

116TH CONGRESS
2D SESSION

S. 4889

To amend the Alaska Native Claims Settlement Act to increase the dividend exclusion, to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, to provide that Village Corporations shall not be required to convey land in trust to the State of Alaska for the establishment of Municipal Corporations, and to provide for the recognition of certain Alaska Native communities and the settlement of certain claims under that Act, to require the Secretary of the Interior to convey certain interests in land in the State of Alaska, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2020

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

A BILL

To amend the Alaska Native Claims Settlement Act to increase the dividend exclusion, to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, to provide that Village Corporations shall not be required to convey land in trust to the State of Alaska for the establishment of Municipal Corporations, and to provide for the recognition of certain Alaska Native communities and the settlement of certain claims under that Act, to require the Secretary of the Interior to convey certain interests in land in the State of Alaska, 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 “Alaska Native Claims
 5 Settlement Act Fulfillment Act of 2020”.

6 **SEC. 2. DIVIDEND EXCLUSION INCREASE.**

7 Section 29(c)(A) of the Alaska Native Claims Settle-
 8 ment Act (43 U.S.C. 1626(c)(A)) is amended by striking
 9 “exceed \$2,000 per individual per annum;” and inserting
 10 the following: “exceed—

11 “(i) for any calendar year preceding 2020,
 12 \$2,000 per individual per annum; and

13 “(ii) for calendar year 2020 and all subse-
 14 quent calendar years, \$5,000 per individual per
 15 annum, to be adjusted for inflation in calendar
 16 year 2025, and every 5 years thereafter, by in-
 17 creasing the amount provided under this sub-
 18 paragraph for the preceding year by the per-
 19 centage increase in the Consumer Price Index
 20 for All Urban Consumers, as published by the
 21 Bureau of Labor Statistics, during the pre-
 22 ceding 5-year period;”.

23 **SEC. 3. ELIGIBILITY FOR CERTAIN PROGRAMS.**

24 Section 29(c) of the Alaska Native Claims Settlement
 25 Act (43 U.S.C. 1626(c)) is amended—

1 (1) in subparagraph (D) following the undesig-
 2 nated matter following paragraph (3), by striking
 3 “and” at the end;

4 (2) in subparagraph (E) following the undesig-
 5 nated matter following paragraph (3), by striking
 6 the period at the end and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(F) an amount distributed or benefit pro-
 9 vided by a Settlement Trust to a Native or de-
 10 scendant of a Native who is 65 years of age or
 11 older.”.

12 **SEC. 4. CANYON VILLAGE.**

13 (a) CONVEYANCE.—Notwithstanding section
 14 2653.3(c) of title 43, Code of Federal Regulations (or suc-
 15 cessor regulations), or the withdrawal made by section
 16 303(2)(A) of the Alaska National Interest Lands Con-
 17 servation Act (Public Law 96–487; 94 Stat. 2390), the
 18 Secretary of the Interior (referred to in this section as
 19 the “Secretary”) shall convey to Kian Tr’ee Corporation,
 20 for the Native Village of Canyon Village, the surface estate
 21 in the land selected by the Kian Tr’ee Corporation pursu-
 22 ant to section 14(h)(2) of the Alaska Native Claims Settle-
 23 ment Act (43 U.S.C. 1613(h)(2)).

24 (b) LIMITATION.—The conveyance under subsection
 25 (a) shall not exceed 6,400 acres.

1 (c) SUBSURFACE ESTATE.—

2 (1) IN GENERAL.—Unless Doyon, Limited,
3 elects to receive conveyance under paragraph (2),
4 the Secretary shall convey to Doyon, Limited, the
5 subsurface estate in the land conveyed under sub-
6 section (a).

