

Calendar No. 515

111TH CONGRESS
2D SESSION**S. 1703****[Report No. 111-247]**

To amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2009

Mr. DORGAN (for himself, Mr. TESTER, Mr. INOUE, Mr. AKAKA, Mr. BAUCUS, Mr. UDALL of New Mexico, Mr. BINGAMAN, Mr. FRANKEN, Ms. LANDRIEU, Ms. STABENOW, and Mr. LEMIEUX) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

AUGUST 5, 2010

Reported by Mr. DORGAN, with amendments

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

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. MODIFICATION OF DEFINITION.**

2 (a) IN GENERAL.—Section 19 of the Act of June 18,
3 1934 (commonly known as the “Indian Reorganization
4 Act”) (25 U.S.C. 479), is amended—

5 (1) in the first sentence—

6 (A) by striking “The term” and inserting
7 “Effective beginning on June 18, 1934, the
8 term”; and

9 (B) by striking “any recognized Indian
10 tribe now under Federal jurisdiction” and in-
11 sserting “any federally recognized Indian tribe”;
12 and

13 (2) by striking the third sentence and inserting
14 the following: “In this section, the term ‘Indian
15 tribe’ means any Indian or Alaska Native tribe,
16 band, nation, pueblo, village, or community that the
17 Secretary of the Interior acknowledges to exist as an
18 Indian tribe.”.

19 *is amended in the first sentence—*

20 (1) *by striking “The term” and inserting “Effec-*
21 *tive beginning on June 18, 1934, the term”; and*

22 (2) *by striking “any recognized Indian tribe now*
23 *under Federal jurisdiction” and inserting “any feder-*
24 *ally recognized Indian tribe”.*

25 (b) EFFECTIVE DATE.—The amendments made by
26 subsection (a) shall take effect as if included in the Act

1 of June 18, 1934 (commonly known as the “Indian Reor-
 2 ganization Act”) (25 U.S.C. 479), on the date of enact-
 3 ment of that Act.

4 (c) *EFFECT ON OTHER LAWS.*—

5 (1) *IN GENERAL.*—*Nothing in this Act or the*
 6 *amendments made by this Act affects—*

7 (A) *the application or effect of any Federal*
 8 *law other than the Act of June 18, 1934 (25*
 9 *U.S.C. 461 et seq.) (as amended by subsection*
 10 *(a)); or*

11 (B) *any limitation on the authority of the*
 12 *Secretary of the Interior under any Federal law*
 13 *or regulation other than the Act of June 18, 1934*
 14 *(25 U.S.C. 461 et seq.) (as so amended).*

15 (2) *REFERENCES IN OTHER LAWS.*—*An express*
 16 *reference to the Act of June 18, 1934 (25 U.S.C. 461*
 17 *et seq.), contained in any other Federal law shall be*
 18 *considered to be a reference to that Act as amended*
 19 *by subsection (a).*

20 (d) *STUDY; PUBLICATION.*—

21 (1) *STUDY.*—*The Secretary of the Interior shall*
 22 *conduct, and submit to Congress a report describing*
 23 *the results of, a study that—*

24 (A) *assesses the effects of the decision of the*
 25 *Supreme Court in the case styled *Carcieri v.**

1 *Salazar (129 S. Ct. 1058) on Indian tribes and*
2 *tribal land; and*

3 *(B) includes a list of each Indian tribe and*
4 *parcel of tribal land affected by that decision.*

5 (2) *PUBLICATION.*—*On completion of the report*
6 *under paragraph (1), the Secretary of the Interior*
7 *shall publish, by not later than 1 year after the date*
8 *of enactment of this Act, the list described in para-*
9 *graph (1)(B)—*

10 *(A) in the Federal Register; and*

11 *(B) on the public website of the Department*
12 *of the Interior.*

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