

The North Dakota Trust Lands Completion Act (Act) stands to benefit both the State of North Dakota and the Native American Tribes within the state. Through a series of treaties—including the Fort Laramie Treaties of 1851 and 1868—the United States guaranteed Native American tribes defined territories, protection, and economic support. Although these treaties emphasized tribal land rights, subsequent federal policies such as the General Allotment (Dawes) Act, land sales, and major infrastructure projects significantly reduced tribal landholdings and altered many original commitments.

State trust lands were granted through the Enabling Act of 1889 and are managed for the benefit of public education and other public institutions. Most state trust lands support the Common Schools Trust Fund, which is contributing \$585 million to K-12 public schools in the current 2025–2027 biennium.

The Act provides a mutually beneficial framework for land exchanges that would allow the Department of Trust Lands (DTL) to obtain more productive and accessible lands while supporting tribal efforts to consolidate ownership within reservation boundaries. DTL's goal is to create a practical tool to address longstanding management challenges associated with state-trust lands located inside reservations. Many of these parcels are isolated, difficult to access, and historically challenging to lease for agricultural purposes. As a result, they generate limited revenue and often require disproportionate management effort.

It is important to note that the Act only authorizes a pathway for potential exchanges with the Bureau of Land Management (BLM). It does not execute any exchanges on its own. If the bill is passed, DTL, the BLM, and tribal governments would work together to establish a formal exchange process, which would include extensive public comment opportunities.

In the most likely scenario, DTL would request to exchange state trust lands that are landlocked within reservations for BLM surface or mineral estate. Land relinquished by DTL would only include surface rights as we are restricted from transferring away mineral rights by the North Dakota Constitution. The Act identifies certain BLM areas that are exempt from exchange, such as specific townships or lands managed for designated conservation purposes. The BLM also retains full authority to deny any exchange request.

DTL understands concerns expressed by outdoor interest groups but does not anticipate any substantial or noticeable changes to public access. Any surface acres DTL acquires from the BLM through an exchange would be managed under DTL's existing public-access policies and would likely remain open to the public. Outdoor interest groups will continue to have a voice in the process. Any potential exchanges would be initiated by DTL and require Land Board approval during open, public meetings.

