

118TH CONGRESS
1ST SESSION

S. 563

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, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2023

Mr. TESTER (for himself, Mr. MORAN, Ms. SMITH, Mr. WYDEN, Mr. KELLY, Mr. LUJÁN, Mr. TUBERVILLE, Mrs. MURRAY, Mr. PADILLA, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. WARREN, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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, 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. AUTHORITY REAFFIRMED.**

4 (a) REAFFIRMATION.—

5 (1) IN GENERAL.—Section 19 of the Act of
6 June 18, 1934 (commonly known as the “Indian Re-
7 organization Act”) (48 Stat. 988, chapter 576; 25
8 U.S.C. 5129), is amended in the first sentence—

1 (A) by striking “The term” and inserting
2 “Effective beginning on June 18, 1934, the
3 term”; and

4 (B) by striking “any recognized Indian
5 tribe now under Federal jurisdiction” and in-
6 serting “any federally recognized Indian tribe”.

7 (2) EFFECTIVE DATE.—The amendments made
8 by paragraph (1) shall take effect as if included in
9 the Act of June 18, 1934 (48 Stat. 984, chapter
10 576; 25 U.S.C. 5101 et seq.) (commonly known as
11 the “Indian Reorganization Act”), on the date of the
12 enactment of that Act.

13 (b) RATIFICATION AND CONFIRMATION OF AC-
14 TIONS.—Any action taken by the Secretary of the Interior
15 pursuant to the Act of June 18, 1934 (commonly known
16 as the “Indian Reorganization Act”) (48 Stat. 984, chap-
17 ter 576; 25 U.S.C. 5101 et seq.), for any Indian Tribe
18 that was federally recognized on the date of the action is
19 ratified and confirmed, to the extent such action is sub-
20 jected to challenge based on whether the Indian Tribe was
21 federally recognized or under Federal jurisdiction on June
22 18, 1934, as if the action had, by prior Act of Congress,
23 been specifically authorized and directed.

24 (c) EFFECT ON OTHER LAWS.—

1 (1) IN GENERAL.—Nothing in this section or
2 the amendments made by this section affects—

3 (A) the application or effect of any Federal
4 law other than the Act of June 18, 1934 (com-
5 monly known as the “Indian Reorganization
6 Act”) (48 Stat. 984, chapter 576; 25 U.S.C.
7 5101 et seq.), as amended by subsection (a); or

8 (B) any limitation on the authority of the
9 Secretary of the Interior under any Federal law
10 or regulation other than the Act of June 18,
11 1934 (commonly known as the “Indian Reorga-
12 nization Act”) (48 Stat. 984, chapter 576; 25
13 U.S.C. 5101 et seq.), as amended by subsection
14 (a).

15 (2) REFERENCES IN OTHER LAWS.—An express
16 reference to the Act of June 18, 1934 (commonly
17 known as the “Indian Reorganization Act”) (48
18 Stat. 984, chapter 576; 25 U.S.C. 5101 et seq.),
19 contained in any other Federal law shall be consid-
20 ered a reference to that Act as amended by sub-
21 section (a).

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