

Alaska Native Claims Settlement Act

PL 92-203 (85 Stat. 688)

December 18, 1971

AMENDMENTS

PL 93-153	November 16, 1973	Advance payments to Native corporations
PL 94-204	January 2, 1976	Late enrollment and other purposes
PL 94-456	October 4, 1976	Kluckwan withdrawal and other purposes
PL 95-178	November 15, 1977	Sealaska selections, CIRI pool and other purposes
PL 95-600	November 6, 1978	Taxation of Native corporations
PL 96-55	August 14, 1979	Nenana land conveyance; CIRI pool extension
PL 96-311	July 17, 1980	Metlakatla Indian Community Enrollment Act of 1980
PL 100-241	February 3, 1988	Clarification of common stock, enrollment restrictions, and other purposes
PL 102-415	October 14, 1992	Technical corrections
PL 102-458	October 23, 1992	Kenai Native Association
PL 102-489	October 24, 1992	Koniag Land Conveyance Amendments of 1991
PL 104-10	May 18, 1995	CIRI stock sales
PL 104-42	November 2, 1995	Hazardous materials, mining claims, and other purposes
PL 105-276	October 21, 1998	Open season for certain Alaska Native veterans for allotments
PL 106-559	December 21, 2000	Technical amendments, Alaska Native veteran allotments
PL 105-333	October 31, 1998	ANCSA Land Bank Protection Act of 1998
PL 106-194	May 2, 2000	Elim Native Corporation Land Restoration
PL 108-452	December 10, 2004	Alaska Land Transfer Acceleration Act

An Act

To provide for the settlement of certain land claims of Alaska Natives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Native Claims Settlement Act".

DECLARATION OF POLICY

SEC. 2. Congress finds and declares that—

(a) there is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims;

(b) the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives, without litigation, with maximum participation by Natives in decisions affecting their rights and property, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska;

(c) no provision of this Act shall replace or diminish any right, privilege, or obligation of Natives as citizens of the United States or of Alaska, or relieve, replace, or diminish any obligation of the United States or of the State or Alaska to protect and promote the rights or welfare of Natives as citizens of the United States or of Alaska; the Secretary is authorized and directed, together with other appropriate agencies of the United States Government, to make a study of all Federal programs primarily designed to benefit Native people and to report back to the Congress with his recommendations for the future management and operation of these programs within three years of the date of enactment of this Act;

(d) no provision of this Act shall constitute a precedent for reopening, renegotiating, or legislating upon any past settlement involving land claims or other matters with any Native organizations, or any tribe, band, or identifiable group of American Indians;

(e) no provision of this Act shall effect a change or changes in the petroleum reserve policy reflected in sections 7421 through 7438 of title 10 of the United States Code except as specifically provided in this Act;

(f) no provision of this Act shall be construed to constitute a jurisdictional act, to confer jurisdiction to sue, nor to grant implied consent to Natives to sue the United States or any of its officers with respect to the claims extinguished by the operation of this Act; and

(g) no provision of this Act shall be construed to terminate or otherwise curtail the activities of the Economic Development Administration or other Federal agencies conducting loan or loan and grant programs in Alaska. For this purpose only, the terms "Indian reservation" and "trust or restricted Indian-owned land areas" in Public Law 89-136, the Public Works and Economic Development Act of 1965, as amended, shall be interpreted to include lands granted to Natives under this Act as long as such lands remain in the ownership of the Native villages or the Regional Corporations.

to subsection (c) (1) (B), that region shall not be entitled to receive any lands under this subsection (c). For each region so affected the difference between the acreage calculated pursuant to subsection (c) (1) (B) and the acreage selected pursuant to subsections (a) and (b) shall be deducted from the acreage calculated under subsection (c) (1) (C) for the remaining regions which will select lands under this subsection (c). The reductions shall be apportioned among the remaining regions so that each region's share of the total reduction bears the same proportion to the total reduction as the total land area in that region (as calculated pursuant to subsection (c) (1) (A) bears to the total land area in all of the regions whose allotments are to be reduced pursuant to this paragraph.

(3) Before the end of the fourth year after the date of enactment of this Act, each Regional Corporation shall select the acreage allocated to it from the lands within the region withdrawn pursuant to subsection 11(a) (1), and from the lands within the region withdrawn pursuant to subsection 11(a) (3) to the extent lands withdrawn pursuant to subsection 11(a) (1) are not sufficient to satisfy its allocation: *Provided*, That within the lands withdrawn by subsection 11(a) (1) the Regional Corporation may select only even numbered townships in even numbered ranges, and only odd numbered townships in odd numbered ranges.

(d) To insure that the Village Corporation for the Native village at Dutch Harbor, if found eligible for land grants under this Act, has a full opportunity to select lands within and near the village, no federally owned lands, whether improved or not, shall be disposed of pursuant to the Federal surplus property disposal laws for a period of two years from the date of enactment of this Act. The Village Corporation may select such lands and improvements and receive patent to them pursuant to subsection 14(a) of this Act.

(e) Any dispute over the land selection rights and the boundaries of Village Corporations shall be resolved by a board of arbitrators consisting of one person selected by each of the Village Corporations involved, and an additional one or two persons, whichever is needed to make an odd number of arbitrators, such additional person or persons to be selected by the arbitrators selected by the Village Corporations.

SURVEYS

SEC. 13. (a) The Secretary shall survey the areas selected or designated for conveyance to Village Corporations pursuant to the provisions of this Act. He shall monument only exterior boundaries of the selected or designated areas at angle points and at intervals of approximately two miles on straight lines. No ground survey or monumentation will be required along meanderable water boundaries. He shall survey within the areas selected or designated land occupied as a primary place of residence, as a primary place of business, and for other purposes, and any other land to be patented under this Act.

(b) All withdrawals, selections, and conveyances pursuant to this Act shall be as shown on current plats of survey or protraction diagrams of the Bureau of Land Management, or protraction diagrams of the Bureau of the State where protraction diagrams of the Bureau of Land Management are not available, and shall conform as nearly as practicable to the United States Land Survey System.

CONVEYANCE OF LANDS

SEC. 14. (a) Immediately after selection by a Village Corporation for a Native village listed in section 11 which the Secretary