7 (2) ALTERNATE SELECTION.—At the option of
8 Doyon, Limited, in lieu of accepting the conveyance
9 under paragraph (1)—

10 (A) Doyon, Limited, may receive a convey-
11 ance from existing selections on land withdrawn
12 pursuant to section 11(a)(3) of the Alaska Na-
13 tive Claims Settlement Act (43 U.S.C.
14 1610(a)(3)) that is equal in acreage to the sub-
15 surface that would otherwise be conveyed under
16 paragraph (1);

17 (B) Doyon, Limited, shall notify the Sec-
18 retary (acting through the Alaska State Office
19 of the Bureau of Land Management) of the
20 preference of Doyon, Limited, not later than 90
21 days after the date of enactment of this Act;
22 and

23 (C) the Secretary shall convey to Doyon,
24 Limited, the subsurface estate selected under
25 subparagraph (A).

1 **SEC. 5. KAKTOVIK INUPIAT CORPORATION.**

2 In order to fulfill the legal and moral obligation of
3 the United States to convey certain land to the Alaska
4 Native Corporations for the community of Kaktovik, Alas-
5 ka, in fulfillment of aboriginal land claims and to clarify
6 land ownership patterns within the Coastal Plain of the
7 Arctic National Wildlife Refuge, notwithstanding section
8 1302(h)(2) of the Alaska National Interest Lands Con-
9 servation Act (16 U.S.C. 3192(h)(2)), the Secretary of the
10 Interior shall convey—

11 (1) to the Kaktovik Inupiat Corporation the
12 surface estate of the land described in paragraph 1
13 of Public Land Order 6959 (58 Fed. Reg. 14323),
14 to the extent necessary to fulfill the entitlement of
15 the Corporation under section 12 of the Alaska Na-
16 tive Claims Settlement Act (43 U.S.C. 1611) in ac-
17 cordance with the terms and conditions of the
18 Agreement between the Department of the Interior,
19 the United States Fish and Wildlife Service, the Bu-
20 reau of Land Management, and the Kaktovik
21 Inupiat Corporation, effective January 22, 1993;
22 and

23 (2) to the Arctic Slope Regional Corporation
24 the remaining subsurface estate to which the Cor-
25 poration is entitled pursuant to the Agreement be-

1 tween the Arctic Slope Regional Corporation and the
 2 United States of America dated August 9, 1983.

3 **SEC. 6. REVERSION OF CERTAIN LAND CONVEYED IN**
 4 **TRUST TO STATE OF ALASKA.**

5 Section 14(c) of the Alaska Native Claims Settlement
 6 Act (43 U.S.C. 1613(c)) is amended—

7 (1) by redesignating paragraphs (1) through
 8 (5) as subparagraphs (A) through (E), respectively,
 9 and indenting appropriately;

10 (2) in the matter preceding subparagraph (A)
 11 (as so redesignated), by striking “(c) Each patent”
 12 and inserting the following:

13 “(c) CONVEYANCE OF CERTAIN LAND BY VILLAGE
 14 CORPORATION.—

15 “(1) IN GENERAL.—Each patent”;

16 (3) in paragraph (1) (as so designated), in the
 17 undesignated matter following subparagraph (E) (as
 18 so redesignated), in the first sentence—

19 (A) by striking “section 14(c) of this Act”
 20 and inserting “this subsection”; and

21 (B) by striking “There is authorized” and
 22 inserting the following:

23 “(2) TECHNICAL ASSISTANCE.—

24 “(A) IN GENERAL.—There are author-
 25 ized”;

(4) in paragraph (2)(A) (as so redesignated), in the second sentence, by striking “The Secretary” and inserting the following:

“(B) FORM OF FUNDING.—The Secretary”; and

(5) in paragraph (1) (as so designated)—

(A) in each of subparagraphs (A) and (B) (as so redesignated)—

(i) by striking “the” the first place it appears and inserting “The”; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (D) (as so redesignated), by striking “the” the first place it appears and inserting “The”;

(C) by striking “existed as of” in subparagraph (D) (as so redesignated) and all that follows through “for” in subparagraph (E) (as so redesignated) and inserting the following: “existed as of December 18, 1971.

“(E) For”; and

(D) in subparagraph (C) (as so redesignated)—

(i) by striking the semicolon at the end and inserting a period;

(ii) by striking “in trust: *Provided however, That the word*” and all that follows through “sentence,” and inserting the following: “in trust.

