complete a hazardous materials certification for their respective lands prior to conveyance and to make those records available for review and inspection.

Section 5 also protects active grazing operations by stipulating that if conveyed land is subject to a lease, permit, or contract for the grazing of domestic livestock, the Secretary and the State must allow such grazing to continue for the remainder of the agreement, subject to existing terms and conditions including stocking rates, grazing fees, access, and range improvements. However, nothing in the legislation prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the land is sold, conveyed, transferred, or leased for non-grazing purposes. If land conveyed by the State is used by a grazing permittee or lessee to meet the base property requirements for a federal grazing permit or lease, the land will continue to qualify as a base property for the remaining term of the lease or permit and any renewal or extension of that agreement. Finally, Section 5 clarifies that nothing in the bill prevents a grazing permit holder from being compensated for range improvements in accordance with the terms of the lease, permit, or contract under existing federal and state laws.

Section 6. Savings clause

Section 6 clarifies that nothing in the legislation applies to or affects litigation pending on the date of enactment of the bill regarding the ownership of any land or mineral resources located within the State.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

¹²30 U.S.C. 181 et seq.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL
BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* Pursuant to clause 3(c)(2) of House rule XIII and section 308(a) of the Congressional Budget Act of 1974, and pursuant to clause 3(c)(3) of House rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received from the Director of the Congressional Budget Office a budgetary analysis and a cost estimate of this bill.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is 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.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee, if such estimate is not publicly available on the Congressional Budget Office website.

EXISTING PROGRAMS

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources,
H.R. 2252 would make no changes in existing law.

