

104TH CONGRESS  
2D SESSION

# S. 1998

To provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilchik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation and Knikatnu, Inc. Regarding the conveyances of certain lands in Alaska Under the Alaska Native Claims Settlement Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 29, 1996

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

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## A BILL

To provide for expedited negotiations between the Secretary of the Interior and the villages of Chickaloon-Moose Creek Native Association, Inc., Ninilchik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation and Knikatnu, Inc. Regarding the conveyances of certain lands in Alaska Under the Alaska Native Claims Settlement Act, 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.—(a) The Secretary of the Interior (“Sec-  
4       retary”) shall enter into expedited negotiations with the

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1 Alaska Native Village Corporations of Tyonek Native Cor-  
2 poration, Chickaloon-Moose Creek Native Association,  
3 Inc., Ninilchik Native Association, Inc., Seldovia Native  
4 Association, Inc., and Knikatnu, Inc. for the purpose of  
5 conveying to the Village Corporations, within 180 days of  
6 enactment of this Act, the lands described in paragraph  
7 (d) as “West Side Lands” or other lands or interests  
8 therein in the Cook Inlet Region of Alaska or other appro-  
9 priate alternative financial consideration, as the Secretary  
10 and the Village Corporations may agree satisfies the obli-  
11 gations of this Act in partial fulfillment of the acreage  
12 entitlement of each Village Corporation under the Alaska  
13 Native Claims Settlement Act of 1971, (“Settlement  
14 Act”). If the Secretary successfully completes negotiation  
15 with a Village Corporation within 180 days of enactment  
16 of this Act, then, as to reach such Village Corporation  
17 which has reached an agreement with the Secretary, the  
18 conveyance obligation provided in subsection (b) of this  
19 Act shall be suspended and the Secretary shall within 90  
20 days convey to each such Village Corporation such lands  
21 and interests in lands in the Cook Inlet Region of Alaska  
22 or provide other appropriate alternative financial consider-  
23 ation provided for in the agreement with the affected Vil-  
24 lage Corporation. The Secretary shall consult with Cook  
25 Inlet Region, Inc. (“CIRI”) regarding to CIRI’s sub-

1 surface entitlement underlying the surface estate of each  
2 Village Corporation named in this subsection.

3 (b) If, within 80 days of enactment of this Act, the  
4 Secretary has been unable to reach agreement with a Vil-  
5 lage Corporation named in subsection (a), then, as to each  
6 such Village Corporation, the Secretary shall within 210  
7 days after enactment of this Act convey all right, title,  
8 and interest of the United States in and to the surface  
9 estate of 50 percentum of the West Side Lands in order  
10 of existing Village Corporation selection priority made in  
11 1974. If the Secretary does not complete the conveyances  
12 described in the first sentence of this subsection within  
13 210 days of enactment of this Act, then such conveyances  
14 will occur by operation of law 240 days after enactment  
15 of this Act. Title to the lands described in this subsection  
16 shall be vested in the Village Corporations with regard to  
17 whether such selections are listed in appendix A or appen-  
18 dix C of the Deficiency Agreement dated August 31, 1976.

19 (c)(1) Immediately upon completion of the convey-  
20 ances described in subsection (b), the Secretary shall enter  
21 into expedited negotiations with the Village Corporations  
22 named in subsection (a) for the purpose of completing the  
23 conveyance to the Village Corporations of any remaining  
24 West Side Lands which were not conveyed to the Village  
25 Corporations pursuant to subsection (b) of this Act or al-

1 ternative lands or interests in lands in the Cook Inlet Re-  
2 gion of Alaska or such other appropriate alternative finan-  
3 cial considerations. If within 180 days of completion of  
4 the conveyances described in subsection (b), the Secretary  
5 has been unable to reach agreement with any of the Vil-  
6 lage Corporations named in subsection (a), then the Sec-  
7 retary shall file a report with the Committee on Energy  
8 and Natural Resources of the United States Senate and  
9 the Resources Committee of the United States House of  
10 Representatives describing the course of negotiations and  
11 explaining why, in the Secretary's view, no agreement was  
12 reached.

13       (2) If the Secretary has been unable to reach agree-  
14 ment as described in subsection (c) of this Act with a Vil-  
15 lage Corporation named in subsection (a), litigation may  
16 be commenced to seek conveyance of the remaining lands  
17 described in appendix C of the Deficiency Agreement  
18 dated August 31, 1976, at any time within twelve months  
19 of enactment of this Act, by any of the five affected village  
20 corporations or CIRI. Exclusive jurisdiction over such ac-  
21 tion is vested in the United States District Court for the  
22 District of Alaska. If such litigation is commenced, trial  
23 de novo to the court shall be held and the Deficiency  
24 Agreement shall be construed as an agreement for the

1 benefit of Alaska Natives as Native Americans consistent  
2 with the Federal trust responsibility.

