

1 of the land exchanged, a private party. In the event that a  
2 Native Corporation simultaneously exchanges two or more  
3 tracts of land having different periods of tax exemption pur-  
4 suant to subsection (d), the periods of tax exemption for the  
5 exchanged lands received by such Native Corporation shall  
6 be determined (A) by calculating the percentage that the acre-  
7 age of each tract given up bears to the total acreage given up,  
8 and (B) by applying such percentages and the related periods  
9 of tax exemption to the acreage received in exchange.”.

10

## ALASKA NATIVE ALLOTMENTS

11

*SEC. 905. (a)(1) Subject to valid existing rights, all*  
12 *Alaska Native allotment applications made pursuant to the*  
13 *Act of May 17, 1906 (34 Stat. 197, as amended) which were*  
14 *pending before the Department of the Interior on or before*  
15 *December 18, 1971, and which describe land that was unre-*  
16 *served on December 13, 1968, are hereby approved on the*  
17 *one hundred and eightieth day following the effective date of*  
18 *this Act, except where provided otherwise by paragraph (3),*  
19 *(4), (5), or (6) of this subsection, or where the land descrip-*  
20 *tion of the allotment must be adjusted pursuant to subsection*  
21 *(b) of this section, in which cases approval pursuant to the*  
22 *terms of this subsection shall be effective at the time the ad-*  
23 *justment becomes final. The Secretary shall cause allotments*  
24 *approved pursuant to this section to be surveyed and shall*  
25 *issue trust certificates therefor.*

1       (2) All applications approved pursuant to this section  
2 shall be subject to the provisions of the Act of March 8, 1922  
3 (43 U.S.C. 270-11).

4       (3) When on or before the one hundred and eightieth  
5 day following the effective date of this Act the Secretary de-  
6 termines by notice or decision that the land described in an  
7 allotment application may be valuable for minerals, exclud-  
8 ing oil, gas, or coal, the allotment application shall be adju-  
9 dicated pursuant to the provision of the Act of May 17, 1906,  
10 as amended, requiring that land allotted under said Act be  
11 nonmineral: Provided, That "nonmineral", as that term is  
12 used in such Act is defined to include land valuable for de-  
13 posits of sand or gravel.

14       (4) Where an allotment application describes land  
15 within the boundaries of a unit of the National Park System  
16 established on or before the effective date of this Act and the  
17 described land was not withdrawn pursuant to section  
18 11(a)(1) of the Alaska Native Claims Settlement Act, or  
19 where an allotment application describes land which has been  
20 patented or deeded to the State of Alaska or which on or  
21 before December 18, 1971, was validly selected by or tenta-  
22 tively approved or confirmed to the State of Alaska pursuant  
23 to the Alaska Statehood Act and was not withdrawn pursu-  
24 ant to section 11(a)(1)(A) of the Alaska Native Claims Set-  
25 tlement Act from those lands made available for selection by

1 *section 11(a)(2) of the Act by any Native Village certified as*  
2 *eligible pursuant to section 11(b) of such Act, paragraph (1)*  
3 *of this subsection and subsection (d) of this section shall not*  
4 *apply and the application shall be adjudicated pursuant to*  
5 *the requirements of the Act of May 17, 1906, as amended,*  
6 *the Alaska Native Claims Settlement Act, and other applica-*  
7 *ble law.*

8       *(5) Paragraph (1) of this subsection and subsection (d)*  
9 *shall not apply and the Native allotment application shall be*  
10 *adjudicated pursuant to the requirements of the Act of May*  
11 *17, 1906, as amended, if on or before the one hundred and*  
12 *eightieth day following the effective date of this Act—*

13           *(A) A Native Corporation files a protest with the*  
14 *Secretary stating that the applicant is not entitled to*  
15 *the land described in the allotment application, and*  
16 *said land is withdrawn for selection by the corporation*  
17 *pursuant to the Alaska Native Claims Settlement*  
18 *Act; or*

19           *(B) The State of Alaska files a protest with the*  
20 *Secretary stating that the land described in the allot-*  
21 *ment application is necessary for access to lands owned*  
22 *by the United States, the State of Alaska, or a politi-*  
23 *cal subdivision of the State of Alaska, to resources lo-*  
24 *cated thereon, or to a public body of water regularly*  
25 *employed for transportation purposes, and the protest*

1        *states with specificity the facts upon which the conclu-*  
2        *sions concerning access are based and that no reason-*  
3        *able alternatives for access exist; or*

4            *(C) A person or entity files a protest with the*  
5        *Secretary stating that the applicant is not entitled to*  
6        *the land described in the allotment application and that*  
7        *said land is the situs of improvements claimed by the*  
8        *person or entity.*

9            *(6) Paragraph (1) of this subsection and subsection (d)*  
10       *shall not apply to any application pending before the Depart-*  
11       *ment of the Interior on or before December 18, 1971, which*  
12       *was knowingly and voluntarily relinquished by the applicant*  
13       *thereafter.*

14           *(b) Where a conflict between two or more allotment ap-*  
15       *plications exists due to overlapping land descriptions, the*  
16       *Secretary shall adjust the descriptions to eliminate conflicts,*  
17       *and in so doing, consistent with other existing rights, if any,*  
18       *may expand or alter the applied-for allotment boundaries or*  
19       *increase or decrease acreage in one or more of the allotment*  
20       *applications to achieve an adjustment which, to the extent*  
21       *practicable, is consistent with prior use of the allotted land*  
22       *and is beneficial to the affected parties: Provided, That the*  
23       *Secretary shall, to the extent feasible, implement an adjust-*  
24       *ment proposed by the affected parties: Provided further, That*  
25       *the Secretary's decision concerning adjustment of conflicting*

1 land descriptions shall be final and unreviewable in all cases  
2 in which the reduction, if any, of the affected allottee's claim  
3 is less than 30 percent of the acreage contained in the parcel  
4 originally described and the adjustment does not exclude  
5 from the allotment improvements claimed by the allottee: Pro-  
6 vided further, That where an allotment application describes  
7 more than one hundred and sixty acres, the Secretary shall  
8 at any time prior to or during survey reduce the acreage to  
9 one hundred and sixty acres and shall attempt to accomplish  
10 said reduction in the manner least detrimental to the appli-  
11 cant.

