

Calendar No. 542

113TH CONGRESS
2D SESSION

S. 2442

To direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 5, 2014

Mr. WALSH (for himself and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

AUGUST 26, 2014

Reported, under authority of the order of the Senate of August 5 (legislative day, August 1), 2014, by Mr. TESTER, with an amendment

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

A BILL

To direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, 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 “Northern Cheyenne
3 Lands Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Northern Cheyenne Tribe has depended
7 on the land of the Tribe and the land-based re-
8 sources of the Tribe to support its way of life since
9 time immemorial;

10 (2) the Tribe has made supreme and historic
11 sacrifices to repossess and maintain the homeland of
12 the Tribe, including the Reservation of the Tribe in
13 the State of Montana;

14 (3) the Tribe suffers from tremendous social
15 and economic challenges, including a lack of employ-
16 ment opportunities on the Reservation, which can be
17 improved by strengthening the control of the Tribe
18 over the land base, natural resources, and trust
19 funds of the Tribe;

20 (4) the Tribe seeks a variety of resolutions to
21 outstanding legal obstacles that have prevented the
22 Tribe from consolidating subsurface and surface
23 trust ownership on the Reservation;

24 (5) the Tribe and the members of the Tribe are
25 the beneficial owners of more than 95 percent of the

1 surface land of the Reservation and all but approxi-
2 mately 5,000 subsurface acres of the Reservation;

3 (6) the Tribe seeks to obtain ownership of ap-
4 proximately 5,000 subsurface acres on the Reserva-
5 tion that the Tribe does not own as a result of an
6 error made by the United States when the Reserva-
7 tion was expanded in 1900;

8 (7) in 2002, the Tribe agreed by settlement to
9 dismiss a lawsuit against the United States which
10 alleged that the United States failed to protect the
11 Reservation from the impacts of coal development in
12 return for assistance in securing tribal ownership of
13 the subsurface rights described in paragraph (6)
14 substantially in the form of this Act, and to secure
15 mitigation funding to address the impacts of coal de-
16 velopment in areas adjacent to the Reservation;
17 among other conditions;

18 (8) to increase tribal ownership of the surface
19 land, the Tribe has purchased approximately 932
20 acres of land within the Reservation that were, for
21 various reasons, taken out of trust ownership status;

22 (9) the Tribe has purchased approximately 635
23 acres of land near Bear Butte, South Dakota, which
24 the Tribe considers sacred ground for the members

1 of the Tribe, as well as for members of other Indian
2 tribes;

3 (10) the Tribe seeks to have the land and sub-
4 surface within the Reservation and the Bear Butte
5 land described in this section taken into trust by the
6 United States for the benefit of the Tribe;

7 (11) the Tribe seeks clarification, consistent
8 with the 1999 settlement with the United States,
9 that the principal of the funds arising from the
10 Northern Cheyenne Indian Reserved Water Rights
11 Settlement Act of 1992 (Public Law 102-374; 106
12 Stat. 1186; 108 Stat. 707), the earnings from which
13 are paid to the Tribe and managed as the “Northern
14 Cheyenne Trust Fund” by the Office of Special
15 Trustee, may be transferred to the Northern Chey-
16 enne Tribe Permanent Fund, which has historically
17 provided strong returns to the Tribe in direct sup-
18 port of tribal self-determination and to offset limited
19 Federal funding of important tribal governmental
20 services; and

21 (12) if the conveyances of land and funds au-
22 thorized under this Act are carried out, the Tribe
23 has agreed to waive all legal claims against the
24 United States arising out of the longstanding loss of
25 the subsurface rights and the management of the

1 Northern Cheyenne Trust Fund by the United
2 States.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **FUND.**—The term “Fund” means the
6 Northern Cheyenne Trust Fund identified in the
7 June 7, 1999 Agreement Settling Certain Issues Re-
8 lating to the Tongue River Dam Project, which was
9 entered into by the Tribe, the State, and delegates
10 of the Secretary, and managed by the Office of Spe-
11 cial Trustee in the Department of the Interior.

