

108TH CONGRESS
2D SESSION

S. 1466

AN ACT

To facilitate the transfer of 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Alaska Land Transfer Acceleration Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—STATE SELECTIONS AND CONVEYANCES

- Sec. 101. Community grant selections and conveyances.
Sec. 102. Prioritization of land to be conveyed.
Sec. 103. Selection of certain reversionary interests held by the United States.
Sec. 104. Effect of hydroelectric withdrawals.
Sec. 105. Entitlement for the University of Alaska.
Sec. 106. Settlement of remaining entitlement.
Sec. 107. Effect of Federal mining claims.
Sec. 108. Land mistakenly relinquished or omitted.

TITLE II—ALASKA NATIVE CLAIMS SETTLEMENT ACT

- Sec. 201. Land available after selection period.
Sec. 202. Combined entitlements.
Sec. 203. Authority to convey by whole section.
Sec. 204. Conveyance of cemetery sites and historical places.
Sec. 205. Allocations based on population.
Sec. 206. Authority to withdraw land.
Sec. 207. Report on withdrawals.
Sec. 208. Automatic segregation of land for underselected Village Corporations.
Sec. 209. Settlement of remaining entitlement.

TITLE III—NATIVE ALLOTMENTS

- Sec. 301. Correction of conveyance documents.
Sec. 302. Title recovery of Native allotments.
Sec. 303. Native allotment revisions on land selected by or conveyed to a Native Corporation.
Sec. 304. Compensatory acreage.
Sec. 305. Reinstatements and reconstructions.
Sec. 306. Amendments to section 41 of the Alaska Native Claims Settlement Act.

TITLE IV—FINAL PRIORITIES; CONVEYANCE AND SURVEY PLANS

- Sec. 401. Deadline for establishment of regional plans.
Sec. 402. Deadline for establishment of village plans.
Sec. 403. Final prioritization of ANCSA selections.
Sec. 404. Final prioritization of State selections.

TITLE V—ALASKA LAND CLAIMS HEARINGS AND APPEALS

- Sec. 501. Alaska land claims hearings and appeals.

TITLE VI—REPORT AND AUTHORIZATION OF APPROPRIATIONS

- Sec. 601. Report.
Sec. 602. Authorization of appropriations.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **NATIVE ALLOTMENT.**—The term “Native
4 allotment” means an allotment claimed under the
5 Act of May 17, 1906 (34 Stat. 197, chapter 2469).6 (2) **SECRETARY.**—The term “Secretary” means
7 the Secretary of the Interior.8 (3) **STATE.**—The term “State” means the State
9 of Alaska.10 **TITLE I—STATE SELECTIONS**
11 **AND CONVEYANCES**12 **SEC. 101. COMMUNITY GRANT SELECTIONS AND CONVEY-**
13 **ANCES.**14 (a) **IN GENERAL.**—Section 6 of Public Law 85–508
15 (commonly known as the “Alaska Statehood Act”) (72
16 Stat. 340) is amended by adding at the end the following:17 “(n) The minimum tract selection size is waived with
18 respect to a selection made by the State of Alaska under
19 subsection (a) for the following selections:**National For-
est Commu-
nity Grant
Application
Number**

	Area Name	Est. Acres
209	Yakutat Airport Addition	111
264	Bear Valley (Por- tage)	120
284	Hyder-Fish Creek	61

310	Elfin Cove	37
384	Edna Bay Admin Site	37
390	Point Hilda	29.”.

1 (b) COMMUNITY GRANT SELECTIONS.—Section 6 of
 2 Public Law 85–508 (commonly known as the “Alaska
 3 Statehood Act”) (72 Stat. 340) (as amended by subsection
 4 (a)) is amended by adding at the end the following:

5 “(o)(1) The State of Alaska may elect to convert a
 6 selection filed under subsection (b) to a selection under
 7 subsection (a) by notifying the Secretary of the Interior
 8 in writing.

9 “(2) If the State of Alaska makes an election under
 10 paragraph (1), the entire selection shall be converted to
 11 a selection under subsection (a).

12 “(3) The Secretary of the Interior shall not convey
 13 a total of more than 400,000 acres of public domain land
 14 selected under subsection (a) or converted under para-
 15 graph (1) to a public domain selection under subsection
 16 (a).

17 “(4) Conversion of a selection under paragraph (1)
 18 shall not increase the survey obligation of the United
 19 States with respect to the land converted.

20 “(p) All selection applications of the State of Alaska
 21 that are on file with the Secretary of the Interior under
 22 the public domain provisions of subsection (a) on the date
 23 of enactment of this subsection and any selection applica-

1 tions that are converted to a subsection (a) selection under
 2 subsection (o)(1) are approved as suitable for community
 3 or recreational purposes.”.

4 **SEC. 102. PRIORITIZATION OF LAND TO BE CONVEYED.**

5 Section 906(h)(2) of the Alaska National Interest
 6 Lands Conservation Act (43 U.S.C. 1635(h)(2)) is
 7 amended—

8 (1) by striking “(2) As soon as practicable” and
 9 inserting the following:

10 “(2)(A) As soon as practicable”;

11 (2) by striking “The sequence of” and inserting
 12 the following:

13 “(B)(i) The sequence of”; and

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

15 “(ii) In establishing the priorities for tentative
 16 approval under clause (i), the State shall—

17 “(I) in the case of a selection under section
 18 6(a) of Public Law 85–508 (commonly known
 19 as the ‘Alaska Statehood Act’) (72 Stat. 340),
 20 include all land selected; or

21 “(II) in the case of a selection under sec-
 22 tion 6(b) of that Act—

23 “(aa) include at least 5,760 acres; or

24 “(bb) if a waiver has been granted
 25 under section 6(g) of that Act or less than

1 5,760 acres of the entitlement remains,
2 prioritize the selection in such increments
3 as are available for conveyance.”.

4 **SEC. 103. SELECTION OF CERTAIN REVERSIONARY INTER-**
5 **ESTS HELD BY THE UNITED STATES.**

6 (a) **IN GENERAL.**—All reversionary interests held by
7 the United States in land owned by the State or any polit-
8 ical subdivision of the State and any Federal land leased
9 by the State under the Act of August 23, 1950 (25 U.S.C.
10 293b), or the Act of June 4, 1953 (25 U.S.C. 293a), that
11 is prioritized for conveyance by the State under section
12 906(h)(2) of the Alaska National Interest Lands Con-
13 servation Act (43 U.S.C. 1635(h)(2))—

14 (1) are deemed to be selected; and

15 (2) may, with the concurrence of the Secretary
16 or the head of the Federal agency with administra-
17 tive jurisdiction over the land, be conveyed under
18 section 6 of Public Law 85–508 (commonly known
19 as the “Alaska Statehood Act”) (72 Stat. 340).

20 (b) **EFFECT ON ENTITLEMENT.**—If, before the date
21 of enactment of this Act, the entitlement of the State has
22 not been charged with respect to a parcel for which a re-
23 versionary interest is conveyed under subsection (a), the
24 total acreage of the parcel shall be charged against the
25 remaining entitlement of the State.

1 (c) MINIMUM ACREAGE REQUIREMENT NOT APPLI-
 2 CABLE.—The minimum acreage requirement under sub-
 3 sections (a) and (b) of section 6 of Public Law 85–508
 4 (commonly known as the “Alaska Statehood Act”) (72
 5 Stat. 340) shall not apply to the selection of reversionary
 6 interests under subsection (a).