12 (c) An allotment applicant may amend the land descrip-  
13 tion contained in his or her application if said description  
14 designates land other than that which the applicant intended  
15 to claim at the time of application and if the description as  
16 amended describes the land originally intended to be claimed.  
17 If the allotment application is amended, this section shall  
18 operate to approve the application or to require its adjudica-  
19 tion, as the case may be, with reference to the amended land  
20 description only: Provided, That the Secretary shall notify  
21 the State of Alaska and all interested parties, as shown by  
22 the records of the Department of the Interior, of the intended  
23 correction of the allotment's location, and any such party  
24 shall have until the one hundred and eightieth day following  
25 the effective date of this Act or sixty days following mailing

1 of the notice, whichever is later, to file with the Department  
2 of the Interior a protest as provided in subsection (a)(5) of  
3 this section, which protest, if timely, shall be deemed filed  
4 within one hundred and eighty days of the effective date of  
5 this Act notwithstanding the actual date of filing: Provided  
6 further, That the Secretary may require that all allotment  
7 applications designating land in a specified area be amended,  
8 if at all, prior to a date certain, which date shall be calculat-  
9 ed to allow for orderly adoption of a plan of survey for the  
10 specified area, and the Secretary shall mail notification of  
11 the final date for amendment to each affected allotment appli-  
12 cant, and shall provide such other notice as the Secretary  
13 deems appropriate, at least sixty days prior to said date: Pro-  
14 vided further, That no allotment application may be amended  
15 for location following adoption of a final plan of survey  
16 which includes the location of the allotment as described in  
17 the application or its location as desired by amendment.

18 (d) Where the land described in an allotment applica-  
19 tion pending before the Department of the Interior on or  
20 before December 18, 1971 (or such an application as adjust-  
21 ed or amended pursuant to subsection (b) or (c) of this sec-  
22 tion), was on that date withdrawn, reserved, or classified for  
23 powersite or power-project purposes, notwithstanding such  
24 withdrawal, reservation, or classification the described land  
25 shall be deemed vacant, unappropriated, and unreserved

1 *within the meaning of the Act of May 17, 1906, as amended,*  
2 *and, as such, shall be subject to adjudication or approval*  
3 *pursuant to the terms of this section: Provided, however, That*  
4 *if the described land is included as part of a project licensed*  
5 *under part I of the Federal Power Act of June 10, 1920 (41*  
6 *Stat. 24), as amended, or is presently utilized for purposes of*  
7 *generating or transmitting electrical power or for any other*  
8 *project authorized by Act of Congress, the foregoing provision*  
9 *shall not apply and the allotment application shall be adjudi-*  
10 *cated pursuant to the Act of May 17, 1906, as amended:*  
11 *Provided further, That where the allotment applicant com-*  
12 *menced use of the land after its withdrawal or classification*  
13 *for powersite purposes, the allotment shall be made subject to*  
14 *the right of reentry provided the United States by section 24*  
15 *of the Federal Power Act, as amended: Provided further,*  
16 *That any right of reentry reserved in a certificate of allot-*  
17 *ment pursuant to this section shall expire twenty years after*  
18 *the effective date of this Act if at that time the allotted land is*  
19 *not subject to a license or an application for a license under*  
20 *part I of the Federal Power Act, as amended, or actually*  
21 *utilized or being developed for a purpose authorized by that*  
22 *Act, as amended, or other Act of Congress.*

23 *(e) Prior to issuing a certificate for an allotment subject*  
24 *to this section, the Secretary shall identify and adjudicate*  
25 *any record entry or application for title made under an Act*

1 *other than the Alaska Native Claims Settlement Act, the*  
2 *Alaska Statehood Act, or the Act of May 17, 1906, as*  
3 *amended, which entry or application claims land also de-*  
4 *scribed in the allotment application, and shall determine*  
5 *whether such entry or application represents a valid existing*  
6 *right to which the allotment application is subject. Nothing*  
7 *in this section shall be construed to affect rights, if any, ac-*  
8 *quired by actual use of the described land prior to its with-*  
9 *drawal or classification, or as affecting National Forest*  
10 *lands.*

11 **STATE SELECTIONS AND CONVEYANCES**

12 **SEC. 906. (a) EXTENSION OF SELECTION PERIOD.—**

13 *(1) In furtherance and confirmation of the State of Alaska's*  
14 *entitlement to certain national forest and other public lands*  
15 *in Alaska for community development and expansion pur-*  
16 *poses, section 6(a) of the Alaska Statehood Act is amended*  
17 *by substituting "thirty-five years" for "twenty-five years".*

18 **(2) EXTENSION OF SELECTION PERIOD.—***In further-*  
19 *ance and confirmation of the State of Alaska's entitlement to*  
20 *certain public lands in Alaska, section 6(b) of the Alaska*  
21 *Statehood Act is amended by substituting "thirty-five years"*  
22 *for "twenty-five years".*

23 **(b) SCHOOL LANDS SETTLEMENT.—***(1) In full and*  
24 *final settlement of any and all claims by the State of Alaska*  
25 *arising under the Act of March 4, 1915 (38 Stat. 1214), as*