“(II) DEFINITION OF SALE.—

For purposes of subclause (I), the term ‘sale’ ”;

(iii) by striking “one thousand two hundred and eighty acres: *Provided further, That any net*” and inserting the following: “1,280 acres.

“(iii) NET REVENUES.—

“(I) IN GENERAL.—Any net”;

(iv) by striking “community needs: *Provided, That the*” and inserting the following: “community needs.

“(ii) MINIMUM ACREAGE.—The”;

(v) by striking “(C) the Village Corporation” and inserting the following:

“(C) CONVEYANCE TO MUNICIPAL CORPORATION OR STATE IN TRUST.—

“(i) IN GENERAL.—The Village Corporation”; and

(vi) by adding at the end the following:

1 “(iv) CASES IN WHICH CONVEYANCE
2 SHALL NOT BE REQUIRED.—

3 “(I) IN GENERAL.—Notwith-
4 standing any other provision of this
5 subparagraph, if a Village Corpora-
6 tion, prior to the date of enactment of
7 the Alaska Native Claims Settlement
8 Act Fulfillment Act of 2020, conveyed
9 to the State in trust all or a portion
10 of the acreage of land required to be
11 conveyed under this subparagraph for
12 the establishment of a Municipal Cor-
13 poration in the future, and a Munic-
14 ipal Corporation has not been estab-
15 lished as of that date of enactment,
16 on formal resolution by the Village
17 Corporation and the residents of the
18 Native village requesting dissolution
19 of the trust, the trust shall be dis-
20 solved and title to the land shall re-
21 vert to the Village Corporation, sub-
22 ject to subclause (III).

23 “(II) ADDITIONAL LAND.—Not-
24 withstanding any other provision of
25 this subparagraph, as of the date of

1 enactment of the Alaska Native
2 Claims Settlement Act Fulfillment Act
3 of 2020, a Village Corporation shall
4 not be required to convey any addi-
5 tional land in trust under this sub-
6 paragraph for the establishment of a
7 Municipal Corporation in the future.

8 “(III) REQUIREMENTS.—In ac-
9 cordance with subsection (g)—

10 “(aa) the reversion of land
11 to a Village Corporation pursuant
12 to subclause (I) shall be subject
13 to—

14 “(AA) valid existing
15 rights, including valid exist-
16 ing rights created by the ap-
17 plicable trust; and

18 “(BB) any existing
19 easements, rights-of-way
20 necessary for public roadway
21 access, or rights-of-way for
22 access of holders of valid ex-
23 isting rights; and

24 “(bb) the Village Corpora-
25 tion shall assume the obligations

1 of the applicable trust with re-
2 spect to any lease or other use
3 agreement applicable to the land
4 on reversion of the land to the
5 Village Corporation pursuant to
6 subclause (I).”.

7 **SEC. 7. RECOGNITION AND COMPENSATION OF UNRECOG-**
8 **NIZED NATIVE COMMUNITIES IN SOUTHEAST**
9 **ALASKA.**

10 (a) PURPOSE.—The purpose of this section is to re-
11 dress the omission of the southeastern Alaska commu-
12 nities of Haines, Ketchikan, Petersburg, Tenakee, and
13 Wrangell from eligibility under the Alaska Native Claims
14 Settlement Act (43 U.S.C. 1601 et seq.) by authorizing
15 the Alaska Natives enrolled in those communities—

16 (1) to form Urban Corporations for the commu-
17 nities of Haines, Ketchikan, Petersburg, Tenakee,
18 and Wrangell under the Alaska Native Claims Set-
19 tlement Act (43 U.S.C. 1601 et seq.); and

20 (2) to receive certain settlement land pursuant
21 to that Act.

22 (b) ESTABLISHMENT OF ADDITIONAL NATIVE COR-
23 PORATIONS.—Section 16 of the Alaska Native Claims Set-
24 tlement Act (43 U.S.C. 1615) is amended by adding at
25 the end the following:

1 “(e) NATIVE VILLAGES OF HAINES, KETCHIKAN, PE-
2 TERSBURG, TENAKEE, AND WRANGELL, ALASKA.—

3 “(1) IN GENERAL.—The Native residents of
4 each of the Native Villages of Haines, Ketchikan,
5 Petersburg, Tenakee, and Wrangell, Alaska, may or-
6 ganize as Urban Corporations.

