

112TH CONGRESS  
1ST SESSION

# H. R. 3532

To empower federally recognized Indian tribes to accept restricted fee tribal lands, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2011

Mr. YOUNG of Alaska (for himself and Mr. BOREN) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To empower federally recognized Indian tribes to accept restricted fee tribal lands, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Indian Em-  
5 powerment Act of 2011”.

6 **SEC. 2. EMPOWER TRIBES TO ACCEPT RESTRICTED FEE**  
7 **TRIBAL LANDS.**

8 (a) CONVEYANCE OF TRIBAL TRUST LANDS TO RE-  
9 STRICTED FEE TRIBAL LANDS.—Notwithstanding any  
10 other provision of law, not later than 180 days after re-

1 ceipt by the Secretary of the Interior of a written request  
2 adopted by the governing body of a federally recognized  
3 Indian tribe, the Secretary shall, subject to a restriction  
4 imposed by the United States against alienation and tax-  
5 ation, convey to the Indian tribe all right, title, and inter-  
6 est held by the United States in land specifically requested  
7 by the Indian tribe which the United States held in trust  
8 for that Indian tribe.

9 (b) ATTRIBUTES OF RESTRICTED FEE TRIBAL  
10 LANDS.—Any land held by a federally recognized Indian  
11 tribe subject to a restriction imposed by the United States  
12 against alienation and taxation, shall be deemed, for all  
13 purposes, to be—

14 (1) Indian country as defined in section 1151  
15 of title 18, United States Code; and

16 (2) the Indian lands of that Indian tribe subject  
17 to the provisions of the Act of June 30, 1834 (25  
18 U.S.C. 177; 4 Stat. 730).

19 (c) TRIBAL AUTHORITY OVER RESTRICTED FEE  
20 TRIBAL LANDS.—Notwithstanding the provisions of the  
21 Act of August 9, 1955 (25 U.S.C. 415; commonly known  
22 as the “Long-term Leasing Act”), an Indian tribe may  
23 lease land subject to a restriction imposed by the United  
24 States against alienation and taxation, or grant an ease-

1 ment or right-of-way thereon, for any period of time with-  
2 out review and approval by the Secretary.

3 (d) TRIBAL PREEMPTION AUTHORITY OVER RE-  
4 STRICTED FEE TRIBAL LANDS.—The laws of a federally  
5 recognized Indian tribe establishing a system of land ten-  
6 ure governing the use of land it holds, subject to a restric-  
7 tion imposed by the United States against alienation and  
8 taxation, shall preempt any provision of Federal law or  
9 regulation governing the use of such lands. Such tribal  
10 law shall be given preemptive effect only upon having been  
11 first published in the Federal Register. The Secretary of  
12 the Interior shall cause such tribal law to be published  
13 in the Federal Register not later than 120 days after re-  
14 ceiving a copy of the tribal law from the Indian tribe.

15 (e) TRUST RESPONSIBILITY NOT DIMINISHED.—  
16 Nothing in this section shall be construed to diminish the  
17 Federal trust responsibility to any Indian tribe.

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