Public Law 95-178
95th Congress

An Act

To amend the Alaska Native Claims Settlement Act.

Nov. 15, 1977
[H.R. 8499]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16(b) of the Act of December 18, 1971 (85 Stat. 688, 705), as amended (43 U.S.C. 1615), is further amended by deleting the last sentence thereof.

Alaska Native Claims Settlement Act, amendment.

SEC. 2. Section 14(h)(8) of the Act of December 18, 1971 (85 Stat. 688, 705), is amended by designating the existing paragraph as paragraph "(A)" and adding the following new paragraph (B):

Land conveyance, authorization. 43 USC 1613.

"(B) Such allocation as the Regional Corporation for southeastern Alaska shall receive under this paragraph shall be selected and conveyed from lands that were withdrawn by subsections 16(a) and 16 (d) and not selected by the Village Corporations in southeastern Alaska; except lands on Admiralty Island in the Angoon withdrawal area and, without the consent of the Governor of the State of Alaska or his delegate, lands in the Saxman and Yakutat withdrawal areas are not available for selection or conveyance under this paragraph.".

Cook Inlet area, ownership consolidation. 43 USC 1611 note.

SEC. 3. (a) Subsection (b) of section 12 of the Act of January 2, 1976 (Public Law 94-204), as amended by the Act of October 4, 1976 (Public Law 94-456), is hereby amended to add at the end thereof the following new paragraphs:

Nomination of lands, extension.

Any provision of law to the contrary notwithstanding, if the Region, the Secretary, and/or the Administrator of General Services do not complete the nomination of lands referred to in subparagraphs (5) and (6) of this subsection by the dates set in subparagraphs I(C)(1)(b) and I(C)(2)(a) of the document referred to in this subsection, then, and in that event, these dates shall hereby automatically be extended by operation of this subsection for eighteen months. If these dates are hereby extended, the Secretary shall report to Congress at least thirty days prior to the occurrence of each such date as extended concerning the need for further remedial legislation.

Report to Congress.

State lands, transfer and conveyance.

Any provision of law to the contrary notwithstanding, the United States shall accept upon tender the State Deed of Title, including the State's legal descriptions, for lands to be reconveyed to the Cook Inlet Region, Incorporated, pursuant to subsection (a)(1) of this section without requiring further survey prior to acceptance. Unless the boundaries of such lands have been specifically identified in a survey approved by the State or Federal Government, such lands shall be described by a metes and bounds description, or by aliquot parts of the Federal rectangular survey system, based wherever possible upon the Federal surveys initially performed to effect transfer and patent of said lands to the State of Alaska. Upon acceptance of a State Deed of Title said lands are hereby withdrawn from entry under the public land laws. Within sixty days the Secretary shall, without adjudication, issue conveyance to said lands of the interests conveyed by the State subject to any lawful reservations of rights or conditions contained in such State conveyance, as provided in the Terms and Conditions document, to Cook Inlet Region, Incorporated, with patent to issue thereafter immediately following approval of survey. The Secre-

tary is authorized hereby to identify and reserve within two years after initial conveyance any easement he could have lawfully reserved prior to conveyance, and to issue immediately thereafter a revised conveyance reflecting such reservation, subject to the agreement of January 18, 1977, between the Secretary of the Interior, Cook Inlet Region, Incorporated, and certain of the villages contained therein. The Secretary may initiate such easement identification and reservation procedure before the tender of the State Deed of Title, but initiation of such procedure shall not affect the timely issuance of conveyance by the Secretary as provided hereby.

43 USC 1611 note.

(b) If any provision of this Act or the applicability thereof is held invalid, the validity of the remainder of this Act, of section 12 of the Act of January 2, 1976 (Public Law 94-204), as amended, of the document referred to in section 12(b) thereof, and the duties and obligations of the Secretary of the Interior, the State of Alaska, and Cook Inlet Region, Incorporated, with respect thereto, shall not be affected thereby.

Regional Corporation's assignments, recognition.

SEC. 4. The Alaska Native Claims Settlement Act (85 Stat. 688), as amended (43 U.S.C. 1601), is further amended by adding a new section at the end thereof:

43 USC 1628.

"SEC. 31. (a) Notwithstanding the provision of section 3477 of the Revised Statutes, as amended (31 U.S.C. 203), the Secretary is authorized to recognize validly executed assignments made by Regional Corporations of their rights to receive payments from the Alaska Native Fund. Such assignments shall only be recognized to the extent that the Regional Corporation involved is not required to distribute funds pursuant to subsection (j) or (m) of section 7 of this Act.

43 USC 1606.

"(b) The Secretary shall not recognize any assignment under this section which does not provide that the United States reserves the right to assert against the assignee and successors of the assignee, any setoff or counterclaim which the United States has against the assignor Corporation.

"(c) No stockholder of any Regional or Village Corporation shall have any claim against the Secretary or the United States as the result of any assignment duly recognized by the Secretary pursuant to this section.".

Approved November 15, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-712 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 123 (1977):
Oct. 31, considered and passed House.
Nov. 1, considered and passed Senate, amended.
Nov. 3, House concurred in Senate amendments.