7 “(2) EFFECT ON ENTITLEMENT TO LAND.—
8 Nothing in this subsection affects any entitlement to
9 land of any Native Corporation established before
10 the date of enactment of this subsection pursuant to
11 this Act or any other provision of law.”.

12 (c) SHAREHOLDER ELIGIBILITY.—Section 8 of the
13 Alaska Native Claims Settlement Act (43 U.S.C. 1607)
14 is amended by adding at the end the following:

15 “(d) NATIVE VILLAGES OF HAINES, KETCHIKAN,
16 PETERSBURG, TENAKEE, AND WRANGELL.—

17 “(1) IN GENERAL.—The Secretary shall enroll
18 to each of the Urban Corporations for Haines,
19 Ketchikan, Petersburg, Tenakee, or Wrangell those
20 individual Natives who enrolled under this Act to the
21 Native Villages of Haines, Ketchikan, Petersburg,
22 Tenakee, or Wrangell, respectively.

23 “(2) NUMBER OF SHARES.—Each Native who
24 is enrolled to an Urban Corporation for Haines,
25 Ketchikan, Petersburg, Tenakee, or Wrangell pursu-

1 ant to paragraph (1) and who was enrolled as a
2 shareholder of the Regional Corporation for South-
3 east Alaska shall receive 100 shares of Settlement
4 Common Stock in the respective Urban Corporation.

5 “(3) NATIVES RECEIVING SHARES THROUGH IN-
6 HERITANCE.—If a Native received shares of stock in
7 the Regional Corporation for Southeast Alaska
8 through inheritance from a decedent Native who
9 originally enrolled to the Native Village of Haines,
10 Ketchikan, Petersburg, Tenakee, or Wrangell and
11 the decedent Native was not a shareholder in a Vil-
12 lage Corporation or Urban Corporation, the Native
13 shall receive the identical number of shares of Settle-
14 ment Common Stock in the Urban Corporation for
15 Haines, Ketchikan, Petersburg, Tenakee, or
16 Wrangell as the number of shares inherited by that
17 Native from the decedent Native who would have
18 been eligible to be enrolled to the respective Urban
19 Corporation.

20 “(4) EFFECT ON ENTITLEMENT TO LAND.—
21 Nothing in this subsection affects entitlement to
22 land of any Regional Corporation pursuant to sec-
23 tion 12(b) or 14(h)(8).”.

1 (d) DISTRIBUTION RIGHTS.—Section 7 of the Alaska
 2 Native Claims Settlement Act (43 U.S.C. 1606) is amend-
 3 ed—

4 (1) in subsection (j)—

5 (A) in the third sentence, by striking “In
 6 the case” and inserting the following:

7 “(3) THIRTEENTH REGIONAL CORPORATION.—
 8 In the case”;

9 (B) in the second sentence, by striking
 10 “Not less” and inserting the following:

11 “(2) MINIMUM ALLOCATION.—Not less”;

12 (C) by striking “(j) During” and inserting
 13 the following:

14 “(j) DISTRIBUTION OF CORPORATE FUNDS AND
 15 OTHER NET INCOME.—

16 “(1) IN GENERAL.—During”; and

17 (D) by adding at the end the following:

18 “(4) NATIVE VILLAGES OF HAINES, KETCH-
 19 IKAN, PETERSBURG, TENAKEE, AND WRANGELL.—
 20 Native members of the Native Villages of Haines,
 21 Ketchikan, Petersburg, Tenakee, and Wrangell who
 22 become shareholders in an Urban Corporation for
 23 such a Native Village shall continue to be eligible to
 24 receive distributions under this subsection as at-

1 large shareholders of the Regional Corporation for
 2 Southeast Alaska.”; and

3 (2) by adding at the end the following:

4 “(s) EFFECT OF AMENDATORY ACT.—The Alaska
 5 Native Claims Settlement Act Fulfillment Act of 2020 and
 6 the amendments made by that Act shall not affect—

7 “(1) the ratio for determination of revenue dis-
 8 tribution among Native Corporations under this sec-
 9 tion; or

10 “(2) the settlement agreement among Regional
 11 Corporations or Village Corporations or other provi-
 12 sions of subsection (i) or (j).”.

