

106TH CONGRESS  
2D SESSION

**S. 430**

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**AMENDMENT**



***In the House of Representatives, U. S.,***

*May 22, 2000.*

*Resolved*, That the bill from the Senate (S. 430) entitled “An Act to amend the Alaska Native Claims Settlement Act to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Kake Tribal Corporation*  
3 *Land Transfer Act”.*

4 ***SEC. 2. DECLARATION OF PURPOSE.***

5 *The purpose of this Act is to authorize the reallocation*  
6 *of lands and selection rights between the State of Alaska,*  
7 *Kake Tribal Corporation, and the City of Kake, Alaska, in*  
8 *order to provide for the protection and management of the*  
9 *municipal watershed.*

1 **SEC. 3. AMENDMENT OF ALASKA NATIVE CLAIMS SETTLE-**  
 2 **MENT ACT.**

3 *The Alaska Native Claims Settlement Act (43 U.S.C.*  
 4 *1601 note) is amended by adding at the end the following*  
 5 *new section:*

6 “*KAKE TRIBAL CORPORATION LAND TRANSFER*

7 “*SEC. 42. (a) IN GENERAL.—If—*

8 *“(1) the State of Alaska relinquishes its selection*  
 9 *rights under the Alaska Statehood Act (Public Law*  
 10 *85–508) to lands described in subsection (c)(2) of this*  
 11 *section; and*

12 *“(2) Kake Tribal Corporation and Sealaska Cor-*  
 13 *poration convey all right, title, and interest to lands*  
 14 *described in subsection (c)(1) to the City of Kake,*  
 15 *Alaska,*

16 *then the Secretary of Agriculture (hereinafter referred to as*  
 17 *‘Secretary’) shall, not later than 180 days thereafter, convey*  
 18 *to Kake Tribal Corporation title to the surface estate in*  
 19 *the land identified in subsection (c)(2) of this section, and*  
 20 *convey to Sealaska Corporation title to the subsurface estate*  
 21 *in such land.*

22 “*(b) EFFECT ON SELECTION TOTALS.—(1) Of the*  
 23 *lands to which the State of Alaska relinquishes selection*  
 24 *rights and which are conveyed to the City of Kake pursuant*  
 25 *to subsection (a), 694.5 acres shall be charged against lands*  
 26 *to be selected by the State of Alaska under section 6(a) of*

1 *the Alaska Statehood Act and 694.5 acres against lands to*  
 2 *be selected by the State of Alaska under section 6(b) of the*  
 3 *Alaska Statehood Act.*

4       “(2) *The land conveyed to Kake Tribal Corporation*  
 5 *and to Sealaska Corporation under this section is, for all*  
 6 *purposes, considered to be land conveyed under this Act.*  
 7 *However, the conveyance of such land to Kake Tribal Cor-*  
 8 *poration shall not count against or otherwise affect the Cor-*  
 9 *poration’s remaining entitlement under section 16(b).*

10       “(c) *LANDS SUBJECT TO EXCHANGE.—(1) The lands*  
 11 *to be transferred to the City of Kake under subsection (a)*  
 12 *are the surface and subsurface estate to approximately*  
 13 *1,430 acres of land owned by Kake Tribal Corporation and*  
 14 *Sealaska Corporation, and depicted as ‘KTC Land to City*  
 15 *of Kake’ on the map entitled ‘Kake Land Exchange-2000’,*  
 16 *dated May 2000.*

17       “(2) *The lands subject to relinquishment by the State*  
 18 *of Alaska and to conveyance to Kake Tribal Corporation*  
 19 *and Sealaska Corporation under subsection (a) are the sur-*  
 20 *face and subsurface estate to approximately 1389 acres of*  
 21 *Federal lands depicted as ‘Jenny Creek-Land Selected by*  
 22 *the State of Alaska to KTC’ on the map entitled ‘Kake Land*  
 23 *Exchange-2000’, dated May 2000.*

24       “(3) *In addition to the transfers authorized under sub-*  
 25 *section (a), the Secretary may acquire from Sealaska Cor-*

1 poration the subsurface estate to approximately 1,127 acres  
 2 of land depicted as ‘KTC Land-Conservation Easement to  
 3 SEAL Trust’ on the map entitled ‘Kake Land Exchange-  
 4 2000’, dated May 2000, through a land exchange for the  
 5 subsurface estate to approximately 1,168 acres of Federal  
 6 land in southeast Alaska that is under the administrative  
 7 jurisdiction of the Secretary. Any exchange under this para-  
 8 graph shall be subject to the mutual consent of the United  
 9 States Forest Service and Sealaska Corporation.