7 (d) STATE WAIVER.—On conveyance to the State of
 8 any reversionary interest selected under subsection (a),
 9 the State shall be deemed to have waived all right to any
 10 future credit should the reversion not occur.

11 (e) LIMITATION.—This section shall not apply to—

12 (1) reversionary interests in land acquired by
 13 the United States through the use of amounts from
 14 the Exxon Valdez Oil Spill Trust Fund; or

15 (2) reversionary interests in any land conveyed
 16 to the State as a result of the “Terms and Condi-
 17 tions for Land Consolidation and Management in
 18 Cook Inlet Area” as ratified by section 12 of Public
 19 Law 94–204 (43 U.S.C. 1611 note).

20 **SEC. 104. EFFECT OF HYDROELECTRIC WITHDRAWALS.**

21 (a) LAND WITHDRAWN, RESERVED, OR CLASSIFIED
 22 FOR POWER SITE OR POWER PROJECT PURPOSES.—If
 23 the State has filed a future selection application under sec-
 24 tion 906(e) of the Alaska National Interest Lands Con-
 25 servation Act (43 U.S.C. 1635(e)) for land withdrawn, re-

1 served, or classified for power site or power project pur-
 2 poses, notwithstanding the withdrawal, reservation, or
 3 classification for power site or power project purposes, the
 4 following parcels of land shall be deemed to be vacant, un-
 5 appropriated, and unreserved within the meaning of Pub-
 6 lic Law 85–508 (commonly known as the “Alaska State-
 7 hood Act”) (72 Stat. 339):

Serial Number	Area Name	General Selection Application Num- ber
AKAA 058747	Bradley Lake	GS 5141
AKAA 058848	Bradley Lake	GS 44
AKAA 058266	Eagle River/Ship Creek/Peters Creek	GS 1429
AKAA 058265	Eagle River/Ship Creek/Peters Creek	GS 1209
AKAA 058374	Salmon Creek	GS 327
AKF 031321	Nenana River	GS 2182
AKAA 059056	Solomon Gulch at Valdez	GS 86
AKFF 085798	Kruzgamepa River Pass Creek	GS 4096.

8 (b) LIMITATION.—Subsection (a) does not apply to
 9 any land that is—

10 (1) located within the boundaries of a conserva-
 11 tion system unit (as defined in section 102 of the
 12 Alaska National Interest Lands Conservation Act
 13 (16 U.S.C. 3102)); or

14 (2) otherwise unavailable for conveyance under
 15 Public Law 85–508 (commonly known as the “Alas-
 16 ka Statehood Act”) (72 Stat. 339).

1 (c) REQUIREMENT APPLICABLE TO NATIONAL FOR-
 2 EST SYSTEM LAND.—Any land described in subsection (a)
 3 that is in a unit of the National Forest System shall not
 4 be conveyed unless the Secretary of Agriculture approved
 5 the State selection before January 3, 1994.

6 (d) REQUIREMENTS APPLICABLE TO HYDRO-
 7 ELECTRIC APPLICATIONS AND LICENSED PROJECTS.—

8 (1) HYDROELECTRIC APPLICATIONS.—Any se-
 9 lection of land described in subsection (a) that is in-
 10 cluded in a hydroelectric application—

11 (A) shall be subject to the jurisdiction of
 12 the Federal Energy Regulatory Commission;
 13 and

14 (B) shall not be conveyed while the hydro-
 15 electric application is pending.

16 (2) LICENSED PROJECT.—Any selection of land
 17 described in subsection (a) that is included in a li-
 18 censed project shall be subject to—

19 (A) the jurisdiction of the Federal Energy
 20 Regulatory Commission;

21 (B) the rights of third parties; and

22 (C) the right of reentry under section 24
 23 of the Federal Power Act (16 U.S.C. 818).

24 (e) EFFECT OF SECTION.—Nothing in this section
 25 negates or diminishes any right of an applicant to petition

1 for restoration and opening of land withdrawn or classified
2 for power purposes under section 24 of the Federal Power
3 Act (16 U.S.C. 818).

4 **SEC. 105. ENTITLEMENT FOR THE UNIVERSITY OF ALASKA.**

5 (a) IN GENERAL.—As of January 1, 2003, the re-
6 maining State entitlement for the benefit of the University
7 of Alaska under the Act of January 21, 1929 (45 Stat.
8 1091, chapter 92), is 456 acres.

9 (b) REVERSIONARY INTERESTS.—The Act of Janu-
10 ary 21, 1929 (45 Stat. 1091, chapter 92), is amended by
11 adding at the end the following:

12 “SEC. 3. (a) The State of Alaska (referred to in this
13 Act as the ‘State’), acting on behalf of, and with the ap-
14 proval of, the University of Alaska, may select—

15 “(1) any mineral interest (including an interest
16 in oil or gas) in land located in the State, the unre-
17 served portion of which is owned by the University
18 of Alaska; or

19 “(2) any reversionary interest held by the
20 United States in land located in the State, the unre-
21 served portion of which is owned by the University
22 of Alaska.

23 “(b) The total acreage of any parcel of land for which
24 a partial interest is conveyed under subsection (a) shall

1 be charged against the remaining entitlement of the State
2 under this Act.

3 “(c) In taking title to a reversionary interest, the
4 State, with the approval of the University of Alaska,
5 waives all right to any future acreage credit if the rever-
6 sion does not occur.

7 “SEC. 4. The Secretary may survey any vacant, unap-
8 propriated, and unreserved land in the State for purposes
9 of allowing selections under this Act.

10 “SEC. 5. The authorized outstanding selections under
11 this Act shall be not more than—

12 “(1) 125 percent of the remaining entitlement;
13 plus

14 “(2) the number of acres of land that are in
15 conflict with land owned by the University of Alaska,
16 as identified in Native allotment applications on
17 record with the Bureau of Land Management.”.

18 **SEC. 106. SETTLEMENT OF REMAINING ENTITLEMENT.**

19 (a) IN GENERAL.—The Secretary may enter into a
20 binding written agreement with the State with respect
21 to—

22 (1) the exact number and location of acres of
23 land remaining to be conveyed under each entitle-
24 ment established or confirmed by Public Law 85—

1 508 (commonly known as the “Alaska Statehood
2 Act”) (72 Stat. 340), from—

3 (A) the land selected by the State as of
4 January 3, 1994; and

5 (B) selections under the Act of January
6 21, 1929 (45 Stat. 1091, chapter 92);

7 (2) the priority in which the land is to be con-
8 veyed;

9 (3) the relinquishment of selections which are
10 not to be conveyed; and

11 (4) the survey of the exterior boundaries of the
12 land to be conveyed.

13 (b) CONSULTATION.—Before entering into an agree-
14 ment under subsection (a), the Secretary shall ensure that
15 any concerns or issues identified by any Federal agency
16 potentially affected are given consideration.

17 (c) ERRORS.—The State, by entering into an agree-
18 ment under subsection (a), shall receive any gain or bear
19 any loss that results from errors in prior surveys, protract-
20 tion diagrams, or the computation of the ownership of
21 third parties on any land conveyed under an agreement
22 entered into under subsection (a).

23 (d) AVAILABILITY OF AGREEMENTS.—Agreements
24 entered into under subsection (a) shall be available for

1 public inspection in the appropriate offices of the Depart-
2 ment of the Interior.