13 (e) COMPENSATION.—The Alaska Native Claims Set-
 14 tlement Act (43 U.S.C. 1601 et seq.) is amended by add-
 15 ing at the end the following:

16 **“SEC. 43. URBAN CORPORATIONS FOR HAINES, KETCHIKAN,**
 17 **PETERSBURG, TENAKEE, AND WRANGELL.**

18 “(a) DEFINITION OF URBAN CORPORATION.—In this
 19 section, the term ‘Urban Corporation’ means each of the
 20 Urban Corporations for Haines, Ketchikan, Petersburg,
 21 Tenakee, and Wrangell.

22 “(b) CONVEYANCES OF LAND.—

23 “(1) AUTHORIZATION.—

24 “(A) CONVEYANCES TO URBAN CORPORA-
 25 TIONS.—Subject to valid existing rights and

1 paragraphs (3), (4), (5), and (6), the Secretary
2 shall convey—

3 “(i) to the Urban Corporation for
4 Haines, the surface estate in 12 parcels of
5 Federal land comprising approximately
6 23,040 acres, as generally depicted on the
7 maps entitled ‘Haines Selections’, num-
8 bered 1 and 2, and dated November 2020;

9 “(ii) to the Urban Corporation for
10 Ketchikan, the surface estate in 9 parcels
11 of Federal land comprising approximately
12 23,040 acres, as generally depicted on the
13 maps entitled ‘Ketchikan Selections’, num-
14 bered 1 through 4, and dated November
15 2020;

16 “(iii) to the Urban Corporation for
17 Petersburg, the surface estate in 11 par-
18 cels of Federal land comprising approxi-
19 mately 23,040 acres, as generally depicted
20 on the maps entitled ‘Petersburg Selec-
21 tions’, numbered 1 through 3, and dated
22 November 2020;

23 “(iv) to the Urban Corporation for
24 Tenakee, the surface estate in 13 parcels
25 of Federal land comprising approximately

23,040 acres, as generally depicted on the maps entitled ‘Tenakee Selections’, numbered 1 through 3, and dated November 2020; and

“(v) to the Urban Corporation for Wrangell, the surface estate in 13 parcels of Federal land comprising approximately 23,040 acres, as generally depicted on the maps entitled ‘Wrangell Selections’, numbered 1 through 5, and dated November 2020.

“(B) CONVEYANCES TO REGIONAL CORPORATION FOR SOUTHEAST ALASKA.—Subject to valid existing rights, on the applicable date on which the surface estate in land is conveyed to an Urban Corporation under subparagraph (A), the Secretary shall convey to the Regional Corporation for Southeast Alaska the subsurface estate for that land.

“(C) CONGRESSIONAL INTENT.—It is the intent of Congress that the Secretary convey the surface estates described in subparagraph (A) not later than the date that is 2 years after the applicable date of incorporation under section 16(e)(1) of an Urban Corporation.

1 “(2) WITHDRAWAL.—

2 “(A) IN GENERAL.—Subject to valid exist-
3 ing rights, the Federal land described in para-
4 graph (1) is withdrawn from all forms of—

5 “(i) entry, appropriation, or disposal
6 under the public land laws;

7 “(ii) location, entry, and patent under
8 the mining laws;

9 “(iii) disposition under all laws per-
10 taining to mineral and geothermal leasing
11 or mineral materials; and

12 “(iv) selection under Public Law 85–
13 508 (commonly known as the ‘Alaska
14 Statehood Act’) (48 U.S.C. note prec. 21).

15 “(B) TERMINATION.—The withdrawal
16 under subparagraph (A) shall remain in effect
17 until the date on which the Federal land is con-
18 veyed under paragraph (1).