12 (2) **GREAT NORTHERN PROPERTIES.**—The term
13 “Great Northern Properties” means the Great
14 Northern Properties Limited Partnership, which is a
15 Delaware limited partnership.

16 (3) **PERMANENT FUND.**—The term “Permanent
17 Fund” means the Northern Cheyenne Tribe Perma-
18 nent Fund managed by the Tribe pursuant to the
19 Plan for Investment, Management and Use of the
20 Fund, as amended by vote of the tribal membership
21 on November 2, 2010.

22 (4) **RESERVATION.**—The term “Reservation”
23 means the Northern Cheyenne Reservation.

24 (5) **SECRETARY.**—The term “Secretary” means
25 the Secretary of the Interior.

1 (6) STATE.—The term “State” means the State
2 of Montana.

3 (7) TRIBE.—The term “Tribe” means the
4 Northern Cheyenne Tribe.

5 **SEC. 4. TRIBAL FEE LAND TO BE TAKEN INTO TRUST.**

6 Not later than 60 days after the date of enactment
7 of this Act, the Secretary shall take into trust for the ben-
8 efit of the Tribe the approximately 1,567 acres of land
9 depicted on—

10 (1) the map entitled “Northern Cheyenne
11 Lands Act - Fee-to-Trust Lands” and dated April
12 22, 2014; and

13 (2) the map entitled “Northern Cheyenne
14 Lands Act - Fee-to-Trust Lands - Lane Deer
15 Townsite” and dated April 22, 2014.

16 **SEC. 5. MINERAL RIGHTS TO BE TAKEN INTO TRUST.**

17 (a) COMPLETION OF MINERAL CONVEYANCES.—

18 (1) IN GENERAL.—Not later than 60 days after
19 the date on which the Secretary receives the notifica-
20 tion described in subsection (c), in a single trans-
21 action—

22 (A) Great Northern Properties shall convey
23 to the Tribe all right, title, and interest of
24 Great Northern Properties, consisting of coal
25 and iron ore mineral interests, underlying the

land on the Reservation generally depicted as “Great Northern Properties” on the map entitled “Northern Cheyenne Land Act – Coal Tracts” and dated April 22, 2014; and

(B) subject to paragraph (2), the Secretary shall convey to Great Northern Properties all right, title, and interest of the United States in and to the coal mineral interests underlying the land generally depicted as “Bull Mountains” and “East Fork” on the map entitled “Northern Cheyenne Federal Tracts” and dated April 22, 2014.

(2) REQUIREMENT.—The Secretary shall ensure that the deed for the conveyance authorized by paragraph (1)(B) shall include a covenant running with the land that—

(A) precludes the coal conveyed from being mined by any method other than underground mining techniques—

(i) until any surface owner (as defined in section 714(e) of Public Law 95–87 (30 U.S.C. 1304(e))) for a specific tract has provided to Great Northern Properties written consent to enter the specific tract and commence surface mining; and

1 (ii) except as determined to be accept-
 2 able for further consideration for leasing in
 3 the document of the Bureau of Land Man-
 4 agement entitled “Billings Resource Area
 5 Final EIS and Resource Management
 6 Plan” and dated September 1984; and

7 (B) shall not create any property interest
 8 in the United States or any surface owner (as
 9 defined in section 714(e) of Public Law 95–87
 10 (30 U.S.C. 1304(e))).

11 (b) TREATMENT OF LAND TRANSFERRED TO
 12 TRIBE.—

13 (1) IN GENERAL.—At the request of the Tribe,
 14 the Secretary shall take into trust for the benefit of
 15 the Tribe the mineral interests conveyed to the Tribe
 16 under subsection (a)(1)(A).

17 (2) NO STATE TAXATION.—The mineral inter-
 18 ests conveyed to the Tribe under subsection
 19 (a)(1)(A) shall not be subject to taxation by the
 20 State (including any political subdivision of the
 21 State).