3 (e) EFFECT.—Nothing in this section increases the
4 entitlement provided to the State under Public Law 85–
5 508 (commonly known as the “Alaska Statehood Act”)
6 (72 Stat. 340), or the Act of January 21, 1929 (45 Stat.
7 1091, chapter 92).

8 **SEC. 107. EFFECT OF FEDERAL MINING CLAIMS.**

9 (a) CONDITIONAL RELINQUISHMENTS.—

10 (1) IN GENERAL.—To facilitate the conversion
11 of Federal mining claims to State mining claims on
12 land selected or topfiled by the State, a Federal min-
13 ing claimant may file with the Secretary a voluntary
14 relinquishment of the Federal mining claim condi-
15 tioned on conveyance of the land to the State.

16 (2) CONVEYANCE OF RELINQUISHED CLAIM.—
17 The Secretary may convey the land described in the
18 relinquished Federal mining claim to the State if,
19 with respect to the land—

20 (A) the State has filed as of January 3,
21 1994—

22 (i) a selection application under Pub-
23 lic Law 85–508 (commonly known as the
24 “Alaska Statehood Act”) (72 Stat. 339);
25 or

1 (ii) a future selection application
2 under section 906(e) of the Alaska Na-
3 tional Interest Lands Conservation Act 43
4 U.S.C. 1635(e)); and

5 (B) the land addressed by the selection ap-
6 plication or future selection application is con-
7 veyed to the State.

8 (3) OBLIGATIONS UNDER FEDERAL LAW.—
9 Until the date on which the land is conveyed under
10 paragraph (2), a Federal mining claimant shall be
11 subject to any obligations relating to the land under
12 Federal law.

13 (4) NO RELINQUISHMENT.—If the land pre-
14 viously encumbered by the relinquished Federal min-
15 ing claim is not conveyed to the State under para-
16 graph (2), the relinquishment of land under para-
17 graph (1) shall be of no effect.

18 (b) RIGHTS-OF-WAY; OTHER INTEREST.—On con-
19 veyance to the State of a relinquished Federal mining
20 claim under this section, the State shall assume authority
21 over any leases, licenses, permits, rights-of-way, operating
22 plans, other land use authorizations, or reclamation obli-
23 gations applicable to the relinquished Federal mining
24 claim on the date of conveyance.

1 **SEC. 108. LAND MISTAKENLY RELINQUISHED OR OMITTED.**

2 Notwithstanding the selection deadlines under section
3 6(a) of Public Law 85–508 (commonly known as the
4 “Alaska Statehood Act”) (72 Stat. 340)—

5 (1) the State selection application AA–17607
6 NFCG 75, located in the Chugach National Forest,
7 is reinstated to the parcels of land originally selected
8 in 1978, which are more particularly described as—

9 (A) S¹/₂ sec. 14, T. 11 S., R. 11 W., of the
10 Copper River Meridian;

11 (B) S¹/₂ sec. 15, T. 11 S., R. 11 W., of the
12 Copper River Meridian;

13 (C) E¹/₂SE¹/₄ sec. 16, T. 11 S., R. 11 W.,
14 of the Copper River Meridian;

15 (D) E¹/₂, E¹/₂W¹/₂, SW¹/₄SW¹/₄ sec. 21, T.
16 11 S., R. 11 W., of the Copper River Meridian;

17 (E) N¹/₂, SW¹/₄, N¹/₂SE¹/₄ sec. 22, T. 11
18 S., R. 11 W., of the Copper River Meridian;

19 (F) N¹/₂, SW¹/₄, N¹/₂SE¹/₄ sec. 23, T. 11
20 S., R. 11 W., of the Copper River Meridian;

21 (G) NW¹/₄ sec. 27, T. 11 S., R. 11 W., of
22 the Copper River Meridian; and

23 (H) N¹/₂N¹/₂, SE¹/₄NE¹/₄ sec. 28, T. 11
24 S., R. 11 W., of the Copper River Meridian;

25 and

1 (2) the following parcels of land are considered
2 topfiled under section 906(e) of the Alaska National
3 Interest Lands Conservation Act (16 U.S.C.
4 1635(e)):

5 (A) The parcels of land omitted from the
6 State's topfiling of the Utility and Transpor-
7 tation Corridor, and other parcels of land en-
8 compassing the Trans-Alaska Pipeline System,
9 withdrawn by Public Land Order No. 5150 (ex-
10 cept for any land within the boundaries of a
11 conservation system unit), which are more par-
12 ticularly described as—

13 (i) secs. 1–30, 32–36, T. 27 N., R. 11
14 W., of the Fairbanks Meridian;

15 (ii) secs. 10, 13–18, 21–28, and 33–
16 36, T. 20 N., R. 13 W., of the Fairbanks
17 Meridian;

18 (iii) secs. 13, 14, and 15, T. 20 N., R.
19 14 W., of the Fairbanks Meridian;

20 (iv) secs. 1–5, 8–17, and 20–28, T.
21 19 N., R. 13 W., of the Fairbanks Merid-
22 ian;

23 (v) secs. 29–32, T. 20 N., R. 16 W.,
24 of the Fairbanks Meridian;

1 (vi) secs. 5–11, 14–23, and 25–36, T.
 2 19 N., R. 16 W., of the Fairbanks Merid-
 3 ian;

4 (vii) secs. 30 and 31, T. 19 N., R. 15
 5 W., of the Fairbanks Meridian;

6 (viii) secs. 5 and 6, T. 18 N., R. 15
 7 W., of the Fairbanks Meridian;

8 (ix) secs. 1–2 and 7–34, T. 16 N., R.
 9 14 W., of the Fairbanks Meridian; and
 10 (x) secs. 4–9, T. 15 N., R. 14 W., of
 11 the Fairbanks Meridian.

12 (B) Secs. 1, 2, 11–14, T. 10 S., R. 42 W.,
 13 of the Seward Meridian.

14 **TITLE II—ALASKA NATIVE**
 15 **CLAIMS SETTLEMENT ACT**

16 **SEC. 201. LAND AVAILABLE AFTER SELECTION PERIOD.**

17 (a) IN GENERAL.—To make certain Federal land
 18 available for conveyance to a Native Corporation that has
 19 sufficient remaining entitlement, the Secretary may waive
 20 the filing deadlines under sections 12 and 16 of the Alaska
 21 Native Claims Settlement Act (43 U.S.C. 1611, 1615)
 22 if—

23 (1) the Federal land is—

24 (A) located in a township in which all or
 25 any part of a Native Village is located; or

1 (B) surrounded by—

2 (i) land that is owned by the Native
3 Corporation; or

4 (ii) selected land that will be conveyed
5 to the Native Corporation;

6 (2) the Federal land—

7 (A) became available after the end of the
8 original selection period;

9 (B)(i) was not selected by the Native Cor-
10 poration because the Federal land was subject
11 to a competing claim or entry; and

12 (ii) the competing claim or entry has
13 lapsed; or

14 (C) was previously an unavailable Federal
15 enclave within a Native selection withdrawal
16 area;

17 (3)(A) the Secretary provides the Native Cor-
18 poration with a specific time period in which to de-
19 cline the Federal land; and

20 (B) the Native Corporation does not submit to
21 the Secretary written notice declining the land with-
22 in the period established under subparagraph (A);
23 and

1 (4) the State has voluntarily relinquished any
2 valid State selection or top-filing for the Federal
3 land.