19 “(3) TREATMENT OF LAND CONVEYED.—EX-
20 cept as otherwise provided in this section, any land
21 conveyed to an Urban Corporation under paragraph
22 (1)(A) shall be—

23 “(A) considered to be land conveyed by the
24 Secretary under section 14(h)(3); and

1 “(B) subject to all laws (including regula-
2 tions) applicable to entitlements under section
3 14(h)(3), including section 907(d) of the Alaska
4 National Interest Lands Conservation Act (43
5 U.S.C. 1636(d)).

6 “(4) PUBLIC EASEMENTS.—

7 “(A) IN GENERAL.—The conveyance and
8 patents for the land under paragraph (1)(A)
9 shall be subject to the reservation of public
10 easements under section 17(b).

11 “(B) TERMINATION.—No public easement
12 reserved on land conveyed under paragraph
13 (1)(A) shall be terminated by the Secretary
14 without publication of notice of the proposed
15 termination in the Federal Register.

16 “(C) RESERVATION OF EASEMENTS.—In
17 the conveyance and patents for the land under
18 paragraph (1)(A), the Secretary shall reserve
19 the right of the Secretary to amend the convey-
20 ance and patents to include reservations of pub-
21 lic easements under section 17(b) until the com-
22 pletion of the easement reservation process.

23 “(5) HUNTING, FISHING, RECREATION, AND AC-
24 CESS.—

1 “(A) IN GENERAL.—Any land conveyed
2 under paragraph (1)(A), including access to the
3 land through roadways, trails, and forest roads,
4 shall remain open and available to subsistence
5 uses, noncommercial recreational hunting and
6 fishing, and other noncommercial recreational
7 uses by the public under applicable law—

8 “(i) without liability on the part of the
9 Urban Corporation, except for willful acts
10 of the Urban Corporation, to any user as
11 a result of the use; and

12 “(ii) subject to—

13 “(I) any reasonable restrictions
14 that may be imposed by the Urban
15 Corporation on the public use—

16 “(aa) to ensure public safe-
17 ty;

18 “(bb) to minimize conflicts
19 between recreational and com-
20 mercial uses;

21 “(cc) to protect cultural re-
22 sources;

23 “(dd) to conduct scientific
24 research; or

1 “(ee) to provide environ-
2 mental protection; and

3 “(II) the condition that the
4 Urban Corporation post on any appli-
5 cable property, in accordance with
6 State law, notices of the restrictions
7 on use.

8 “(B) EFFECT.—Access provided to any in-
9 dividual or entity under subparagraph (A) shall
10 not—

11 “(i) create an interest in any third
12 party in the land conveyed under para-
13 graph (1)(A); or

14 “(ii) provide standing to any third
15 party in any review of, or challenge to, any
16 determination by the Urban Corporation
17 with respect to the management or devel-
18 opment of the land conveyed under para-
19 graph (1)(A), except as against the Urban
20 Corporation for the management of public
21 access under subparagraph (A).

22 “(6) MISCELLANEOUS.—

23 “(A) SPECIAL USE AUTHORIZATIONS.—

1 “(i) IN GENERAL.—On the conveyance
 2 of land to an Urban Corporation under
 3 paragraph (1)(A)—

4 “(I) any guiding or outfitting
 5 special use authorization issued by the
 6 Forest Service for the use of the con-
 7 veyed land shall terminate; and

8 “(II) as a condition of the con-
 9 veyance and consistent with section
 10 14(g), the Urban Corporation shall
 11 issue the holder of the special use au-
 12 thorization terminated under sub-
 13 clause (I) an authorization to continue
 14 the authorized use, subject to the
 15 terms and conditions that were in the
 16 special use authorization issued by the
 17 Forest Service, for—

18 “(aa) the remainder of the
 19 term of the authorization; and

20 “(bb) 1 additional consec-
 21 utive 10-year renewal period.

22 “(ii) NOTICE OF COMMERCIAL ACTIVI-
 23 TIES.—The Urban Corporation, and any
 24 holder of a guiding or outfitting authoriza-
 25 tion under this subparagraph, shall have a

1 mutual obligation, subject to the guiding
 2 or outfitting authorization, to inform the
 3 other party of any commercial activities
 4 prior to engaging in the activities on the
 5 land conveyed to the Urban Corporation
 6 under paragraph (1)(A).

