

106TH CONGRESS  
1ST SESSION

# S. 430

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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 22, 1999

Mr. MURKOWSKI 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 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.

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 Public Interest Land Exchange Act”.

### 6 **SEC. 2. AMENDMENT OF SETTLEMENT ACT.**

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

1 1601 et seq.), as amended, is further amended by adding  
 2 at the end thereof:

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

4       “(a) GENERAL.—In exchange for lands and interests  
 5 therein described in subsection (b), the Secretary of Agri-  
 6 culture shall, subject to valid existing rights, convey to the  
 7 Kake Tribal Corporation the surface estate and to  
 8 Sealaska Corporation the subsurface estate of the Federal  
 9 land identified by Kake Tribal Corporation pursuant to  
 10 subsection (c): Lands exchanged pursuant to this section  
 11 shall be on the basis of equal value.

12       “(b) The surface estate to be conveyed by Kake Trib-  
 13 al Corporation and the subsurface estate to be conveyed  
 14 by Sealaska Corporation to the Secretary of Agriculture  
 15 are the municipal watershed lands as shown on the map  
 16 dated September 1, 1997, and labeled Attachment A, and  
 17 are further described as follows:

MUNICIPAL WATERSHED  
 COOPER RIVER MERIDIAN  
 T56S, R72E

<b>Section</b>	<b>Aproximate acres</b>
13 .....	82
23 .....	118
24 .....	635
25 .....	640
26 .....	346
34 .....	9
35 .....	349
36 .....	248
Approximate total .....	2,427

1       “(c) Within ninety (90) days of the receipt by the  
2 United States of the conveyances of the surface estate and  
3 the subsurface estate described in subsection (b), Kake  
4 Tribal Corporation shall be entitled to identify lands in  
5 the Hamilton Bay and Saginaw Bay areas, as depicted  
6 on the maps dated September 1, 1997, and labeled Attach-  
7 ments B and C. Kake Tribal Corporation shall notify the  
8 Secretary of Agriculture in writing which lands Kake Trib-  
9 al Corporation has identified.

10       “(d) TIMING OF CONVEYANCE AND VALUATION.—  
11 The conveyance mandated by subsection (a) by the Sec-  
12 retary of Agriculture shall occur within ninety (90) days  
13 after the list of identified lands is submitted by Kake Trib-  
14 al Corporation pursuant to subsection (c).

15       “(e) MANAGEMENT OF WATERSHED.—The Secretary  
16 of Agriculture shall enter into a Memorandum of Agree-  
17 ment with the City of Kake, Alaska, to provide for man-  
18 agement of the municipal watershed.

19       “(f) TIMBER, MANUFACTURING; EXPORT RESTRIC-  
20 TION.—Notwithstanding any other provision of law, tim-  
21 ber harvested from land conveyed to Kake Tribal Corpora-  
22 tion under this section shall not be exported as unproc-  
23 essed logs from Alaska, nor may Kake Tribal Corporation  
24 sell, trade, exchange, substitute, or otherwise convey that

1 timber to any person for the purpose of exporting that  
2 timber from the State of Alaska.

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

8 “(h) MAPS.—The maps referred to in this section  
9 shall be maintained on file in the Office of the Chief,  
10 United States Forest Service, and in the Office of the Sec-  
11 retary of the Interior, Washington, D.C. The acreage cited  
12 in this section is approximate, and if there is any discrep-  
13 ancy between cited acreage and the land depicted on the  
14 specified maps, the maps shall control. The maps do not  
15 constitute an attempt by the United States to convey State  
16 or private land.

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