

**Calendar No. 280**

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 522**

**[Report No. 111–130]**

To resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

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IN THE SENATE OF THE UNITED STATES

MARCH 4, 2009

Ms. MURKOWSKI (for herself and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 2, 2010

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

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 “Salmon Lake Land  
 5 Selection Resolution Act”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) Salmon Lake and the water upstream and  
 9 downstream from Salmon Lake contain important  
 10 fisheries resources of significance to Alaska Natives  
 11 in the Bering Straits Region and other residents of  
 12 the State of Alaska;

13 (2) certain land adjacent to Salmon Lake on  
 14 the Seward Peninsula within the Bering Straits Re-  
 15 gion contains archaeological and cultural resources  
 16 of significance to Alaska Natives in the Bering  
 17 Straits Region, other residents of the State, and the  
 18 citizens of the United States;

19 (3) land adjacent to Salmon Lake on the Sew-  
 20 ard Peninsula within the Bering Straits Region of-  
 21 fers, and is suitable for, a variety of recreational ac-  
 22 tivities;

23 (4) the State of Alaska, acting under the Act  
 24 of July 7, 1958 (commonly known as the “Alaska  
 25 Statehood Act”) (48 U.S.C. note prec. 21; Public

1 Law 85–508), has selected land in the Salmon Lake  
 2 area under section 6(b) of that Act (72 Stat. 340);

3 ~~(5) the Bering Straits Native Corporation, an~~  
 4 ~~Alaska Native Regional Corporation formed under~~  
 5 ~~the Alaska Native Claims Settlement Act (43 U.S.C.~~  
 6 ~~1601 et seq.); has selected land in the Salmon Lake~~  
 7 ~~area under section 14(h)(8) of that Act (43 U.S.C.~~  
 8 ~~1613(h)(8));~~

9 ~~(6) the Bering Straits Native Corporation and~~  
 10 ~~the State of Alaska have conflicting selections to cer-~~  
 11 ~~tain land in the Salmon Lake area;~~

12 ~~(7) the Secretary of the Interior, the State, and~~  
 13 ~~the Bering Straits Native Corporation have con-~~  
 14 ~~cluded that it is in the interest of those parties—~~

15 ~~(A) to protect and preserve the historical,~~  
 16 ~~cultural, and natural resources of the Salmon~~  
 17 ~~Lake area;~~

18 ~~(B) to equitably resolve, without further~~  
 19 ~~administrative appeals or litigation, the con-~~  
 20 ~~flicting land selections made—~~

21 ~~(i) by the State under the Act of July~~  
 22 ~~7, 1958 (commonly known as the “Alaska~~  
 23 ~~Statehood Act”) (48 U.S.C. note prec. 21;~~  
 24 ~~Public Law 85–508); and~~

(ii) by the Bering Straits Native Corporation in the Salmon Lake area under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)); and

(C) to provide simultaneously for—

(i) continued public ownership, management, use, and access to certain land in the Salmon Lake area;

(ii) conveyance to the State of certain land in the Salmon Lake area in partial satisfaction of the entitlement of the State under section 6(a) of the Act of July 7, 1958 (48 U.S.C. note prec. 21; Public Law 85-508); and

(iii) conveyance to the Bering Straits Native Corporation of certain land in the Salmon Lake area and other areas of the Bering Straits Region in partial satisfaction of the land allocation of the Corporation under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)); and

(8) legislation is required to ratify the agreement among the Secretary of the Interior, the State,

1 and the Bering Straits Native Corporation to resolve  
 2 the conflicting land selections made by the State and  
 3 the Bering Straits Native Corporation.

