

Calendar No. 195

105TH CONGRESS
1ST Session

S. 1159

[Report No. 105-100]

A BILL

To amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange.

OCTOBER 7, 1997

Reported with an amendment

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1ST SESSION**S. 1159****[Report No. 105–100]**

To amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 1997

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

OCTOBER 7, 1997

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Alaska Native Claims Settlement Act, regarding the Kake Tribal Corporation public interest land exchange.

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.**

4 This Act may be cited as the “Kake Tribal Corpora-
5 tion Land Exchange Act”.

1 **SEC. 2. AMENDMENT OF SETTLEMENT ACT.**

2 The Alaska Native Claims Settlement Act (Public
3 Law 92–203, December 18, 1971, 85 Stat. 688, 43 U.S.C.
4 1601 et seq.), as amended, is further amended by adding
5 at the end thereof:

6 **“SEC. KAKE TRIBAL CORPORATION LAND EXCHANGE.**

7 “(a) GENERAL.—To provide Kake Tribal Corpora-
8 tion with land suitable for development, to acknowledge
9 the corporation’s return to public ownership land needed
10 as municipal watershed area, and to promote the public
11 interest, the Secretary shall convey to the corporation ap-
12 proximately 2,427 acres of Federal land as described in
13 subsection (c).

14 “(b) TITLE TO SURFACE AND SUBSURFACE.—Sub-
15 ject to valid existing rights and easements, the Secretary
16 shall, no later than the deadline specified in (c)(2) of this
17 section, convey to Kake Tribal Corporation title to the sur-
18 face estate in the land described in subsection (c)(2) and
19 convey to Sealaska Corporation title to the subsurface es-
20 tate in that land.

21 “(c) DESCRIPTION AND DEADLINES.—The land to be
22 conveyed under this section is in the Copper River Merid-
23 ian and is further described as follows:

24 (1) the municipal watershed land to be con-
25 veyed by Kake Tribal Corporation to the United
26 States no later than 90 days after the effective date

1 of this section is shown on the map dated
 2 and labeled Attachment A, and is de-
 3 scribed as follows:

MUNICIPAL WATERSHED

T56S, R72E

Section	Approximate acres
13	82
23	118
24	635
25	640
26	346
34	9
35	349
36	248
Approximate total	2,427

4 and

5 “(2) the approximate 2,427 acres of land to be
 6 conveyed to Kake Tribal Corporation is land in the
 7 Hamilton Bay and Saginaw Bay areas and shall be
 8 conveyed within 90 days after the conveyance of
 9 lands in subsection (c)(1); this land is depicted on
 10 the maps dated and labeled Attach-
 11 ments B and C.

12 “(d) MANAGEMENT OF WATERSHED.—The United
 13 States Forest Service shall enter into a Memorandum of
 14 Agreement with the City of Kake, Alaska, to provide for
 15 management of the municipal watershed.

16 “(e) TIMBER MANUFACTURING; EXPORT RESTRIC-
 17 TION.—Notwithstanding any other provision of law, tim-
 18 ber harvested from land conveyed to Kake Tribal Corpora-
 19 tion under this Act is not available for export as unproc-

1 essed logs from Alaska, nor may Kake Tribal Corporation
 2 sell, trade, exchange, substitute, or otherwise convey that
 3 timber to any person for the purpose of exporting that
 4 timber from the State of Alaska. The land exchange valu-
 5 ation shall be in accordance with section 22(f).

6 “(f) ~~RELATION TO OTHER REQUIREMENTS.~~—The
 7 land conveyed to Kake Tribal Corporation and Sealaska
 8 Corporation under this section shall be for all purposes,
 9 considered land conveyed under the Alaska Native Claims
 10 Settlement Act.

11 “(g) ~~MAPS.~~—The maps referred to in this section
 12 shall be maintained on file in the Office of the Chief, Unit-
 13 ed States Forest Service, and in the Office of the Sec-
 14 retary of the Interior, Washington, DC. The acreage cited
 15 in this section is approximate, and if a discrepancy arises
 16 between cited acreage and the land depicted on the speci-
 17 fied maps the maps shall control. The maps do not con-
 18 stitute an attempt by the United States to convey State
 19 or private land.”

