

117TH CONGRESS  
1ST SESSION

# S. 1128

To provide for the continuation of higher education through the conveyance to the University of Alaska of certain public land in the State of Alaska, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 14, 2021

Ms. MURKOWSKI (for herself and Mr. SULLIVAN) 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 provide for the continuation of higher education through the conveyance to the University of Alaska of certain public land 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. SHORT TITLE.**

4       This Act may be cited as the “University of Alaska  
5       Fiscal Foundation Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) AVAILABLE STATE-SELECTED LAND.—The  
2 term “available State-selected land” means Federal  
3 land in the State that has been selected by the  
4 State, including land upon which the State has,  
5 prior to December 31, 1993, filed a future selection  
6 application under section 906(e) of the Alaska Na-  
7 tional Interest Lands Conservation Act (43 U.S.C.  
8 1635(e)), but not conveyed or patented to the State,  
9 pursuant to Public Law 85–508 (commonly known  
10 as the “Alaska Statehood Act”) (48 U.S.C. note  
11 prec. 21).

12           (2) CONSERVATION SYSTEM UNIT.—The term  
13 “conservation system unit” has the meaning given  
14 the term in section 102 of the Alaska National In-  
15 terest Lands Conservation Act (16 U.S.C. 3102).

16           (3) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Interior, acting through the Di-  
18 rector of the Bureau of Land Management.

19           (4) STATE.—The term “State” means the State  
20 of Alaska.

21           (5) UNIVERSITY.—The term “University”  
22 means the University of Alaska, acting through the  
23 Board of Regents.

1 **SEC. 3. ESTABLISHMENT.**

2 The Secretary shall establish a program within the  
3 Bureau of Land Management—

4 (1) to identify and convey available State-se-  
5 lected land to the University to support higher edu-  
6 cation in the State; and

7 (2) to acquire, by purchase or exchange, Uni-  
8 versity-owned land located within conservation sys-  
9 tem units in the State.

10 **SEC. 4. IDENTIFICATION OF LAND TO BE CONVEYED TO**  
11 **THE UNIVERSITY.**

12 (a) **IN GENERAL.**—Not later than 2 years after the  
13 date of enactment of this Act, the State and the University  
14 may jointly identify not more than 500,000 acres of avail-  
15 able State-selected land for inclusion in the program es-  
16 tablished under section 3, of which not more than 360,000  
17 acres may be conveyed and patented to the University.

18 (b) **TECHNICAL ASSISTANCE.**—Upon the request of  
19 the State and the University, the Secretary shall provide  
20 technical assistance in the identification of available State-  
21 selected land for inclusion in the program.

22 (c) **MAPS.**—As soon as practicable after the date on  
23 which the available State-selected land is identified under  
24 subsection (a), the Secretary shall submit to the Com-  
25 mittee on Energy and Natural Resources of the Senate  
26 and the Committee on Natural Resources of the House

1 of Representatives 1 or more maps depicting the available  
2 State-selected land identified for conveyance to the Uni-  
3 versity.

4 (d) CONVEYANCE.—Subject to subsection (e), if the  
5 State and the University notify the Secretary in writing  
6 that the State and the University jointly concur with the  
7 conveyance of all or a portion of the available State-se-  
8 lected land identified under subsection (a), and that the  
9 State relinquishes its selection rights to the land covered  
10 by the notification, the Secretary shall convey the applica-  
11 ble identified available State-selected land to the Univer-  
12 sity, subject to valid existing rights, in the same manner  
13 and subject to the same terms, conditions, and limitations  
14 as is applicable to the State under Public Law 85–508  
15 (commonly known as the “Alaska Statehood Act”) (48  
16 U.S.C. note prec. 21) and other applicable law, to be held  
17 in trust for the exclusive use and benefit of the University,  
18 to be administered in accordance with section 6.