3 (d) The “West Side Lands” are those lands selected  
4 by the Village Corporations pursuant to section 12(a) of  
5 the “Settlement Act” as determined by the order of exist-  
6 ing Village Corporation selection priority ranking made by  
7 rounds in 1974, and on file with the Secretary and the  
8 Committee on Energy and Natural Resources of the Unit-  
9 ed States Senate and the Committee on Resources of the  
10 United States House of Representatives and legally de-  
11 scribed as follows:

12 To Chickaloon-Moose Creek Native Association, Inc.:

13 SEWARD MERIDAN, ALASKA

14 Township 1 North, Range 20 West

15 (Unsurveyed)

16 Sections 24, 25, and 36 (fractional).

17 To Knikatu, Inc.:

18 SEWARD MERIDAN, ALASKA

19 Township 1 South, Range 20 West

20 (Unsurveyed)

21 Section 1 (fractional)

22 Township 3 South, Range 20 West

23 (Unsurveyed)

24 Section 3 (fractional)

25 Section 4 and 9.

1           Township 1 South, Range 20 West  
2           (Unsurveyed)  
3           Section 9 (fractional).  
4           To Ninilchik Native Association, Inc.:  
5                       SEWARD MERIDIAN, ALASKA  
6           Township 1 South, Range 19 West  
7           (Unsurveyed)  
8           Sections 29 and 32 (fractional).  
9           Township 2 South, Range 19 West  
10          (Unsurveyed)  
11          Sections 6 and 18 (fractional).  
12          Township 2 South, Range 20 West  
13          (Unsurveyed)  
14          Section 1 (fractional).  
15          Sections 6 and 14;  
16          Sections 23, 24, and 26 (fractional).  
17          Sections 32 and 33;  
18          Sections 34 and 35 (fractional).  
19          Township 3 South, Range 20 West  
20          (Unsurveyed)  
21          Section 10 (fractional)  
22          Township 3 South, Range 21 West  
23          (Unsurveyed)  
24          Sections 13 and 19 through 24, inclusive;  
25          Section 25 (fractional)

- 1       Sections 32 and 34 (fractional).  
2               Township 1 North, Range 20 West  
3 (Unsurveyed)  
4       Sections 6 through 8 (fractional), inclusive;  
5       Section 16;  
6       Sections 22 and 23 (fractional);  
7       Section 26.  
8               Township 4 North, Range 19 West  
9 (Unsurveyed)  
10       Sections 20 and 36.  
11 To Seldovia Native Association, Inc.:  
12               SEWARD MERIDIAN, ALASKA  
13               Township 2 South, Range 20 West  
14 (Unsurveyed)  
15       Section 13 (fractional).  
16               Township 3 South, Range 20 West  
17 (Unsurveyed)  
18       Sections 7 and 8;  
19       Section 16 (fractional);  
20       Sections 17 and 18;  
21       Sections 19 and 20 (fractional).  
22 To Tyonek Native Corporation:  
23               SEWARD MERIDIAN, ALASKA  
24               Township 1 South, Range 20 West  
25 (Unsurveyed)

- 1 Section 2 (fractional);
- 2 Section 3.
- 3 Township 2 South, Range 21 West
- 4 (Unsurveyed)
- 5 Section 36.
- 6 Township 2 South, Range 20 West
- 7 (Unsurveyed)
- 8 Section 12 (fractional);
- 9 Section 31.
- 10 Township 3 South, Range 20 West
- 11 (Unsurveyed)
- 12 Sections 15, 21, and 30 (fractional).
- 13 Township 3 South, Range 21 West
- 14 (Unsurveyed)
- 15 Section 26;
- 16 Section 27 and 28 (fractional);
- 17 Sections 29 through 31 (fractional), inclusive;
- 18 Sections 33, 35, and 36 (fractional).
- 19 Township 1 North, Range 20 West
- 20 (Unsurveyed)
- 21 Section 15 (fractional);
- 22 Section 35.
- 23 Aggregating approximately 29,900 acres, more or
- 24 less.



1       (e) All conveyances made under this Act shall be  
2 made in accordance with Section 12(a), 14(f), and 17(b)  
3 of the Settlement Act.

4       (f) Nothing in this Act shall be construed to increase  
5 or decrease the entitlement under the Settlement Act of  
6 any Village Corporation named in this Act or of CIRI.

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