

105TH CONGRESS  
1ST SESSION

# S. 1079

To permit the leasing of mineral rights, in any case in which the Indian owners of an allotment that is located within the boundaries of the Fort Berthold Indian Reservation and held in trust by the United States have executed leases to more than 50 percent of the mineral estate of that allotment.

---

## IN THE SENATE OF THE UNITED STATES

JULY 29, 1997

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

---

## A BILL

To permit the leasing of mineral rights, in any case in which the Indian owners of an allotment that is located within the boundaries of the Fort Berthold Indian Reservation and held in trust by the United States have executed leases to more than 50 percent of the mineral estate of that allotment.

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. LEASES OF ALLOTTED LANDS OF THE FORT**  
4                       **BERTHOLD INDIAN RESERVATION.**

5               (a) IN GENERAL.—

(1) APPROVAL BY SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Notwithstanding any other provision of law (including the Act of March 3, 1909 (35 Stat. 783, chapter 263; 25 U.S.C. 396) and the regulations issued under that Act), the Secretary of the Interior or a designee of the Secretary may approve mineral leases of an allotment described in paragraph (2) in any case in which the Indian owners of that allotment have executed leases to more than 50 percent of the mineral estate of that allotment.

(B) BENEFITS OF LEASES.—At such time as mineral leases on an allotment have been approved for all Indian ownership interests pursuant to this section, all Indian owners of the allotment shall be entitled to the benefits of the leases.

(2) ALLOTMENT.—An allotment described in this paragraph is an allotment that—

(A) is located in the Fort Berthold Indian Reservation, North Dakota; and

(B) is held in trust by the United States.

1       (b) RULE OF CONSTRUCTION.—This Act supersedes  
2 the Act of March 3, 1909 (35 Stat. 783, chapter 263; 25  
3 U.S.C. 396) only to the extent provided in subsection (a).

○