

114TH CONGRESS
1ST SESSION

S. 2017

To amend the Alaska Native Claims Settlement Act to recognize Alexander Creek, Alaska, as a Native village, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 2015

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

A BILL

To amend the Alaska Native Claims Settlement Act to recognize Alexander Creek, Alaska, as a Native village, 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. ALEXANDER CREEK VILLAGE RECOGNITION.**

4 The Alaska Native Claims Settlement Act (43 U.S.C.
5 1601 et seq.) is amended by adding at the end the fol-
6 lowing:

7 **“SEC. 43. ALEXANDER CREEK VILLAGE RECOGNITION.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) AGENCY.—The term ‘agency’ includes—

1 “(A) any instrumentality of the United
2 States;

3 “(B) any element of an agency; and

4 “(C) any wholly owned or mixed-owned
5 corporation of the Federal Government identi-
6 fied in chapter 91 of title 31, United States
7 Code.

8 “(2) ALEXANDER CREEK.—The term ‘Alex-
9 ander Creek’ means Alexander Creek, Incorporated,
10 a Village Corporation recognized and organized pur-
11 suant to section (b).

12 “(3) REGION.—The term ‘Region’ means Cook
13 Inlet Region Incorporated, a Regional Corporation,
14 which is the appropriate Regional Corporation for
15 Alexander Creek under section 14(h).

16 “(b) RECOGNITION OF THE VILLAGE OF ALEXANDER
17 CREEK.—Subject to the limitations of this section and
18 notwithstanding subsection (d) of section 1432 of the
19 Alaska National Interest Lands Conservation Act (Public
20 Law 96–487; 94 Stat. 2543) or any conveyance under that
21 section, Alexander Creek, Incorporated, a Group Corpora-
22 tion organized pursuant to this Act located within T. 15
23 N., R. 7 W., Seward Meridian, Alaska, is recognized as
24 an eligible Native village under section 11(b)(3).

1 “(c) ORGANIZATION OF ALEXANDER CREEK.—As
2 soon as practicable after the date of enactment of this sec-
3 tion, Alexander Creek shall file in the State—

4 “(1) any amendments to the corporate charter
5 of Alexander Creek that are necessary to convert
6 from a Group Corporation to a Village Corporation;
7 and

8 “(2) any amendments to the corporate charter
9 and governing business documents of Alexander
10 Creek that are necessary to fulfill the terms of the
11 agreement authorized under subsection (d).

12 “(d) NEGOTIATIONS; AGREEMENT.—

13 “(1) IN GENERAL.—Not later than 30 days
14 after the date of enactment of this section, the Sec-
15 retary shall commence negotiations with Alexander
16 Creek to fairly and equitably settle any aboriginal
17 land claims and any other claims that Alexander
18 Creek has against the United States.

19 “(2) AGREEMENT.—

20 “(A) DEADLINE.—Not later than 13
21 months after the date of enactment of this sec-
22 tion, the Secretary shall enter into an agree-
23 ment with Alexander Creek relating to the
24 claims described in paragraph (1).

1 “(B) TERMS.—Notwithstanding the prior
2 status of Alexander Creek as a Group Corpora-
3 tion, an agreement under this paragraph shall
4 be in approximate value parity, considering in-
5 flation, with agreements of other Village Cor-
6 porations.

7 “(C) AVAILABILITY OF FUNDS.—Any
8 funds to be provided for Alexander Creek under
9 an agreement entered into under this paragraph
10 shall be available subject to appropriations.

11 “(D) APPLICABLE LAW.—

12 “(i) IN GENERAL.—The Secretary
13 shall carry out an agreement entered into
14 under this paragraph—

15 “(I) in accordance with this sec-
16 tion and other existing authorities;
17 and

18 “(II) in coordination with the
19 Administrator of General Services
20 pursuant to section 549 of title 40,
21 United States Code, with respect to
22 property to be transferred to Alex-
23 ander Creek pursuant to the agree-
24 ment, subject to clause (ii).

1 “(ii) CONSIDERATION AS STATE.—
2 Notwithstanding paragraphs (2) and (3) of
3 section 549(a) of title 40, United States
4 Code, Alexander Creek shall be considered
5 a ‘State’ and a ‘State agency’ under that
6 section for the purposes of the Secretary
7 carrying out an agreement under this
8 paragraph.

9 “(e) SHAREHOLDER PARTICIPATION.—

10 “(1) IN GENERAL.—Alexander Creek shall no-
11 tify each member of the Village Corporation recog-
12 nized under subsection (b) that, as of the date of en-
13 actment of this section—

14 “(A) the member shall cease to receive
15 benefits from the Region as at-large share-
16 holders pursuant to section 7(m); and

17 “(B) all future resource payments from the
18 Region shall be made to the Village Corporation
19 pursuant to section 7(j).

20 “(2) LIMITATION OF LIABILITY.—The Region
21 shall not be liable under any Federal, State, or local
22 law or under Federal or State common law for dam-
23 ages arising out of or related to the cessation of pay-
24 ments to the members of Alexander Creek described
25 in paragraph (1)(A).

1 “(f) EFFECT.—Except as provided in this section
2 with respect to Alexander Creek, nothing in this section—

3 “(1) modifies or amends any land conveyance
4 entitlement or conveyance agreement—

5 “(A) between the Region and a Village
6 Corporation (other than Alexander Creek) in
7 the Region;

8 “(B) between the Region and the Federal
9 Government; or

10 “(C) between any party described in sub-
11 paragraph (A) or (B) and the State; or

12 “(2) reduces the land entitlement to which
13 Alexander Creek became entitled as a Group Cor-
14 poration, including the land selected by and con-
15 veyed to Alexander Creek on the date of enactment
16 of this section.”.

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