4 (b) CONGRESSIONAL ACTION.—Subsection (a) shall
5 not apply to a parcel of Federal land if Congress has spe-
6 cifically made other provisions for disposition of the parcel
7 of Federal land.

8 **SEC. 202. COMBINED ENTITLEMENTS.**

9 Section 12 of the Alaska Native Claims Settlement
10 Act (43 U.S.C. 1611) is amended—

11 (1) in the second sentence of subsection (b), by
12 striking “Regional Corporation shall” and inserting
13 “Regional Corporation shall, not later than October
14 1, 2005,”; and

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

16 “(f)(1) The entitlements received by any Village Cor-
17 poration under subsection (a) and the reallocations made
18 to the Village Corporation under subsection (b) may be
19 combined, at the discretion of the Secretary, without—

20 “(A) increasing or decreasing the combined en-
21 titlement; or

22 “(B) increasing the limitation on selections of
23 Wildlife Refuge System land, National Forest Sys-
24 tem land, or State-selected land under subsection
25 (a).

1 “(2) The combined entitlement under paragraph (1)
 2 may be fulfilled from selections under subsection (a) or
 3 (b) without regard to the entitlement specified in the selec-
 4 tion application.

5 “(3) All selections under a combined entitlement
 6 under paragraph (1) shall be adjudicated and conveyed in
 7 compliance with this Act.

8 “(4) Except in a case in which a survey has been con-
 9 tracted for before the date of enactment of this subsection,
 10 the combination of entitlements under paragraph (1) shall
 11 not require separate patents or surveys, to distinguish be-
 12 tween conveyances made to a Village Corporation under
 13 subsections (a) and (b).”.

14 **SEC. 203. AUTHORITY TO CONVEY BY WHOLE SECTION.**

15 Section 14(d) of the Alaska Native Claims Settlement
 16 Act (43 U.S.C. 1613(d)) is amended—

17 (1) by striking “(d) the Secretary” and insert-
 18 ing the following:

19 “(d)(1) The Secretary”; and

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

21 “(2) For purposes of applying the rule of ap-
 22 proximation under this section, the largest legal sub-
 23 division that may be conveyed in excess of the appli-
 24 cable acreage limitation specified in subsection (a)
 25 shall be—

1 “(A) in the case of land managed by the
2 Bureau of Land Management that is not within
3 a conservation system unit, the next whole sec-
4 tion;

5 “(B) in the case of land managed by an
6 agency other than the Bureau of Land Manage-
7 ment that is not within a conservation system
8 unit, the next quarter-section and only with
9 concurrence of the agency; or

10 “(C) in the case of land within a conserva-
11 tion system unit, a quarter of a quarter section,
12 and if the land is managed by an agency other
13 than the Bureau of Land Management, only
14 with the concurrence of that agency.

15 “(3)(A) If the Secretary determines pursuant to
16 paragraph (2) that an entitlement of a Village Corporation
17 (other than a Village Corporation listed in section 16(a))
18 or a Regional Corporation may be fulfilled by conveying
19 a specific tract of surveyed or unsurveyed land, the Sec-
20 retary and the affected Village or Regional Corporation
21 may enter into an agreement providing that all land enti-
22 tlements under this Act shall be deemed satisfied by con-
23 veyance of the specifically identified and agreed upon tract
24 of land.

1 “(B) An agreement entered into under subparagraph

2 (A) shall be—

3 “(i) in writing;

4 “(ii) executed by the Secretary and the Village
5 or Regional Corporation; and

6 “(iii) authorized by a corporate resolution
7 adopted by the affected Village or Regional Corpora-
8 tion.

9 “(C) After execution of an agreement under subpara-
10 graph (A) and conveyance of the agreed upon tract to the
11 affected Village or Regional Corporation—

12 “(i) the Secretary shall not make any further
13 adjustments to calculations relating to acreage enti-
14 tlements of the Village or Regional Corporation; and

15 “(ii) the Village or Regional Corporation shall
16 not be entitled to any further conveyances under this
17 Act.

18 “(D) A Village or Regional Corporation shall not be
19 eligible to receive land under subparagraph (A) if the Vil-
20 lage or Regional Corporation has received the full land en-
21 titlement of the Village or Regional Corporation
22 through—

23 “(i) an actual conveyance of land; or

24 “(ii) a previous agreement.

1 “(E) If the calculations of the Secretary indicate that
 2 the final survey boundaries for any Village or Regional
 3 Corporation entitlement for which an agreement has not
 4 been entered into under this paragraph include acreage
 5 in a quantity that exceeds the statutory entitlement of the
 6 corporation by $\frac{1}{10}$ of 1 percent or less, but not more than
 7 the applicable acreage limitation specified in paragraph
 8 (2)—

9 “(i) the entitlement shall be considered satisfied
 10 by the conveyance of the surveyed area; and

11 “(ii) the Secretary shall not change the survey
 12 for the sole purpose of an acreage adjustment.

13 “(F) This paragraph does not limit or otherwise af-
 14 fect the ability of a Village or Regional Corporation to
 15 enter into land exchanges with the United States.”.

16 **SEC. 204. CONVEYANCE OF CEMETERY SITES AND HISTOR-**
 17 **ICAL PLACES.**

18 Section 14(h)(1) of the Alaska Native Claims Settle-
 19 ment Act (43 U.S.C. 1613(h)(1)) is amended—

20 (1) by striking “(1) The Secretary” and insert-
 21 ing the following:

22 “(1)(A) The Secretary”;

23 (2) by striking “Only title” and inserting the
 24 following:

25 “(B) Only title”; and

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

2 “(C)(i) Notwithstanding acreage alloca-
3 tions made before the date of enactment of this
4 subparagraph, the Secretary may convey any
5 cemetery site or historical place—

6 “(I) with respect to which there is an
7 application on record with the Secretary on
8 the date of enactment of this paragraph;
9 and

10 “(II) that is eligible for conveyance.

11 “(ii) Clause (i) shall also apply to any of
12 the 188 closed applications that are determined
13 to be eligible and reinstated under Secretarial
14 Order No. 3220 dated January 5, 2001.

15 “(D) No applications submitted for the
16 conveyance of land under subparagraph (A)
17 that were closed before the date of enactment
18 of this paragraph may be reinstated other than
19 those specified in subparagraph (C)(ii).

20 “(E) After the date of enactment of this
21 paragraph—

22 “(i) no application may be filed for
23 the conveyance of land under subpara-
24 graph (A); and

1 “(ii) no pending application may be
2 amended, except as necessary to conform
3 the application to the description in the
4 certification of eligibility of the Bureau of
5 Indian Affairs.

6 “(F) Unless, not later than 1 year after
7 the date of enactment of this paragraph, a Re-
8 gional Corporation that has filed an application
9 for a historic place submits to the Secretary a
10 statement on the significance of and the loca-
11 tion of the historic place—

12 “(i) the application shall not be valid;
13 and

14 “(ii) the Secretary shall reject the ap-
15 plication.

16 “(G) The State and the head of the Fed-
17 eral agency with administrative jurisdiction over
18 the land shall have 30 days to provide written
19 comments to the Secretary—

20 “(i) identifying any third party inter-
21 est to which a conveyance under subpara-
22 graph (A) should be made subject; and

23 “(ii) describing any easements rec-
24 ommended for reservation.”.