22 (c) REVENUE SHARING AGREEMENT.—The Tribe
 23 shall notify the Secretary, in writing, that—

24 (1) consistent with a settlement agreement en-
 25 tered into between the Tribe and the State in 2002,

1 the Tribe and Great Northern Properties have
 2 agreed on a formula for sharing revenue from devel-
 3 opment of the mineral interests described in sub-
 4 section (a)(1)(B) if those mineral interests are devel-
 5 oped;

6 (2) the revenue sharing agreement remains in
 7 effect as of the date of enactment of this Act; and

8 (3) Great Northern Properties has offered to
 9 convey the mineral interests described in subsection
 10 (a)(1)(A) to the Tribe.

11 (d) WAIVER OF LEGAL CLAIMS.—As a condition of
 12 the conveyances of mineral interests under subsection
 13 (a)(1)—

14 (1) the Tribe shall waive any and all claims re-
 15 lating to the failure of the United States to acquire
 16 and take into trust on behalf of the Tribe the min-
 17 eral interests described in subsection (a)(1)(A), as
 18 directed by Congress in 1900; and

19 (2) Great Northern Properties shall waive any
 20 and all claims against the United States relating to
 21 the value of the coal mineral interests described in
 22 subsection (a)(1)(B).

23 (e) RESCISSION OF MINERAL CONVEYANCES.—If any
 24 portion of the mineral interests conveyed under subsection

1 ~~(a)(1)~~ is invalidated by final judgment of a court of the
 2 United States—

3 ~~(1)~~ not later than 1 year after the date on
 4 which the final judgment is rendered; the Secretary
 5 or Great Northern Properties may agree to rescind
 6 the conveyances under subsection ~~(a)(1)~~; and

7 ~~(2)~~ if the conveyances are rescinded under
 8 paragraph (1), the waivers under subsection (d)
 9 shall no longer apply.

10 **SEC. 6. TRANSFER OF NORTHERN CHEYENNE TRUST FUND**
 11 **TO TRIBE.**

12 ~~(a) IN GENERAL.~~—Not later than 30 days after the
 13 date of enactment of this Act, all amounts in the Fund
 14 shall be deposited in the Permanent Fund.

15 ~~(b) USE OF AMOUNTS.~~—Of the amounts transferred
 16 to the Permanent Fund under subsection (a)—

17 ~~(1)~~ the portion that is attributable to the prin-
 18 cipal of the Fund shall be maintained in perpetuity;
 19 and

20 ~~(2)~~ any interest earned on the amounts de-
 21 scribed in paragraph (1) shall be used in the same
 22 manner as interest earned on amounts in the Per-
 23 manent Fund may be used.

24 ~~(c) WAIVER OF LEGAL CLAIMS.~~—As a condition of
 25 the transfer under subsection (a), the Tribe shall waive

1 any and all claims arising from the management of the
2 Fund by the United States.

3 **SEC. 7. LAND CONSOLIDATION AND FRACTIONATION RE-**
4 **PORTING.**

5 (a) INVENTORY.—

6 (1) IN GENERAL.—The Secretary, in consulta-
7 tion with the Tribe, shall prepare an inventory of
8 fractionated land interests held by the United States
9 in trust for the benefit of—

10 (A) the Tribe; or

11 (B) individual Indians on the Reservation.

12 (2) AGRICULTURAL PURPOSES.—The inventory
13 prepared by the Secretary under this subsection
14 shall include details currently available about
15 fractionated land on the Reservation suitable for ag-
16 ricultural purposes.

17 (3) SUBMISSION.—The Secretary shall submit
18 the inventory prepared under this subsection to the
19 Committee on Indian Affairs of the Senate and the
20 Committee on Natural Resources of the House of
21 Representatives by not later than 180 days after the
22 date of enactment of this Act.

23 (b) REPORT.—

24 (1) IN GENERAL.—The Secretary, in consulta-
25 tion with the Tribe, shall prepare periodic reports

1 regarding obstacles to consolidating trust land own-
2 ership on the Reservation.