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Kake Tribal Corporation*
 22 *Land Exchange Act”.*

23 **SEC. 2. AMENDMENT OF SETTLEMENT ACT.**

24 *The Alaska Native Claims Settlement Act (Public Law*
 25 *92–203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601*

1 *et seq.*), as amended, is further amended by adding at the
2 *end thereof*:

3 **“SEC. KAKE TRIBAL CORPORATION LAND EXCHANGE.**

4 “(a) *GENERAL.—The Secretary of Agriculture in ac-*
5 *cordance with the equal value provisions of section 22(f)*
6 *shall convey to the Kake Tribal Corporation the Federal*
7 *land as described in subsection (c).*

8 “(b) *TITLE TO SURFACE AND SUBSURFACE.—Subject*
9 *to valid existing rights and easements, the Secretary shall,*
10 *no later than the deadline specified in (c)(2) of this section,*
11 *convey to Kake Tribal Corporation title to the surface estate*
12 *in the land described in subsection (c)(2) and convey to*
13 *Sealaska Corporation title to the subsurface estate in that*
14 *land.*

15 “(c) *DESCRIPTION AND DEADLINES.—The land to be*
16 *conveyed under this section is in the Copper River Meridian*
17 *and is further described as follows:*

18 “(1) *the surface and subsurface estates to the mu-*
19 *nicipal watershed land to be conveyed by Kake Tribal*
20 *Corporation and Sealaska to the United States no*
21 *later than 90 days after the effective date of this sec-*
22 *tion is shown on the map dated September 1, 1997,*
23 *and labeled Attachment A, and is described as follows:*

MUNICIPAL WATERSHED

T56S, R72E

Section	Approximate acres
13	82

Section	Approximate acres
23	118
24	635
25	640
26	346
34	9
35	349
36	248
Approximate total	2,427

1 *and*

2 “(2) *the surface and subsurface estates to the*
3 *land to be conveyed to Kake Tribal Corporation and*
4 *Sealaska by the Secretary of Agriculture shall be*
5 *lands in the Hamilton Bay and Saginaw Bay areas*
6 *and shall be conveyed within 180 days after the con-*
7 *veyance of lands in subsection (c)(1); and are to be*
8 *selected from the lands depicted on the maps dated*
9 *September 1, 1997, and labeled Attachments B and C.*

10 “(d) *MANAGEMENT OF WATERSHED.—The Secretary*
11 *of Agriculture shall enter into a Memorandum of Agreement*
12 *with the City of Kake, Alaska, to provide for management*
13 *of the municipal watershed.*

14 “(e) *TIMBER MANUFACTURING; EXPORT RESTRIC-*
15 *TION.—Notwithstanding any other provision of law, timber*
16 *harvested from land conveyed to Kake Tribal Corporation*
17 *under this Act is not available for export as unprocessed*
18 *logs from Alaska, nor may Kake Tribal Corporation sell,*
19 *trade, exchange, substitute, or otherwise convey that timber*
20 *to any person for the purpose of exporting that timber from*
21 *the State of Alaska.*

1 “(f) *RELATION TO OTHER REQUIREMENTS.*—The land
2 conveyed to Kake Tribal Corporation and Sealaska Cor-
3 poration under this section shall be for all purposes, consid-
4 ered land conveyed under the Alaska Native Claims Settle-
5 ment Act.

6 “(g) *MAPS.*—The maps referred to in this section shall
7 be maintained on file in the Office of the Chief, United
8 States Forest Service, and in the Office of the Secretary
9 of the Interior, Washington, DC. The acreage cited in this
10 section is approximate, and if a discrepancy arises between
11 cited acreage and the land depicted on the specified maps
12 the maps shall control. The maps do not constitute an at-
13 tempt by the United States to convey State or private
14 land.”.