1 **SEC. 205. ALLOCATIONS BASED ON POPULATION.**

2 Section 14(h)(8) of the Alaska Native Claims Settle-
3 ment Act (43 U.S.C. 1613(h)(8)) is amended by adding
4 at the end the following:

5 “(C)(i) Notwithstanding any other provi-
6 sion of this subsection, as soon as practicable
7 after enactment of this subparagraph, the Sec-
8 retary shall allocate to a Regional Corporation
9 eligible for an allocation under subparagraph
10 (A) the Regional Corporation’s share of
11 200,000 acres from lands withdrawn under this
12 subsection, to be credited against acreage to be
13 allocated to the Regional Corporation under
14 subparagraph (A).

15 “(ii) Clause (i) shall apply to Chugach
16 Alaska Corporation pursuant to the terms of
17 the 1982 CNI Settlement Agreement.

18 “(iii) With respect to Cook Inlet Region,
19 Inc., or Koniag, Inc.—

20 “(I) clause (i) shall not apply; and

21 “(II) the portion of the 200,000 acres
22 allocated to Cook Inlet Region Inc. or
23 Koniag, Inc., shall be retained by the
24 United States.

25 “(iv) This subparagraph shall not affect
26 any prior agreement entered into by a Regional

1 Corporation other than the agreements specifi-
2 cally referred to in this subparagraph.”.

3 **SEC. 206. AUTHORITY TO WITHDRAW LAND.**

4 Section 14(h)(10) of the Alaska Native Claims Settle-
5 ment Act (43 U.S.C. 1613(h)(10)) is amended—

6 (1) by striking “(10) Notwithstanding” and in-
7 serting the following:

8 “(10)(A) Notwithstanding”; and

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

10 “(B) If a Regional Corporation does not have
11 enough valid selections on file to fulfill the remain-
12 ing entitlement of the Regional Corporation under
13 paragraph (8), the Secretary may use the with-
14 drawal authority under subparagraph (A) to with-
15 draw land that is vacant, unappropriated, and unre-
16 served on the date of enactment of this subpara-
17 graph for selection by, and conveyance to, the Re-
18 gional Corporation to fulfill the entitlement.”.

19 **SEC. 207. REPORT ON WITHDRAWALS.**

20 Not later than 18 months after the date of enactment
21 of this Act, the Secretary shall—

22 (1) review the withdrawals made pursuant to
23 section 17(d)(1) of the Alaska Native Claims Settle-
24 ment Act (43 U.S.C. 1616(d)(1)) to determine if
25 any portion of the lands withdrawn pursuant to that

1 provision can be opened to appropriation under the
2 public land laws or if their withdrawal is still needed
3 to protect the public interest in those lands;

4 (2) provide an opportunity for public notice and
5 comment, including recommendations with regard to
6 lands to be reviewed under paragraph (1); and

7 (3) submit to the Committee on Energy and
8 Natural Resources of the Senate and the Committee
9 on Resources of the House of Representatives a re-
10 port that identifies any portion of the lands so with-
11 drawn that can be opened to appropriation under
12 the public land laws consistent with the protection of
13 the public interest in these lands.

14 **SEC. 208. AUTOMATIC SEGREGATION OF LAND FOR UNDER-**
15 **SELECTED VILLAGE CORPORATIONS.**

16 Section 22(j) of the Alaska Native Claims Settlement
17 Act (43 U.S.C. 1621(j)) is amended by adding at the end
18 the following:

19 “(3) In lieu of withdrawal under paragraph (2),
20 land may be segregated from all other forms of ap-
21 propriation for the purposes described in that para-
22 graph if—

23 “(A) the Secretary and the Village Cor-
24 poration enter into an agreement identifying
25 the land for selection; and

1 “(B) the Village Corporation files an appli-
2 cation for selection of the land.”.

3 **SEC. 209. SETTLEMENT OF REMAINING ENTITLEMENT.**

4 (a) IN GENERAL.—The Secretary may enter into a
5 binding written agreement with a Native Corporation re-
6 lating to—

7 (1) the land remaining to be conveyed to the
8 Native Corporation under the Alaska Native Claims
9 Settlement Act (43 U.S.C. 1601 et seq.) from land
10 selected as of September 1, 2004, or land made
11 available under section 201, 206, or 208 of this Act;

12 (2) the priority in which the land is to be con-
13 veyed;

14 (3) the relinquishment of selections which are
15 not to be conveyed;

16 (4) the selection entitlement to which selections
17 are to be charged, regardless of the entitlement
18 under which originally selected;

19 (5) the survey of the exterior boundaries of the
20 land to be conveyed;

21 (6) the additional survey to be performed under
22 section 14(c) of the Alaska Native Claims Settle-
23 ment Act (43 U.S.C. 1613(c)); and

24 (7) the resolution of conflicts with Native allot-
25 ment applications.

1 (b) REQUIREMENTS.—An agreement under sub-
2 section (a)—

3 (1) shall be authorized by a resolution of the
4 Native Corporation entering into the agreement; and

5 (2) shall include a statement that the entitle-
6 ment of the Native Corporation shall be considered
7 complete on execution of the agreement.

8 (c) CORRECTION OF CONVEYANCE DOCUMENTS.—In
9 an agreement under subsection (a), the Secretary and the
10 Native Corporation may agree to make technical correc-
11 tions to the legal description in the conveyance documents
12 for easements previously reserved so that the easements
13 provide the access intended by the original reservation.

14 (d) CONSULTATION.—Before entering into an agree-
15 ment under subsection (a), the Secretary shall ensure that
16 the concerns or issues identified by the State and all Fed-
17 eral agencies potentially affected by the agreement are
18 given consideration.

19 (e) ERRORS.—Any Native Corporation entering into
20 an agreement under subsection (a) shall receive any gain
21 or bear any loss resulting from errors in prior surveys,
22 protraction diagrams, or computation of the ownership of
23 third parties on any land conveyed.

24 (f) EFFECT.—

1 (1) IN GENERAL.—An agreement under sub-
2 section (a) shall not—

3 (A) affect the obligations of Native Cor-
4 porations under prior agreements; or

5 (B) result in a Native Corporation relin-
6 quishing valid selections of land in order to
7 qualify for the withdrawal of other tracts of
8 land.

9 (2) EFFECT ON SUBSURFACE RIGHTS.—The
10 terms of an agreement entered into under subsection
11 (a) shall be binding on a Regional Corporation with
12 respect to the location and quantity of subsurface
13 rights of the Regional Corporation under section
14 14(f) of the Alaska Native Claims Settlement Act
15 (43 U.S.C. 1613(f)).

16 (3) EFFECT ON ENTITLEMENT.—Nothing in
17 this section increases the entitlement provided to
18 any Native Corporation under—

19 (A) the Alaska Native Claims Settlement
20 Act (43 U.S.C. 1601 et seq.); or

21 (B) the Alaska National Interest Lands
22 Conservation Act (16 U.S.C. 3101 et seq.).

23 (g) BOUNDARIES OF A NATIVE VILLAGE.—An agree-
24 ment entered into under subsection (a) may not define the
25 boundaries of a Native Village.

1 (h) AVAILABILITY OF AGREEMENTS.—An agreement
 2 entered into under subsection (a) shall be available for
 3 public inspection in the appropriate offices of the Depart-
 4 ment of the Interior.

