

118TH CONGRESS
1ST SESSION

S. 1889

To provide for the recognition of certain Alaska Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2023

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

A BILL

To provide for the recognition of certain Alaska Native communities and the settlement of certain claims under the Alaska Native Claims Settlement Act, 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 “Unrecognized South-
5 east Alaska Native Communities Recognition and Com-
6 pensation Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to redress the omission
3 of the southeastern Alaska communities of Haines, Ketch-
4 ikan, Petersburg, Tenakee, and Wrangell from eligibility
5 under the Alaska Native Claims Settlement Act (43
6 U.S.C. 1601 et seq.) by authorizing the Alaska Natives
7 enrolled in the communities—

8 (1) to form Urban Corporations for the commu-
9 nities of Haines, Ketchikan, Petersburg, Tenakee,
10 and Wrangell under the Alaska Native Claims Set-
11 tlement Act (43 U.S.C. 1601 et seq.); and

12 (2) to receive certain settlement land pursuant
13 to that Act.

14 **SEC. 3. ESTABLISHMENT OF ADDITIONAL NATIVE COR-**
15 **PORATIONS.**

16 Section 16 of the Alaska Native Claims Settlement
17 Act (43 U.S.C. 1615) is amended by adding at the end
18 the following:

19 “(e) NATIVE VILLAGES OF HAINES, KETCHIKAN, PE-
20 TERSBURG, TENAKEE, AND WRANGELL, ALASKA.—

21 “(1) IN GENERAL.—The Native residents of
22 each of the Native Villages of Haines, Ketchikan,
23 Petersburg, Tenakee, and Wrangell, Alaska, may or-
24 ganize as Urban Corporations.

25 “(2) EFFECT ON ENTITLEMENT TO LAND.—
26 Nothing in this subsection affects any entitlement to

1 land of any Native Corporation established before
2 the date of enactment of this subsection pursuant to
3 this Act or any other provision of law.”.

4 **SEC. 4. SHAREHOLDER ELIGIBILITY.**

5 Section 8 of the Alaska Native Claims Settlement Act
6 (43 U.S.C. 1607) is amended by adding at the end the
7 following:

8 “(d) NATIVE VILLAGES OF HAINES, KETCHIKAN,
9 PETERSBURG, TENAKEE, AND WRANGELL.—

10 “(1) IN GENERAL.—The Secretary shall enroll
11 to each of the Urban Corporations for Haines,
12 Ketchikan, Petersburg, Tenakee, or Wrangell those
13 individual Natives who enrolled under this Act to the
14 Native Villages of Haines, Ketchikan, Petersburg,
15 Tenakee, or Wrangell, respectively.

16 “(2) NUMBER OF SHARES.—Each Native who
17 is enrolled to an Urban Corporation for Haines,
18 Ketchikan, Petersburg, Tenakee, or Wrangell pursu-
19 ant to paragraph (1) and who was enrolled as a
20 shareholder of the Regional Corporation for South-
21 east Alaska shall receive 100 shares of Settlement
22 Common Stock in the respective Urban Corporation.

23 “(3) NATIVES RECEIVING SHARES THROUGH IN-
24 HERITANCE.—If a Native received shares of stock in
25 the Regional Corporation for Southeast Alaska

1 through inheritance from a decedent Native who
 2 originally enrolled to the Native Village of Haines,
 3 Ketchikan, Petersburg, Tenakee, or Wrangell and
 4 the decedent Native was not a shareholder in a Vil-
 5 lage Corporation or Urban Corporation, the Native
 6 shall receive the identical number of shares of Settle-
 7 ment Common Stock in the Urban Corporation for
 8 Haines, Ketchikan, Petersburg, Tenakee, or
 9 Wrangell as the number of shares inherited by that
 10 Native from the decedent Native who would have
 11 been eligible to be enrolled to the respective Urban
 12 Corporation.

13 “(4) EFFECT ON ENTITLEMENT TO LAND.—
 14 Nothing in this subsection affects any previous or
 15 future allocation of acreage to any Regional Cor-
 16 poration pursuant to section 12(b) or 14(h)(8).”.

17 **SEC. 5. DISTRIBUTION RIGHTS.**

18 Section 7 of the Alaska Native Claims Settlement Act
 19 (43 U.S.C. 1606) is amended—

20 (1) in subsection (j)—

21 (A) in the third sentence, by striking “In
 22 the case” and inserting the following:

23 “(3) THIRTEENTH REGIONAL CORPORATION.—
 24 In the case”;

1 (B) in the second sentence, by striking
2 “Not less” and inserting the following:

3 “(2) MINIMUM ALLOCATION.—Not less”;

4 (C) by striking “(j) During” and inserting
5 the following:

6 “(j) DISTRIBUTION OF CORPORATE FUNDS AND
7 OTHER NET INCOME.—

8 “(1) IN GENERAL.—During”; and

9 (D) by adding at the end the following:

10 “(4) NATIVE VILLAGES OF HAINES, KETCH-
11 IKAN, PETERSBURG, TENAKEE, AND WRANGELL.—
12 Native members of the Native Villages of Haines,
13 Ketchikan, Petersburg, Tenakee, and Wrangell who
14 become shareholders in an Urban Corporation for
15 such a Native Village shall continue to be eligible to
16 receive distributions under this subsection as at-
17 large shareholders of the Regional Corporation for
18 Southeast Alaska.”; and

19 (2) by adding at the end the following:

20 “(s) EFFECT OF AMENDATORY ACT.—The Unrecog-
21 nized Southeast Alaska Native Communities Recognition
22 and Compensation Act and the amendments made by that
23 Act shall not affect—

1 “(1) the ratio for determination of revenue dis-
2 tribution among Native Corporations under this sec-
3 tion; or

4 “(2) the settlement agreement among Regional
5 Corporations or Village Corporations or other provi-
6 sions of subsection (i) or (j).”.

7 **SEC. 6. COMPENSATION.**

8 The Alaska Native Claims Settlement Act (43 U.S.C.
9 1601 et seq.) is amended by adding at the end the fol-
10 lowing:

11 **“SEC. 43. URBAN CORPORATIONS FOR HAINES, KETCHIKAN,**
12 **PETERSBURG, TENAKEE, AND WRANGELL.**

13 “(a) DEFINITION OF URBAN CORPORATION.—In this
14 section, the term ‘Urban Corporation’ means each of the
15 Urban Corporations for Haines, Ketchikan, Petersburg,
16 Tenakee, and Wrangell.

17 “(b) CONVEYANCES OF LAND.—

18 “(1) AUTHORIZATION.—

19 “(A) CONVEYANCES TO URBAN CORPORA-
20 TIONS.—Subject to valid existing rights and
21 paragraphs (3), (4), (5), and (6), the Secretary
22 shall convey—

23 “(i) to the Urban Corporation for
24 Haines, the surface estate in 12 parcels of
25 Federal land comprising approximately

1 23,040 acres, as generally depicted on the
2 maps entitled ‘Haines Selections’, num-
3 bered 1 and 2, and dated April 19, 2023;

4 “(ii) to the Urban Corporation for
5 Ketchikan, the surface estate in 8 parcels
6 of Federal land comprising approximately
7 23,040 acres, as generally depicted on the
8 maps entitled ‘Ketchikan Selections’, num-
9 bered 1 through 4, and dated April 19,
10 2023;

11 “(iii) to the Urban Corporation for
12 Petersburg, the surface estate in 12 par-
13 cels of Federal land comprising approxi-
14 mately 23,040 acres, as generally depicted
15 on the maps entitled ‘Petersburg Selec-
16 tions’, numbered 1 through 3, and dated
17 April 19, 2023;

18 “(iv) to the Urban Corporation for
19 Tenakee, the surface estate in 15 parcels
20 of Federal land comprising approximately
21 23,040 acres, as generally depicted on the
22 maps entitled ‘Tenakee Selections’, num-
23 bered 1 through 3, and dated April 19,
24 2023; and

1 “(v) to the Urban Corporation for
2 Wrangell, the surface estate in 13 parcels
3 of Federal land comprising approximately
4 23,040 acres, as generally depicted on the
5 maps entitled ‘Wrangell Selections’, num-
6 bered 1 through 5, and dated April 19,
7 2023.

8 “(B) CONVEYANCES TO REGIONAL COR-
9 PORATION FOR SOUTHEAST ALASKA.—Subject
10 to valid existing rights, on the applicable date
11 on which the surface estate in land is conveyed
12 to an Urban Corporation under subparagraph
13 (A), the Secretary shall convey to the Regional
14 Corporation for Southeast Alaska the sub-
15 surface estate for that land.

16 “(C) CONGRESSIONAL INTENT.—

17 “(i) IN GENERAL.—Subject to clause
18 (ii), it is the intent of Congress that the
19 Secretary complete the interim conveyance
20 of the surface estate in land to an Urban
21 Corporation under subparagraph (A) not
22 later than the date that is 2 years after
23 the applicable date of incorporation of the
24 Urban Corporation under section 16(e)(1).

1 “(ii) EXCEPTION.—As the Secretary
2 determines to be necessary, the Secretary
3 may extend the 2-year deadline established
4 by clause (i) by not more than 1 year for
5 any individual parcel of land to allow for
6 the conclusion of any pending appeal of a
7 public easement decision for the applicable
8 parcel pursuant to section 17(b), subject to
9 the requirement that the final conveyance
10 of the surface estate with respect to the
11 applicable parcel shall be completed as
12 soon as practicable after the date on which
13 the appeal is concluded.