3 ~~(2) CONTENTS.~~—The reports under this sub-
4 section shall include—

5 (A) a description of existing obstacles to
6 consolidating trust land ownership, including
7 the extent of fractionation;

8 (B) a description of progress achieved by
9 the Tribe toward reducing fractionation and in-
10 creasing trust land ownership;

11 (C) an analysis of progress achieved by the
12 Tribe toward making agricultural use economi-
13 cal on trust land; and

14 (D) any applicable outcomes and lessons
15 learned from land consolidation activities under-
16 taken pursuant to the Indian Land Consolida-
17 tion Act (25 U.S.C. 2201 et seq.).

18 ~~(3) SUBMISSION.~~—The Secretary shall submit
19 the reports under this subsection to the Committee
20 on Indian Affairs of the Senate and the Committee
21 on Natural Resources of the House of Representa-
22 tives not less frequently than once each calendar
23 year for the 5-year period beginning on the date of
24 enactment of this Act.

1 **SEC. 8. ELIGIBILITY FOR OTHER FEDERAL BENEFITS.**

2 The transfer under section 6 shall not result in the
3 reduction or denial of any Federal service, benefit, or pro-
4 gram to the Tribe or to any member of the Tribe to which
5 the Tribe or member is entitled or eligible because of—

6 (1) the status of the Tribe as a federally recog-
7 nized Indian tribe; or

8 (2) the status of the member as a member of
9 the Tribe.

10 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to carry out
12 this Act such sums as are necessary.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Northern Cheyenne*
15 *Lands Act”.*

16 **SEC. 2. FINDINGS.**

17 *Congress finds that—*

18 (1) *the Northern Cheyenne Tribe has depended*
19 *on the land of the Tribe and the land-based resources*
20 *of the Tribe to support its way of life since time im-*
21 *memorial;*

22 (2) *the Tribe has made supreme and historic sac-*
23 *rifices to repossess and maintain the homeland of the*
24 *Tribe, including the Reservation of the Tribe in the*
25 *State of Montana;*

1 (3) *the Tribe suffers from tremendous social and*
2 *economic challenges, including a lack of employment*
3 *opportunities on the Reservation, which can be im-*
4 *proved by strengthening the control of the Tribe over*
5 *the land base, natural resources, and trust funds of*
6 *the Tribe;*

7 (4) *the Tribe seeks a variety of resolutions to out-*
8 *standing legal obstacles that have prevented the Tribe*
9 *from consolidating subsurface and surface trust own-*
10 *ership on the Reservation;*

11 (5) *the Tribe and the members of the Tribe are*
12 *the beneficial owners of more than 95 percent of the*
13 *surface land of the Reservation and all but approxi-*
14 *mately 5,000 subsurface acres of the Reservation;*

15 (6) *the Tribe seeks to obtain ownership of ap-*
16 *proximately 5,000 subsurface acres on the Reservation*
17 *that the Tribe does not own as a result of an error*
18 *made by the United States when the Reservation was*
19 *expanded in 1900;*

20 (7) *in 2002, the Tribe agreed by settlement to*
21 *dismiss a lawsuit against the United States which al-*
22 *leged that the United States failed to protect the Res-*
23 *ervation from the impacts of coal development in re-*
24 *turn for assistance in securing tribal ownership of the*
25 *subsurface rights described in paragraph (6) substan-*

1 *tially in the form of this Act, and to secure mitiga-*
2 *tion funding to address the impacts of coal develop-*
3 *ment in areas adjacent to the Reservation, among*
4 *other conditions;*

5 *(8) to increase tribal ownership of the surface*
6 *land, the Tribe has purchased approximately 932*
7 *acres of land within the Reservation that were, for*
8 *various reasons, taken out of trust ownership status;*

9 *(9) the Tribe has purchased approximately 635*
10 *acres of land near Bear Butte, South Dakota, which*
11 *the Tribe considers sacred ground for the members of*
12 *the Tribe, as well as for members of other Indian*
13 *tribes;*