5 **TITLE III—NATIVE ALLOTMENTS**

6 **SEC. 301. CORRECTION OF CONVEYANCE DOCUMENTS.**

7 Section 18 of the Alaska Native Claims Settlement
 8 Act (43 U.S.C. 1617) is amended by adding at the end
 9 the following:

10 “(d)(1) If an allotment application is valid or would
 11 have been approved under section 905 of the Alaska Na-
 12 tional Interests Lands Conservation Act (43 U.S.C. 1634)
 13 had the land described in the application been in Federal
 14 ownership on December 2, 1980, the Secretary may cor-
 15 rect a conveyance to a Native Corporation or to the State
 16 that includes land described in the allotment application
 17 to exclude the described allotment land with the written
 18 concurrence of the Native Corporation or the State.

19 “(2) A written concurrence shall—

20 “(A) include a finding that the land description
 21 proposed by the Secretary is acceptable; and

22 “(B) attest that the Native Corporation or the
 23 State has not—

24 “(i) granted any third party rights or
 25 taken any other action that would affect the

1 ability of the United States to convey full title
2 under the Act of May 17, 1906 (34 Stat. 197,
3 chapter 2469); and;

4 “(ii) stored or allowed the deposit of haz-
5 ardous waste on the land.

6 “(3) On receipt of an acceptable written concurrence,
7 the Secretary, shall—

8 “(A) issue a corrected conveyance document to
9 the State or Native Corporation, as appropriate; and

10 “(B) issue a certificate of allotment to the allot-
11 ment applicant.

12 “(4) No documents of reconveyance from the State
13 or an Alaska Native Corporation or evidence of title, other
14 than the written concurrence and attestation described in
15 paragraph (2), are necessary to use the procedures author-
16 ized by this subsection.”.

17 **SEC. 302. TITLE RECOVERY OF NATIVE ALLOTMENTS.**

18 (a) IN GENERAL.—In lieu of the process for the cor-
19 rection of conveyance documents available under sub-
20 section (d) of section 18 of the Alaska Native Claims Set-
21 tlement Act (as added by section 301), any Native Cor-
22 poration may elect to reconvey all of the land encompassed
23 by an allotment claim or a portion of the allotment claim
24 agreeable to the applicant in satisfaction of the entire

1 claim by tendering a valid and appropriate deed to the
2 United States.

3 (b) CERTIFICATE OF ALLOTMENT.—If the United
4 States determines that the allotment application is valid
5 or would have been approved under section 905 of the
6 Alaska National Interests Lands Conservation Act (42
7 U.S.C. 1634) had the land described in the allotment ap-
8 plication been in Federal ownership on December 2, 1980,
9 and obtains title evidence acceptable under the Depart-
10 ment of Justice title standards, the United States shall
11 accept the deed from the Native Corporation and issue a
12 certificate of allotment to the allotment applicant.

13 (c) PROBATE NOT REQUIRED.—If the Native Cor-
14 poration reconveys the entire interest of the Native Cor-
15 poration in the allotment claim of a deceased applicant,
16 the United States may accept the deed and issue the cer-
17 tificate of allotment without waiting for a determination
18 of heirs or the approval of a will.

19 (d) NO LIABILITY.—The United States shall not be
20 subject to liability under Federal or State law for the pres-
21 ence of any hazardous substance in land or an interest
22 in land solely as a result of any reconveyance to, and
23 transfer by, the United States of land or interests in land
24 under this section.

1 **SEC. 303. NATIVE ALLOTMENT REVISIONS ON LAND SE-**
2 **LECTED BY OR CONVEYED TO A NATIVE COR-**
3 **PORATION.**

4 Section 18 of the Alaska Native Claims Settlement
5 Act (43 U.S.C. 1617) (as amended by section 301) is
6 amended by adding at the end the following:

7 “(e)(1) An allotment applicant who had an applica-
8 tion pending before the Department of the Interior on De-
9 cember 18, 1971, and whose application is still open on
10 the records of the Department of the Interior as of the
11 date of enactment of this subsection may revise the land
12 description in the application to describe land other than
13 the land that the applicant originally intended to claim
14 if—

15 “(A) the application—

16 “(i) describes land selected by or conveyed
17 by interim conveyance or patent to a Native
18 Corporation formed to receive benefits under
19 this Act; or

20 “(ii) otherwise conflicts with an interest in
21 land granted to a Native Corporation by the
22 United States;

23 “(B) the revised land description describes land
24 selected by or conveyed by interim conveyance or
25 patent to a Native Corporation of approximately

1 equal acreage in substitution for the land described
2 in the original application;

3 “(C) the Director of the Bureau of Land Man-
4 agement has not adopted a final plan of survey for
5 the final entitlement of the Native Corporation or its
6 successor in interest; and

7 “(D) the Native Corporation that selected the
8 land or its successor in interest provides a corporate
9 resolution authorizing reconveyance or relinquish-
10 ment to the United States of the land, or interest in
11 land, described in the revised application.

12 “(2) The land description in an allotment application
13 may not be revised under this section unless the Secretary
14 has determined—

15 “(A) that the allotment application is valid or
16 would have been approved under section 905 of the
17 Alaska National Interest Lands Conservation Act
18 (43 U.S.C. 1634) had the land in the allotment ap-
19 plication been in Federal ownership on December 2,
20 1980;

21 “(B) in consultation with the administering
22 agency, that the proposed revision would not create
23 an isolated inholding within a conservation system
24 unit (as defined in section 102 of the Alaska Na-

1 tional Interest Lands Conservation Act (16 U.S.C.
2 3102)); and

3 “(C) that the proposed revision will facilitate
4 completion of a land transfer in the State.

5 “(3)(A) On obtaining title evidence acceptable under
6 Department of Justice title standards and acceptance of
7 a reconveyance or relinquishment from a Native Corpora-
8 tion under paragraph (1), the Secretary shall issue a Na-
9 tive allotment certificate to the applicant for the land re-
10 conveyed or relinquished by the Native Corporation.

11 “(B) Any allotment revised under this section shall,
12 when allotted, be made subject to any easement, trail,
13 right-of-way, or any third-party interest (other than a fee
14 interest) in existence on the revised allotment land on the
15 date of revision.”.

16 **SEC. 304. COMPENSATORY ACREAGE.**

17 (a) IN GENERAL.—The Secretary shall adjust the
18 acreage entitlement computation records for the State or
19 an affected Native Corporation to account for any dif-
20 ference in the amount of acreage between the corrected
21 description and the previous description in any conveyance
22 document as a result of actions taken under section 18(d)
23 of the Alaska Native Claims Settlement Act (as added by
24 section 301) or section 18(e) of the Alaska Native Claims
25 Settlement Act (as added by section 303), or for other

1 voluntary reconveyances to the United States for the pur-
2 pose of facilitating land transfers in the State.

3 (b) LIMITATION.—No adjustment to the acreage con-
4 veyance computations shall be made where the State or
5 an affected Native Corporation retains a partial estate in
6 the described allotment land.