4 (b) PURPOSE.—The purpose of this Act is to ratify  
 5 the Salmon Lake Area Land Ownership and Consolidation  
 6 Agreement entered into by the Secretary, the State of  
 7 Alaska, and the Bering Straits Native Corporation.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) AGREEMENT.—The term “Agreement”  
 11 means the document—

12 (A) entitled “Salmon Lake Area Land  
 13 Ownership and Consolidation Agreement”;

14 (B) executed by the Secretary, the State,  
 15 and the Bering Straits Native Corporation on  
 16 July 18, 2007; and

17 (C) on file with—

18 (i) the Department of the Interior;

19 (ii) the Committee on Energy and  
 20 Natural Resources of the Senate; and

21 (iii) the Committee on Natural Re-  
 22 sources of the House of Representatives.

23 (2) SECRETARY.—The term “Secretary” means  
 24 the Secretary of the Interior.

1           ~~(3) STATE.—~~The term “State” means the State  
2           of Alaska.

3   **SEC. 4. RATIFICATION OF AGREEMENT.**

4           ~~(a) RATIFICATION.—~~

5           ~~(1) IN GENERAL.—~~Congress approves, ratifies,  
6           and incorporates by reference the Agreement.

7           ~~(2) CONFLICT.—~~Subject to valid existing rights,  
8           if any term of the Agreement conflicts with any  
9           other provision of law, the terms of the Agreement  
10          shall control.

11          ~~(b) AUTHORIZATION.—~~The Secretary may carry out  
12          all actions permitted or required under the Agreement.

13   **SECTION 1. SHORT TITLE.**

14          *This Act may be cited as the “Salmon Lake Land Se-*  
15          *lection Resolution Act”.*

16   **SEC. 2. PURPOSE.**

17          *The purpose of this Act is to ratify the Salmon Lake*  
18          *Area Land Ownership Consolidation Agreement entered*  
19          *into by the United States, the State of Alaska, and the Ber-*  
20          *ing Straits Native Corporation.*

21   **SEC. 3. DEFINITIONS.**

22          *In this Act:*

23                (1) *AGREEMENT.—*The term “Agreement” means  
24                the document between the United States, the State,  
25                and the Bering Straits Native Corporation that—

1           (A) is entitled the “Salmon Lake Area Land  
2           Ownership Consolidation Agreement”;

3           (B) had an initial effective date of July 18,  
4           2007, which was extended until January 1, 2011  
5           by agreement of the parties to the Agreement ef-  
6           fective January 1, 2009; and

7           (C) is on file with Department of the Inte-  
8           rior, the Committee on Energy and Natural Re-  
9           sources of the Senate, and the Committee on Nat-  
10          ural Resources of the House of Representatives.

11          (2) *BERING STRAITS NATIVE CORPORATION*.—  
12          The term “Bering Straits Native Corporation” means  
13          an Alaskan Native Regional Corporation formed  
14          under the Alaska Native Claims Settlement Act (43  
15          U.S. C. 1601 et. seq.) for the Bering Straits region of  
16          the State.

17          (3) *SECRETARY*.—The term “Secretary” means  
18          the Secretary of the Interior.

19          (4) *STATE*.—The term “State” means the State  
20          of Alaska.

21   **SEC. 4. RATIFICATION AND IMPLEMENTATION OF AGREE-**  
22                                   **MENT.**

23          (a) *IN GENERAL*.—Subject to the provisions of this  
24   Act, Congress ratifies the Agreement.

1       (b) *EASEMENTS.*—*The conveyance of land to the Ber-*  
2 *ing Straits Native Corporation, as specified in the Agree-*  
3 *ment, shall include the reservation of the easements that—*

4               (1) *are identified in Appendix E to the Agree-*  
5 *ment; and*

6               (2) *were developed by the parties to the Agree-*  
7 *ment in accordance with section 17(b) of the Alaska*  
8 *Native Claims Settlement Act (43 U.S.C. 1616(b)).*

9       (c) *CORRECTIONS.*—*Beginning on the date of enact-*  
10 *ment of this Act, the Secretary, with the consent of the other*  
11 *parties to the Agreement, may only make typographical or*  
12 *clerical corrections to the Agreement and any exhibits to*  
13 *the Agreement.*

14       (d) *AUTHORIZATION.*—*The Secretary shall carry out*  
15 *all actions required by the Agreement.*





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