10 “(d) *WITHDRAWAL*.—Subject to valid existing rights,  
 11 the lands described in subsection (c)(2) are withdrawn from  
 12 all forms of location, entry, and selection under the mining  
 13 and public land laws of the United States and from leasing  
 14 under the mineral and geothermal leasing laws. This with-  
 15 drawal expires 18 months after the effective date of this sec-  
 16 tion.

17 “(e) *MAPS*.—The maps referred to in this Act shall be  
 18 maintained on file in the Office of the Chief, United States  
 19 Forest Service, the Office of the Secretary of the Interior,  
 20 and the Office of the Petersburg Ranger District, Alaska.

21 “(f) *WATERSHED MANAGEMENT*.—The United States  
 22 Forest Service may cooperate with Kake Tribal Corporation  
 23 and the City of Kake in developing a watershed manage-  
 24 ment plan that provides for the protection of the watershed  
 25 in the public interest. Grants may be made, and contracts

1 *and cooperative agreements may be entered into, to the ex-*  
 2 *tent necessary to assist the City of Kake and Kake Tribal*  
 3 *Corporation in the preparation and implementation of a*  
 4 *watershed management plan for the land within the City*  
 5 *of Kake’s municipal watershed.*

6 “(g) *EFFECTIVE DATE.*—*This section is effective upon*  
 7 *the execution of one or more conservation easements that,*  
 8 *subject to valid existing rights of third parties—*

9 “(1) *encumber all lands depicted as ‘KTC Land*  
 10 *to City of Kake’ and ‘KTC Land-Conservation Ease-*  
 11 *ment to SEAL Trust’ on a map entitled ‘Kake Land*  
 12 *Exchange-2000’ dated May 2000;*

13 “(2) *provide for the relinquishment by Kake*  
 14 *Tribal Corporation of the Corporation’s development*  
 15 *rights on lands described in paragraph (1); and*

16 “(3) *provide for perpetual protection and man-*  
 17 *agement of lands depicted as ‘KTC Land to City of*  
 18 *Kake’ and ‘KTC Land-Conservation Easement to*  
 19 *SEAL Trust’ on the map described in paragraph (1)*  
 20 *as—*

21 “(A) *a watershed;*

22 “(B) *a municipal drinking water source in*  
 23 *accordance with the laws of the State of Alaska;*

24 “(C) *a source of fresh water for the Gunnuk*  
 25 *Creek Hatchery; and*

1                   “(D) *habitat for black bear, deer, birds, and*  
 2                   *other wildlife.*

3           “(h) *TIMBER MANUFACTURING; EXPORT RESTRIC-*  
 4 *TION.—Notwithstanding any other provision of law, timber*  
 5 *harvested from lands conveyed to Kake Tribal Corporation*  
 6 *under this section shall not be available for export as un-*  
 7 *processed logs from Alaska, nor may Kake Tribal Corpora-*  
 8 *tion sell, trade, exchange, substitute, or otherwise convey*  
 9 *such timber to any person for the purpose of exporting that*  
 10 *timber from the State of Alaska.*

11           “(i) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
 12 *authorized such sums as may be necessary to carry out this*  
 13 *Act, including to compensate Kake Tribal Corporation for*  
 14 *relinquishing its development rights pursuant to subsection*  
 15 *(g)(2) and to provide assistance to Kake Tribal Corporation*  
 16 *to meet the requirements of subsection (h). No funds author-*  
 17 *ized under this section may be paid to Kake Tribal Cor-*  
 18 *poration unless Kake Tribal Corporation is a party to the*  
 19 *conservation easements described in subsection (g).’.*

Attest:

*Clerk.*