7 (c) AVAILABILITY OF ADDITIONAL LAND.—If, as a
8 result of implementation under section 18(d) of the Alaska
9 Native Claims Settlement Act (as added by section 301)
10 or any voluntary reconveyance to facilitate a land transfer,
11 a Village Corporation has insufficient remaining selections
12 from which to receive its full entitlement under the Alaska
13 Native Claims Settlement Act, the Secretary may use the
14 authority and procedures available under paragraph (3)
15 of section 22(j) of the Alaska Native Claims Settlement
16 Act (43 U.S.C. 1621(j)) (as added by section 208) to
17 make additional land available for selection by the Village
18 Corporation.

19 **SEC. 305. REINSTATEMENTS AND RECONSTRUCTIONS.**

20 Section 18 of the Alaska Native Claims Settlement
21 Act (43 U.S.C. 1617) (as amended by section 303) is
22 amended by adding at the end the following:

23 “(f)(1) If an applicant for a Native allotment filed
24 under the Act of May 17, 1906 (34 Stat. 197, chapter
25 2469) petitions the Secretary to reinstate a previously

1 closed Native allotment application or to accept a recon-
 2 structed copy of an application claimed to have been time-
 3 ly filed with an agency of the Department of the Interior,
 4 the United States—

5 “(A) may seek voluntary reconveyance of any
 6 land described in the application that is reinstated
 7 or reconstructed after the date of enactment of this
 8 subsection; but

9 “(B) shall not file an action in any court to re-
 10 cover title from a current landowner.

11 “(2) A certificate of allotment that is issued for any
 12 allotment application for which a request for reinstate-
 13 ment or reconstruction is received or accepted after the
 14 date of enactment of this subsection shall be made subject
 15 to any Federal appropriation, trail, right-of-way, ease-
 16 ment, or existing third party interest of record, including
 17 third party interests created by the State, without regard
 18 to the date on which the Native allotment applicant initi-
 19 ated use and occupancy.”.

20 **SEC. 306. AMENDMENTS TO SECTION 41 OF THE ALASKA**
 21 **NATIVE CLAIMS SETTLEMENT ACT.**

22 Section 41(b) of the Alaska Native Claims Settlement
 23 Act (43 U.S.C. 1629g(b)) is amended—

24 (1) in paragraph (1)(A), by inserting before the
 25 semicolon at the end the following: “(except that the

1 term ‘nonmineral’, as used in that Act, shall for the
2 purpose of this subsection be defined as provided in
3 section 905(a)(3) of the Alaska National Interest
4 Lands Conservation Act (42 U.S.C. 1634(a)(3)), ex-
5 cept that such definition shall not apply to land
6 within a conservation system unit)’; and

7 (2) in paragraph (2)—

8 (A) by redesignating subparagraphs (A),
9 (B), and (C) as clauses (i), (ii), and (iii), re-
10 spectively, and indenting the clauses appro-
11 priately;

12 (B) by inserting “(A)” after “(2)”;

13 (C) in clause (ii) (as redesignated by sub-
14 paragraph (A)), by inserting after “Department
15 of Veterans Affairs” the following: “or based on
16 other evidence acceptable to the Secretary”; and

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

18 “(B)(i) If the Secretary requests that the
19 Secretary of Veterans Affairs make a deter-
20 mination whether a veteran died as a direct
21 consequence of a wound received in action, the
22 Secretary of Veterans Affairs shall, within 60
23 days of receipt of the request—

24 “(I) provide a determination to the
25 Secretary if the records of the Department

1 of Veterans Affairs contain sufficient infor-
2 mation to support such a determination; or

3 “(II) notify the Secretary that the
4 records of the Department of Veterans Af-
5 fairs do not contain sufficient information
6 to support a determination and that fur-
7 ther investigation will be necessary.

8 “(ii) Not later than 1 year after notifica-
9 tion to the Secretary that further investigation
10 is necessary, the Department of Veterans Af-
11 fairs shall complete the investigation and pro-
12 vide a determination to the Secretary.”.

13 **TITLE IV—FINAL PRIORITIES;**
14 **CONVEYANCE AND SURVEY**
15 **PLANS**

16 **SEC. 401. DEADLINE FOR ESTABLISHMENT OF REGIONAL**
17 **PLANS.**

18 (a) IN GENERAL.—Not later than 18 months after
19 the date of enactment of this Act, the Secretary, in coordi-
20 nation and consultation with Native Corporations, other
21 Federal land management agencies, and the State, shall
22 update and revise the 12 preliminary Regional Conveyance
23 and Survey Plans.

24 (b) INCLUSIONS.—The updated and revised plans
25 under subsection (a) shall identify any conflicts to be re-

1 solved and recommend any actions that should be taken
2 to facilitate the finalization of land conveyances in a re-
3 gion by 2009.

4 **SEC. 402. DEADLINE FOR ESTABLISHMENT OF VILLAGE**
5 **PLANS.**

6 Not later than 30 months after the date of enactment
7 of this Act, the Secretary, in coordination with affected
8 Federal land management agencies, the State, and Village
9 Corporations, shall complete a final closure plan with re-
10 spect to the entitlements for each Village Corporation
11 under the Alaska Native Claims Settlement Act (43
12 U.S.C. 1601 et seq.).

13 **SEC. 403. FINAL PRIORITIZATION OF ANCSA SELECTIONS.**

14 (a) IN GENERAL.—Any Native Corporation that has
15 not received its full entitlement or entered into a vol-
16 untary, negotiated settlement of final entitlement shall
17 submit the final, irrevocable priorities of the Native
18 Corporation—

19 (1) in the case of a Village, Group, or Urban
20 Corporation entitlement, not later than 36 months
21 after the date of enactment of this Act; and

22 (2) in the case of a Regional Corporation enti-
23 tlement, not later than 42 months after the date of
24 enactment of this Act.

1 (b) ACREAGE LIMITATIONS.—The priorities sub-
2 mitted under subsection (a) shall not exceed land that is
3 the greater of—

4 (1) not more than 125 percent of the remaining
5 entitlement; or

6 (2) not more than 640 acres in excess of the re-
7 maining entitlement.

8 (c) CORRECTIONS.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the priorities submitted under subsection
11 (a) may not be revoked, rescinded, or modified by
12 the Native Corporation.

13 (2) TECHNICAL CORRECTIONS.—Not later than
14 90 days after the date of receipt of a notification by
15 the Secretary that there appears to be a technical
16 error in the priorities, the Native Corporation may
17 correct the technical error in accordance with any
18 recommendations of, and in a manner prescribed by
19 or acceptable to, the Secretary.

20 (d) RELINQUISHMENT.—

21 (1) IN GENERAL.—As of the date on which the
22 Native Corporation submits its final priorities under
23 subsection (a)—

24 (A) any unprioritized, remaining selections
25 of the Native Corporation—

1 (i) are relinquished, but any part of
2 the selections may be reinstated for the
3 purpose of correcting a technical error; and

4 (ii) have no further segregative effect;
5 and

6 (B) all withdrawals under sections 11 and
7 16 of the Alaska Native Claims Settlement Act
8 (43 U.S.C. 1610, 1615) under the relinquished
9 selections are terminated.

10 (2) RECORDS.—All relinquishments under para-
11 graph (1) shall be included in Bureau of Land Man-
12 agement land records.

