

107TH CONGRESS  
1ST SESSION

# H. R. 3608

To provide for the conveyance of certain property in the State of Alaska,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2001

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the conveyance of certain property in the  
State of Alaska, 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. CONVEYANCE OF PROPERTY IN UMNAK IS-**  
4 **LAND, ALASKA.**

5 (a) **AUTHORITY TO CONVEY.**—Subject to the condi-  
6 tions set forth in subsections (b) and (c)(3), the Secretary  
7 of the Interior shall convey to the Chaluka Corporation,  
8 the Alaska Native Claims Settlement Act village corpora-

1 tion for the Native Village of Nikolski, Umnak Island,  
2 Alaska—

3 (1) Phase I lands, not later than September 30,  
4 2002; and

5 (2) Phase II lands, upon completion of environ-  
6 mental restoration by the Department of the Air  
7 Force following written notification described in sub-  
8 section (c)(1).

9 (b) TREATMENT AS ANCSA LANDS.—

10 (1) IN GENERAL.—Any lands conveyed under  
11 subsection (a) shall be deemed, at the time of con-  
12 veyance, to be selected under section 12(a) or (b) of  
13 the Alaska Native Claims Settlement Act (43 U.S.C.  
14 1611(a) or (b)).

15 (2) REPRIORITIZATION OF LAND SELEC-  
16 TIONS.—The Chaluka Corporation shall reprioritize  
17 its remaining selections under the Alaska Native  
18 Claims Settlement Act (43 U.S.C. 1601 et seq.)  
19 upon the conveyance of both Phase I and Phase II  
20 lands under this section.

21 (c) ENVIRONMENTAL RESTORATION.—

22 (1) AIR FORCE NOTIFICATION.—The Secretary  
23 of the Air Force shall send written notification to  
24 the Secretary of the Interior as soon as environ-  
25 mental restoration of Phase II lands is complete.

1           (2) AUTHORIZATION FOR CLEANUP OF POWER  
2     HOUSE LAND.—There are authorized to be appro-  
3     priated to the Secretary of the Air Force such sums  
4     as are necessary to perform environmental restora-  
5     tion of the contaminated land beneath and adjacent  
6     to the power house owned by the Native Village of  
7     Nikolski, Alaska.

8           (3) FEDERAL GOVERNMENT ACCESS.—The  
9     Chaluka Corporation shall permit, without cost of  
10    the United States, reasonable airfield landing and  
11    takeoff rights, and such rights of entry as are nec-  
12    essary, to the United States Government, its agents,  
13    and its employees for site investigation, environ-  
14    mental restoration, and environmental monitoring of  
15    the former Nikolski Radio Relay Site.

16    (d) CEMETERY LANDS.—There are authorized to be  
17    appropriated to the Secretary of the Interior, to provide  
18    to the Chaluka Corporation, such sums as are necessary  
19    to—

20           (1) move the graves from the cemetery now lo-  
21    cated beneath the Nikolski airstrip and the land ad-  
22    jacent to the airstrip;

23           (2) relocate the graves to a location on Umnak  
24    Island acceptable to the Chaluka Corporation and  
25    the Russian Orthodox Church; and

1           (3) restore the airstrip to its original usable  
2 condition.

3           (e) REMOVAL OF LANDS FROM REFUGE.—

4           (1) IN GENERAL.—Effective on the date of con-  
5 veyance under this section to the Chaluka Corpora-  
6 tion of Phase I lands and Phase II lands, respec-  
7 tively, such lands—

8           (A) are removed from the National Wildlife  
9 Refuge System;

10           (B) shall not be considered to be part of  
11 the Alaska Maritime National Wildlife Refuge;  
12 and

13           (C) shall not be subject to any laws per-  
14 taining to lands within the boundaries of the  
15 Alaska Maritime National Wildlife Refuge, in-  
16 cluding the conveyance restrictions imposed by  
17 section 22(g) of the Alaska Native Claims Set-  
18 tlement Act (43 U.S.C. 1621(g)), for land in  
19 the National Wildlife Refuge System.

20           (2) ADJUSTMENT OF BOUNDARIES.—The Sec-  
21 retary of the Interior shall adjust the boundaries of  
22 the Alaska Maritime National Wildlife Refuge in ac-  
23 cordance with paragraph (1).

24           (f) SURVEY REQUIREMENTS.—

1           (1) BLM SURVEYS.—The Bureau of Land  
2 Management is not required to conduct additional  
3 on-the-ground surveys as a result of conveyances  
4 under this section, except that the patent to the  
5 Chaluka Corporation may be based on protracted  
6 section lines and lotting where the reprioritization  
7 under subsection (b)(2) results in a change to the  
8 Chaluka Corporation’s final boundaries.

9           (2) MONUMENTATION.—No additional  
10 monumentation is required to complete the Chaluka  
11 Corporation’s final entitlement.

12           (3) SURVEY OF CHALUKA CORPORATION  
13 LANDS.—Nothing in this section relieves the Bureau  
14 of Land Management of its obligation to survey  
15 lands conveyed to the Chaluka Corporation under  
16 the Alaska Native Claims Settlement Act (43 U.S.C.  
17 1601 et seq.). Any unsurveyed boundaries of the  
18 lands conveyed to the Chaluka Corporation under  
19 this section shall be surveyed and monumented by  
20 the Bureau of Land Management at the time it per-  
21 forms its survey of the Corporation’s final bound-  
22 aries under that Act.

23           (g) DEFINITIONS.—In this section:

1           (1) FORMER NIKOLSKI RADIO RELAY SITE.—  
2           The term “former Nikolski Radio Relay Site” means  
3           Tracts A, B, and C of Public Land Order 2374.

4           (2) PHASE I LANDS.—The term “Phase I  
5           lands” means the surface estate in Tract B of Pub-  
6           lic Land Order 2374, except—

7                   (A) the power house area that requires en-  
8                   vironmental restoration, the boundaries for  
9                   which are described generally as commencing at  
10                  the point where the southern boundary of such  
11                  Tract B intersects with the road accessing the  
12                  Nikolski airstrip, then meandering in a north-  
13                  easterly direction along the easterly boundary of  
14                  that road until the road intersects with the  
15                  Nikolski airport fence, then proceeding south-  
16                  easterly along the airport fence to the point  
17                  where the fence turns due east, then due south  
18                  to the southern boundary of such Tract B, and  
19                  then due west along that southern boundary to  
20                  the commencement point;

21                   (B) the contaminated area within Tract B  
22                  of Public Land Order 2374 located in the vicin-  
23                  ity of the point where the hazardous materials  
24                  site fence intersects the northern boundary of  
25                  such Tract B;

1 (C) those portions of United States Survey  
2 3890 that are within the boundaries of Tract B  
3 of Public Land Order 2374;

4 (D) those portions of Tract B of United  
5 States Survey 4904 that are within the bound-  
6 aries of Tract B of Public Land Order 2374;  
7 and

8 (E) Tract B of United States Survey 808.

9 (3) PHASE II LANDS.—The term “Phase II  
10 lands” means the surface estate in—

11 (A) Tracts A and C of Public Land Order  
12 2374; and

13 (B) the areas referred to in paragraphs  
14 (2)(A) and (B).

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