14 *(10) the Tribe seeks to have the land and sub-*
15 *surface within the Reservation and the Bear Butte*
16 *land described in this section taken into trust by the*
17 *United States for the benefit of the Tribe;*

18 *(11) the Tribe seeks clarification, consistent with*
19 *the 1999 settlement with the United States, that the*
20 *principal of the funds arising from the Northern*
21 *Cheyenne Indian Reserved Water Rights Settlement*
22 *Act of 1992 (Public Law 102–374; 106 Stat. 1186;*
23 *108 Stat. 707), the earnings from which are paid to*
24 *the Tribe and managed as the “Northern Cheyenne*
25 *Trust Fund” by the Office of Special Trustee, may be*

1 *transferred to the Northern Cheyenne Tribe Perma-*
 2 *nent Fund, which has historically provided strong re-*
 3 *turns to the Tribe in direct support of tribal self-de-*
 4 *termination and to offset limited Federal funding of*
 5 *important tribal governmental services; and*

6 *(12) if the conveyances of land and funds au-*
 7 *thorized under this Act are carried out, the Tribe has*
 8 *agreed to waive all legal claims against the United*
 9 *States arising out of the longstanding loss of the sub-*
 10 *surface rights and the management of the Northern*
 11 *Cheyenne Trust Fund by the United States.*

12 **SEC. 3. DEFINITIONS.**

13 *In this Act:*

14 *(1) FUND.—The term “Fund” means the North-*
 15 *ern Cheyenne Trust Fund identified in the June 7,*
 16 *1999 Agreement Settling Certain Issues Relating to*
 17 *the Tongue River Dam Project, which was entered*
 18 *into by the Tribe, the State, and delegates of the Sec-*
 19 *retary, and managed by the Office of Special Trustee*
 20 *in the Department of the Interior.*

21 *(2) GREAT NORTHERN PROPERTIES.—The term*
 22 *“Great Northern Properties” means the Great North-*
 23 *ern Properties Limited Partnership, which is a Dela-*
 24 *ware limited partnership.*

1 (3) *PERMANENT FUND.*—*The term “Permanent*
 2 *Fund” means the Northern Cheyenne Tribe Perma-*
 3 *nent Fund managed by the Tribe pursuant to the*
 4 *Plan for Investment, Management and Use of the*
 5 *Fund, as amended by vote of the tribal membership*
 6 *on November 2, 2010.*

7 (4) *RESERVATION.*—*The term “Reservation”*
 8 *means the Northern Cheyenne Reservation.*

9 (5) *SECRETARY.*—*The term “Secretary” means*
 10 *the Secretary of the Interior.*

11 (6) *STATE.*—*The term “State” means the State*
 12 *of Montana.*

13 (7) *TRIBE.*—*The term “Tribe” means the North-*
 14 *ern Cheyenne Tribe.*

15 **SEC. 4. TRIBAL FEE LAND TO BE TAKEN INTO TRUST.**

16 (a) *IN GENERAL.*—*Subject to subsection (b), not later*
 17 *than 60 days after the date of enactment of this Act, the*
 18 *Secretary shall take into trust for the benefit of the Tribe*
 19 *the approximately 932 acres of land depicted on—*

20 (1) *the map entitled “Northern Cheyenne Lands*
 21 *Act – Fee-to-Trust Lands” and dated April 22, 2014;*
 22 *and*

23 (2) *the map entitled “Northern Cheyenne Lands*
 24 *Act – Fee-to-Trust Lands – Lame Deer Townsite”*
 25 *and dated April 22, 2014.*

1 (b) *LIMITATION.*—Any land located in the State of
 2 South Dakota that is included on the maps referred to in
 3 paragraphs (1) and (2) of subsection (a) shall not be taken
 4 into trust pursuant to that subsection.