13 (e) FAILURE TO SUBMIT PRIORITIES.—If a Native
14 Corporation fails to submit priorities by the deadline spec-
15 ified in subsection (a)—

16 (1) with respect to a Native Corporation that
17 has priorities on file with the Secretary, the
18 Secretary—

19 (A) shall convey to the Native Corporation
20 the remaining entitlement of the Native Cor-
21 poration, as determined based on the most re-
22 cent priorities of the Native Corporation on file
23 with the Secretary and in accordance with the
24 Alaska Native Claims Settlement Act (43
25 U.S.C. 1601 et seq.); and

1 (B) may reject any selections not needed to
2 fulfill the entitlement; or

3 (2) with respect to a Native Corporation that
4 does not have priorities on file with the Secretary,
5 the Secretary shall satisfy the entitlement by con-
6 veying land selected by the Secretary, in consultation
7 with the appropriate Native Corporation, the Fed-
8 eral land managing agency with administrative juris-
9 diction over the land to be conveyed, and the State,
10 that, to the maximum extent practicable, is—

11 (A) compact;

12 (B) contiguous to land previously conveyed
13 to the Native Corporation; and

14 (C) consistent with the applicable prelimi-
15 nary Regional Conveyance and Survey Plan re-
16 ferred to in section 401.

17 (f) PLAN OF CONVEYANCE.—

18 (1) IN GENERAL.—The Secretary shall—

19 (A) identify any Native Corporation that
20 does not have sufficient priorities on file;

21 (B) develop priorities for the Native Cor-
22 poration in accordance with subsection (e); and

23 (C) provide to the Native Corporation a
24 plan of conveyance based on the priorities devel-
25 oped under subparagraph (B).

1 (2) FINALIZED SELECTIONS.—Not later than
2 180 days after the date on which the Secretary pro-
3 vides a plan of conveyance to the affected Village,
4 Group, or Urban Corporation and the Regional Cor-
5 poration, the Regional Corporation shall finalize any
6 Regional selections that are in conflict with land se-
7 lected by the Village, Group, or Urban Corporation
8 that has not been prioritized by the deadline under
9 subsection (a)(1).

10 (g) DISSOLVED OR LAPSED CORPORATIONS.—

11 (1)(A) If a Native Corporation is lapsed or dis-
12 solved at the time final priorities are required to be
13 filed under this section and does not have priorities
14 on file with the Secretary, the Secretary shall estab-
15 lish a deadline for the filing of priorities that shall
16 be one year from the provisions of notice of the
17 deadline.

18 (B) To fulfill the notice requirement under
19 paragraph (1), the Secretary shall—

20 (i) publish notice of the deadline to a
21 lapsed or dissolved Native Corporation in a
22 newspaper of general circulation nearest the lo-
23 cality where the affected land is located; and

1 (ii) seek to notify in writing the last known
2 shareholders of the lapsed or dissolved corpora-
3 tion.

4 (C) If a Native Corporation does not file prior-
5 ities with the Secretary before the deadline set pur-
6 suant to subparagraph (A), the Secretary shall no-
7 tify Congress.

8 (2) If a Native Corporation with final priorities
9 on file with the Bureau of Land Management is
10 lapsed or dissolved, the United States—

11 (A) shall continue to administer the
12 prioritized selected land under applicable law;
13 but

14 (B) may reject any selections not needed to
15 fulfill the lapsed or dissolved Native Corpora-
16 tion's entitlement.

17 **SEC. 404. FINAL PRIORITIZATION OF STATE SELECTIONS.**

18 (a) **FILING OF FINAL PRIORITIES.**—

19 (1) **IN GENERAL.**—The State shall, not later
20 than the date that is 4 years after the date of enact-
21 ment of this Act, in accordance with section
22 906(f)(1) of the Alaska National Interest Lands
23 Conservation Act (43 U.S.C. 1635(f)(1)), file final
24 priorities with the Secretary for all land grant enti-

1 tlements to the State which remain unsatisfied on
2 the date of the filing.

3 (2) RANKING.—All selection applications on file
4 with the Secretary on the date specified in para-
5 graph (1) shall—

6 (A) be ranked on a Statewide basis in
7 order of priority; and

8 (B) include an estimate of the acreage in-
9 cluded in each selection.

10 (3) INCLUSIONS.—The State shall include in
11 the prioritized list land which has been top-filed
12 under section 906(e) of the Alaska National Interest
13 Lands Conservation Act (43 U.S.C. 1635(e)).

14 (4) ACREAGE LIMITATION.—

15 (A) IN GENERAL.—Acreage for top-filings
16 shall not be counted against the 125 percent
17 limitation established under section 906(f)(1) of
18 the Alaska National Interest Lands Conserva-
19 tion Act (43 U.S.C. 1635(f)(1)).

20 (B) RELINQUISHMENT.—

21 (i) IN GENERAL.—The State shall re-
22 linquish any selections that exceed the 125
23 percent limitation.

24 (ii) FAILURE TO RELINQUISH.—If the
25 State fails to relinquish a selection under

1 clause (i), the Secretary shall reject the se-
2 lection.

3 (5) LOWER-PRIORITY SELECTIONS.—Notwith-
4 standing the prioritization of selection applications
5 under paragraph (1), if the Secretary reserves suffi-
6 cient entitlements for the top-filed selections, the
7 Secretary may continue to convey lower-priority se-
8 lections.

9 (b) DEADLINE FOR PRIORITIZATION.—

10 (1) IN GENERAL.—The State shall irrevocably
11 prioritize sufficient selections to allow the Secretary
12 to complete transfer of 101,000,000 acres by Sep-
13 tember 30, 2009.

14 (2) REPRIORITIZATION.—Any selections re-
15 maining after September 30, 2009, may be
16 reprioritized.

17 (c) FINANCIAL ASSISTANCE.—The Secretary may,
18 using amounts made available to carry out this Act, pro-
19 vide financial assistance to other Federal agencies, the
20 State, and Native Corporations and entities to assist in
21 completing the transfer of land by September 30, 2009.

1 **TITLE V—ALASKA LAND CLAIMS**
2 **HEARINGS AND APPEALS**

3 **SEC. 501. ALASKA LAND CLAIMS HEARINGS AND APPEALS.**

4 (a) ESTABLISHMENT.—The Secretary may establish
5 a field office of the Office of Hearings and Appeals in the
6 State to decide matters within the jurisdiction of the De-
7 partment of the Interior involving hearings and appeals,
8 and other review functions of the Secretary regarding land
9 transfer decisions and Indian probates in the State.

10 (b) APPOINTMENTS.—For purposes of carrying out
11 subsection (a), the Secretary shall appoint administrative
12 law judges selected in accordance with section 3105 of title
13 5, United States Code, and members of the Interior Board
14 of Land Appeals.

15 **TITLE VI—REPORT AND AU-**
16 **THORIZATION OF APPRO-**
17 **PRIATIONS**

18 **SEC. 601. REPORT.**

19 (a) IN GENERAL.—Not later than 3 years after the
20 date of enactment of this Act, the Secretary shall submit
21 to Congress a report on the status of the implementation
22 of this Act.

23 (b) CONTENTS.—The report shall—

24 (1) describe the status of conveyances to Alaska
25 Natives, Native Corporations, and the State; and

1 (2) include recommendations for completing the
2 conveyances required by this Act.

3 **SEC. 602. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as are necessary to carry out the purposes of this Act.

 Passed the Senate October 10, 2004.

Attest:

Secretary.

108TH CONGRESS
2^D SESSION

S. 1466

AN ACT

To facilitate the transfer of land in the State of
Alaska, and for other purposes.