19 (e) TERMS AND CONDITIONS.—

20 (1) MAXIMUM ACREAGE.—Subject to paragraph  
21 (3), the Secretary shall convey not more than a total  
22 of 360,000 acres of available State-selected land to  
23 the University under this section, not to exceed the  
24 remaining entitlement of the State under Public

1 Law 85–508 (commonly known as the “Alaska  
2 Statehood Act”) (48 U.S.C. note prec. 21).

3 (2) LETTERS OF CONCURRENCE.—For purposes  
4 of subsection (d) and subject to the maximum acre-  
5 age limitation under subsection (a), the State and  
6 the University may submit to the Secretary 1 or  
7 more joint letters of concurrence identifying parcels  
8 of available State selected land for conveyance as a  
9 subset of the total acres to be conveyed under this  
10 section.

11 (3) ACREAGE CHARGED AGAINST ALASKA  
12 STATEHOOD ACT ENTITLEMENT.—The acreage of  
13 land conveyed to the University under this section  
14 shall be charged against the remaining entitlement  
15 of the State under Public Law 85–508 (commonly  
16 known as the “Alaska Statehood Act”) (48 U.S.C.  
17 note prec. 21).

18 (4) SURVEY COSTS.—In accordance with Public  
19 Law 85–508 (commonly known as the “Alaska  
20 Statehood Act”) (48 U.S.C. note prec. 21), the Sec-  
21 retary shall be responsible for the costs of required  
22 surveys.

1 **SEC. 5. UNIVERSITY OF ALASKA INHOLDINGS WITHIN CON-**  
2 **SERVATION SYSTEM UNITS.**

3 (a) IN GENERAL.—The Secretary or the Secretary of  
4 Agriculture, as appropriate, may acquire by purchase or  
5 exchange, with the consent of the University, University-  
6 owned inholdings within conservation system units in the  
7 State.

8 (b) APPRAISALS.—The value of the land to be ex-  
9 changed or acquired under this section shall be determined  
10 by the Secretary through appraisals conducted—

11 (1) in accordance with—

12 (A) the Uniform Appraisal Standards for  
13 Federal Land Acquisitions; and

14 (B) the Uniform Standards of Professional  
15 Appraisal Practice; and

16 (2) by an appraiser mutually agreed to by the  
17 Secretary and the University.

18 (c) EQUAL VALUE EXCHANGES.—For any land ex-  
19 change entered into under this section, the Federal land  
20 and University-owned inholdings exchanged shall be of  
21 equal value.

22 (d) PURCHASE ACQUISITIONS.—Pursuant to chapter  
23 2003 of title 54, United States Code, amounts in the Land  
24 and Water Conservation Fund established by section  
25 200302 of that title may be used for the purchase of Uni-

1 versity-owned inholdings within conservation system units  
2 in the State under this section.

3 (e) REQUIREMENT.—Any land acquired by the  
4 United States under this section shall be administered in  
5 accordance with the laws (including regulations) applica-  
6 ble to the conservation system unit in which the land is  
7 located.

8 **SEC. 6. ADMINISTRATION OF CONVEYED OR EXCHANGED**  
9 **LAND.**

10 All available State-selected land that is tentatively ap-  
11 proved or conveyed to the University under this Act, and  
12 all land acquired by the University through an exchange  
13 under this Act, together with the income therefrom and  
14 the proceeds from any dispositions thereof, shall be admin-  
15 istered by the University in trust to meet the necessary  
16 expenses of higher education programs, similar to prior  
17 Federal land grants to the University.

18 **SEC. 7. STATE AND UNIVERSITY PARTICIPATION.**

19 Nothing in this Act requires the State or the Univer-  
20 sity—

21 (1) to participate in the program established  
22 under section 3; or

23 (2) to enter into sales or exchanges of Univer-  
24 sity-owned inholdings within conservation system  
25 units under section 5.

1 **SEC. 8. CONGRESSIONAL NOTIFICATION.**

2       Not later than 90 days after the date of any convey-  
3       ance and patent to the University under this Act, the Sec-  
4       retary shall notify the Committee on Energy and Natural  
5       Resources of the Senate and the Committee on Natural  
6       Resources of the House of Representatives of the land con-  
7       veyed and patented.

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