5 **SEC. 5. MINERAL RIGHTS TO BE TAKEN INTO TRUST.**

6 (a) *COMPLETION OF MINERAL CONVEYANCES.*—

7 (1) *IN GENERAL.*—Not later than 60 days after
 8 the date on which the Secretary receives the notifica-
 9 tion described in subsection (c), in a single trans-
 10 action—

11 (A) *Great Northern Properties shall convey*
 12 *to the Tribe all right, title, and interest of Great*
 13 *Northern Properties, consisting of coal and iron*
 14 *ore mineral interests, underlying the land on the*
 15 *Reservation generally depicted as “Great North-*
 16 *ern Properties” on the map entitled “Northern*
 17 *Cheyenne Land Act – Coal Tracts” and dated*
 18 *April 22, 2014; and*

19 (B) *subject to paragraph (2), the Secretary*
 20 *shall convey to Great Northern Properties all*
 21 *right, title, and interest of the United States in*
 22 *and to the coal mineral interests underlying the*
 23 *land generally depicted as “Bull Mountains”*
 24 *and “East Fork” on the map entitled “Northern*

1 *Cheyenne Federal Tracts*” and dated April 22,
2 2014.

3 (2) *REQUIREMENT.*—*The Secretary shall ensure*
4 *that the deed for the conveyance authorized by para-*
5 *graph (1)(B) shall include a covenant running with*
6 *the land that—*

7 (A) *precludes the coal conveyed from being*
8 *mined by any method other than underground*
9 *mining techniques until any surface owner (as*
10 *defined in section 714(e) of Public Law 95–87*
11 *(30 U.S.C. 1304(e))) for a specific tract has pro-*
12 *vided to Great Northern Properties written con-*
13 *sent to enter the specific tract and commence*
14 *surface mining;*

15 (B) *shall not create any property interest in*
16 *the United States or any surface owner (as de-*
17 *fined in section 714(e) of Public Law 95–87 (30*
18 *U.S.C. 1304(e))); and*

19 (C) *shall not affect, abridge, or amend any*
20 *valid existing rights of any surface owner of a*
21 *specific tract or any adjacent tracts.*

22 (b) *TREATMENT OF LAND TRANSFERRED TO TRIBE.*—

23 (1) *IN GENERAL.*—*At the request of the Tribe,*
24 *the Secretary shall take into trust for the benefit of*

1 *the Tribe the mineral interests conveyed to the Tribe*
 2 *under subsection (a)(1)(A).*

3 (2) *NO STATE TAXATION.—The mineral interests*
 4 *conveyed to the Tribe under subsection (a)(1)(A) shall*
 5 *not be subject to taxation by the State (including any*
 6 *political subdivision of the State).*

7 (c) *REVENUE SHARING AGREEMENT.—The Tribe shall*
 8 *notify the Secretary, in writing, that—*

9 (1) *consistent with a settlement agreement en-*
 10 *tered into between the Tribe and the State in 2002,*
 11 *the Tribe and Great Northern Properties have agreed*
 12 *on a formula for sharing revenue from development of*
 13 *the mineral interests described in subsection (a)(1)(B)*
 14 *if those mineral interests are developed;*

15 (2) *the revenue sharing agreement remains in ef-*
 16 *fect as of the date of enactment of this Act; and*

17 (3) *Great Northern Properties has offered to con-*
 18 *vey the mineral interests described in subsection*
 19 *(a)(1)(A) to the Tribe.*

20 (d) *WAIVER OF LEGAL CLAIMS.—As a condition of the*
 21 *conveyances of mineral interests under subsection (a)(1)—*

22 (1) *the Tribe shall waive any and all claims re-*
 23 *lating to the failure of the United States to acquire*
 24 *and take into trust on behalf of the Tribe the mineral*

7 (e) *RESCISSION OF MINERAL CONVEYANCES*.—If any
8 portion of the mineral interests conveyed under subsection
9 (a)(1) is invalidated by final judgment of a court of the
10 United States—

15 (2) if the conveyances are rescinded under para-
16 graph (1), the waivers under subsection (d) shall no
17 longer apply.

20 (a) *IN GENERAL.*—Not later than 30 days after the
21 date of enactment of this Act, all amounts in the Fund shall
22 be deposited in the Permanent Fund.