7 “(iii) NEGOTIATION OF NEW
 8 TERMS.—Nothing in this paragraph pre-
 9 cludes the Urban Corporation and the
 10 holder of a guiding or outfitting authoriza-
 11 tion from negotiating a new mutually
 12 agreeable guiding or outfitting authoriza-
 13 tion.

14 “(iv) LIABILITY.—Neither the Urban
 15 Corporation nor the United States shall
 16 bear any liability, except for willful acts of
 17 the Urban Corporation or the United
 18 States, regarding the use and occupancy of
 19 any land conveyed to the Urban Corpora-
 20 tion under paragraph (1)(A), as provided
 21 in any outfitting or guiding authorization
 22 under this paragraph.

23 “(B) ROADS AND FACILITIES.—

24 “(i) IN GENERAL.—The Secretary of
 25 Agriculture shall negotiate in good faith

1 with the Urban Corporation to develop a
2 binding agreement for—

3 “(I) the use of National Forest
4 System roads and related transpor-
5 tation facilities by the Urban Corpora-
6 tion; and

7 “(II) the use of the roads and re-
8 lated transportation facilities of the
9 Urban Corporation by the Forest
10 Service and designees of the Forest
11 Service.

12 “(ii) TERMS AND CONDITIONS.—The
13 binding agreement under clause (i)—

14 “(I) shall provide that the State
15 (including entities and designees of
16 the State) shall be authorized to use
17 the roads and related transportation
18 facilities of the Urban Corporation on
19 substantially similar terms as are pro-
20 vided by the Urban Corporation to the
21 Forest Service;

22 “(II) shall include restrictions on,
23 and fees for, the use of the National
24 Forest System roads and related
25 transportation facilities in existence as

1 of the date of enactment of this sec-
2 tion, as necessary, that are reasonable
3 and comparable to the restrictions
4 and fees imposed by the Forest Serv-
5 ice for the use of the roads and re-
6 lated transportation facilities; and

7 “(III) shall not restrict or limit
8 any access to the roads and related
9 transportation facilities of the Urban
10 Corporation or the Forest Service that
11 may be otherwise provided by valid ex-
12 isting rights and agreements in exist-
13 ence as of the date of enactment of
14 this section.

15 “(iii) INTENT OF CONGRESS.—It is
16 the intent of Congress that the agreement
17 under clause (i) shall be entered into as
18 soon as practicable after the date of enact-
19 ment of this section and in any case by not
20 later than 1 year after the date of incorpo-
21 ration of the Urban Corporation.

22 “(iv) CONTINUED ACCESS.—Begin-
23 ning on the date on which the land is con-
24 veyed to the Urban Corporation under
25 paragraph (1)(A) and ending on the effec-

1 tive date of a binding agreement entered
 2 into under clause (i), the Urban Corpora-
 3 tion shall provide and allow administrative
 4 access to roads and related transportation
 5 facilities on the land under substantially
 6 similar terms as are provided by the For-
 7 est Service as of the date of enactment of
 8 this section.

9 “(C) EFFECT ON OTHER LAWS.—

10 “(i) IN GENERAL.—Nothing in this
 11 section delays the duty of the Secretary to
 12 convey land to—

13 “(I) the State under Public Law
 14 85–508 (commonly known as the
 15 ‘Alaska Statehood Act’) (48 U.S.C.
 16 note prec. 21); or

17 “(II) a Native Corporation
 18 under—

19 “(aa) this Act; or

20 “(bb) the Alaska Land
 21 Transfer Acceleration Act (43
 22 U.S.C. 1611 note; Public Law
 23 108–452).

24 “(ii) STATEHOOD ENTITLEMENT.—

1 “(I) IN GENERAL.—Statehood se-
 2 lections under Public Law 85–508
 3 (commonly known as the ‘Alaska
 4 Statehood Act’) (48 U.S.C. note prec.
 5 21) are not displaced by the parcels of
 6 land described in clauses (i) through
 7 (v) of paragraph (1)(A).