•S 2442 RS

1 (1) *the portion that is attributable to the prin-*
 2 *cipal of the Fund shall be maintained in perpetuity;*
 3 *and*

4 (2) *any interest earned on the amounts described*
 5 *in paragraph (1) shall be used in the same manner*
 6 *as interest earned on amounts in the Permanent*
 7 *Fund may be used.*

8 (c) *WAIVER OF LEGAL CLAIMS.—As a condition of the*
 9 *transfer under subsection (a), the Tribe shall waive any and*
 10 *all claims arising from the management of the Fund by*
 11 *the United States.*

12 **SEC. 7. LAND CONSOLIDATION AND FRACTIONATION RE-**
 13 **PORTING.**

14 (a) *INVENTORY.—*

15 (1) *IN GENERAL.—The Secretary, in consultation*
 16 *with the Tribe, shall prepare an inventory of*
 17 *fractionated land interests held by the United States*
 18 *in trust for the benefit of—*

19 (A) *the Tribe; or*

20 (B) *individual Indians on the Reservation.*

21 (2) *AGRICULTURAL PURPOSES.—The inventory*
 22 *prepared by the Secretary under this subsection shall*
 23 *include details currently available about fractionated*
 24 *land on the Reservation suitable for agricultural pur-*
 25 *poses.*

1 (3) *SUBMISSION.*—*The Secretary shall submit*
 2 *the inventory prepared under this subsection to the*
 3 *Committee on Indian Affairs of the Senate and the*
 4 *Committee on Natural Resources of the House of Rep-*
 5 *resentatives by not later than 180 days after the date*
 6 *of enactment of this Act.*

7 (b) *REPORT.*—

8 (1) *IN GENERAL.*—*The Secretary, in consultation*
 9 *with the Tribe, shall prepare periodic reports regard-*
 10 *ing obstacles to consolidating trust land ownership on*
 11 *the Reservation.*

12 (2) *CONTENTS.*—*The reports under this sub-*
 13 *section shall include—*

14 (A) *a description of existing obstacles to*
 15 *consolidating trust land ownership, including the*
 16 *extent of fractionation;*

17 (B) *a description of progress achieved by*
 18 *the Tribe toward reducing fractionation and in-*
 19 *creasing trust land ownership;*

20 (C) *an analysis of progress achieved by the*
 21 *Tribe toward making agricultural use economi-*
 22 *cal on trust land; and*

23 (D) *any applicable outcomes and lessons*
 24 *learned from land consolidation activities under-*

1 *taken pursuant to the Indian Land Consolida-*
 2 *tion Act (25 U.S.C. 2201 et seq.).*

3 (3) *SUBMISSION.—The Secretary shall submit*
 4 *the reports under this subsection to the Committee on*
 5 *Indian Affairs of the Senate and the Committee on*
 6 *Natural Resources of the House of Representatives not*
 7 *less frequently than once each calendar year for the*
 8 *5-year period beginning on the date of enactment of*
 9 *this Act.*

10 **SEC. 8. ELIGIBILITY FOR OTHER FEDERAL BENEFITS.**

11 *The transfer under section 6 shall not result in the re-*
 12 *duction or denial of any Federal service, benefit, or pro-*
 13 *gram to the Tribe or to any member of the Tribe to which*
 14 *the Tribe or member is entitled or eligible because of—*

15 (1) *the status of the Tribe as a federally recog-*
 16 *nized Indian tribe; or*

17 (2) *the status of the member as a member of the*
 18 *Tribe.*

19 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

20 *There are authorized to be appropriated to carry out*
 21 *this Act such sums as are necessary.*

Calendar No. 542

113TH CONGRESS
2^D Session

S. 2442

A BILL

To direct the Secretary of the Interior to take certain land and mineral rights on the reservation of the Northern Cheyenne Tribe of Montana and other culturally important land into trust for the benefit of the Northern Cheyenne Tribe, and for other purposes.

AUGUST 26, 2014

Reported with an amendment