8 “(II) BOUNDARY ADJUST-
 9 MENTS.—In the event of a dispute be-
 10 tween an area selected as a Statehood
 11 selection and a parcel of land referred
 12 to in subclause (I), the Secretary shall
 13 work with the Urban Corporation and
 14 the State in good faith to adjust the
 15 boundary of the parcel to exclude any
 16 area selected as a Statehood selection.

17 “(iii) CONVEYANCES.—The Secretary
 18 shall promptly proceed with the conveyance
 19 of all land necessary to fulfill the final en-
 20 titlement of all Native Corporations in ac-
 21 cordance with—

22 “(I) this Act; and

23 “(II) the Alaska Land Transfer
 24 Acceleration Act (43 U.S.C. 1611
 25 note; Public Law 108–452).

1 “(iv) FISH AND WILDLIFE.—Nothing
 2 in this section enlarges or diminishes the
 3 responsibility and authority of the State
 4 with respect to the management of fish
 5 and wildlife on public land in the State.

6 “(D) MAPS.—

7 “(i) AVAILABILITY.—Each map re-
 8 ferred to in paragraph (1)(A) shall be
 9 available in the appropriate offices of the
 10 Secretary and the Secretary of Agriculture.

11 “(ii) CORRECTIONS.—The Secretary,
 12 in consultation with the Secretary of Agri-
 13 culture, may make any necessary correc-
 14 tion to a clerical or typographical error in
 15 a map referred to in paragraph (1)(A).

16 “(c) CONVEYANCE OF ROADS, TRAILS, LOG TRANS-
 17 FER FACILITIES, LEASES, AND APPURTENANCES.—

18 “(1) IN GENERAL.—The Secretary, without
 19 consideration or compensation, shall convey to each
 20 Urban Corporation, by quitclaim deed or patent, all
 21 right, title, and interest of the United States in all
 22 roads, trails, log transfer facilities, leases, and ap-
 23 purtenances on or related to the land conveyed to
 24 the Urban Corporation under subsection (b)(1)(A).

1 “(2) CONDITIONS.—The conveyance under
2 paragraph (1) shall be subject to—

3 “(A) section 14(g); and

4 “(B) all valid existing rights, including any
5 reciprocal rights-of-way, easements, or agree-
6 ments for the use of the roads, trails, log trans-
7 fer facilities, leases, and appurtenances con-
8 veyed under paragraph (1).

9 “(3) CONTINUATION OF AGREEMENTS.—

10 “(A) IN GENERAL.—On or before the date
11 on which land is conveyed to an Urban Cor-
12 poration under subsection (b)(1)(A), the Sec-
13 retary shall provide to the Urban Corporation
14 notice of all reciprocal rights-of-way, easements,
15 and agreements for use of the roads, trails, log
16 transfer facilities, leases, and appurtenances on
17 or related to the land in existence as of the date
18 of enactment of this section.

19 “(B) REQUIREMENT.—In accordance with
20 section 14(g), any right-of-way, easement, or
21 agreement described in subparagraph (A) shall
22 continue unless the right-of-way, easement, or
23 agreement—

24 “(i) expires under its own terms; or

25 “(ii) is mutually renegotiated.

1 “(d) SETTLEMENT TRUST.—

2 “(1) IN GENERAL.—Each Urban Corporation
3 may establish a settlement trust in accordance with
4 section 39 for the purposes of promoting the health,
5 education, and welfare of the trust beneficiaries, and
6 preserving the Native heritage and culture, of the
7 community of Haines, Ketchikan, Petersburg,
8 Tenakee, or Wrangell, as applicable.

9 “(2) PROCEEDS AND INCOME.—The proceeds
10 and income from the principal of a trust established
11 under paragraph (1) shall—

12 “(A) first be applied to the support of
13 those enrollees, and the descendants of the en-
14 rollees, who are elders or minor children; and

15 “(B) thereafter to the support of all other
16 enrollees.

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to the Secretary
19 \$12,500,000, to be used by the Secretary to provide 5
20 grants in the amount of \$2,500,000 each, to be used only
21 for activities that support the implementation of this sec-
22 tion, including planning and development.”.

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