14 “(D) FINALIZATION OF ENTITLEMENT.—

15 “(i) IN GENERAL.—The conveyances
16 under subparagraph (A) shall be consid-
17 ered to be the full and final satisfaction of
18 the entitlement of the southeastern Alaska
19 communities of Haines, Ketchikan, Peters-
20 burg, Tenakee, and Wrangell under this
21 Act, notwithstanding whether the surveyed
22 acreage of the parcels of land described in
23 clauses (i) through (v) of that subpara-
24 graph is less than or more than 23,040
25 acres in the case of each Urban Corpora-

1 tion, subject to the requirement that the
2 surveyed acreage shall be not less than
3 23,020 acres and not more than 23,060
4 acres.

5 “(ii) ADJUSTMENTS.—If the total sur-
6 veyed acreage of land conveyed to an
7 Urban Corporation under subparagraph
8 (A) is less than 23,020 acres or more than
9 23,060 acres, the Secretary, the Secretary
10 of Agriculture, and the Urban Corporation
11 shall negotiate in good faith to make a mu-
12 tually agreeable adjustment to the parcels
13 of Federal land described in clauses (i)
14 through (v) of subparagraph (A) to ensure
15 that not less than and not more than
16 23,040 acres of land is conveyed to the
17 Urban Corporation.

18 “(2) WITHDRAWAL.—

19 “(A) IN GENERAL.—Subject to valid exist-
20 ing rights, the Federal land described in para-
21 graph (1) is withdrawn from all forms of—

22 “(i) entry, appropriation, or disposal
23 under the public land laws;

24 “(ii) location, entry, and patent under
25 the mining laws; and

1 “(iii) disposition under all laws per-
2 taining to mineral and geothermal leasing
3 or mineral materials.

4 “(B) TERMINATION.—The withdrawal
5 under subparagraph (A) shall remain in effect
6 until the date on which the Federal land is con-
7 veyed under paragraph (1).

8 “(3) TREATMENT OF LAND CONVEYED.—Ex-
9 cept as otherwise provided in this section, any land
10 conveyed to an Urban Corporation under paragraph
11 (1)(A) shall be—

12 “(A) considered to be land conveyed by the
13 Secretary under section 14(h)(3); and

14 “(B) subject to all laws (including regula-
15 tions) applicable to entitlements under section
16 14(h)(3), including section 907(d) of the Alaska
17 National Interest Lands Conservation Act (43
18 U.S.C. 1636(d)).

19 “(4) PUBLIC EASEMENTS.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (C), the conveyance and patents for the
22 land under paragraph (1)(A) shall be subject to
23 the reservation before the conveyance of public
24 easements under section 17(b).

1 “(B) TERMINATION.—No public easement
2 reserved on land conveyed under paragraph
3 (1)(A) shall be terminated by the Secretary
4 without publication of notice of the proposed
5 termination in the Federal Register.

6 “(C) RESERVATION OF EASEMENTS.—In
7 the conveyance and patent for any parcel of
8 land under paragraph (1)(A) for which the
9 easement reservation process has not been com-
10 pleted by the date that is 2 years after the ap-
11 plicable date of incorporation of the Urban Cor-
12 poration under section 16(e)(1), or, in the case
13 of an appeal of a public easement under section
14 17(b), by the date that is 3 years after the ap-
15 plicable date of incorporation, the Secretary
16 shall—

17 “(i) convey the parcel of land; and

18 “(ii) as part of the conveyance and
19 patent for the parcel of land under clause
20 (i), reserve the right of the Secretary to
21 amend the conveyance and patent to in-
22 clude reservations of public easements
23 under section 17(b) until the date of com-
24 pletion of the easement reservation proc-
25 ess.

1 “(D) STATE OF ALASKA EASEMENTS.—
2 Nothing in this Act modifies, changes, or termi-
3 nates the rights-of-way granted to the State
4 under—

5 “(i) section 4407 of the SAFETEA-
6 LU (Public Law 109–59; 119 Stat. 1777);
7 or

8 “(ii) the 2006 memorandum of under-
9 standing between the State and the Forest
10 Service to implement that section.

11 “(5) HUNTING, FISHING, RECREATION, AND AC-
12 CESS.—

13 “(A) IN GENERAL.—Any land conveyed
14 under paragraph (1)(A), including access to the
15 land through roadways, trails, and forest roads,
16 shall remain open and available to subsistence
17 uses, noncommercial recreational hunting and
18 fishing, and other noncommercial recreational
19 uses by the public under applicable law—

20 “(i) without liability on the part of the
21 Urban Corporation, except for willful acts
22 of the Urban Corporation, to any user as
23 a result of the use; and

24 “(ii) subject to—

1 “(I) any reasonable restrictions
2 that may be imposed by the Urban
3 Corporation on the public use—

4 “(aa) to ensure public safe-
5 ty;

6 “(bb) to minimize conflicts
7 between recreational and com-
8 mercial uses;

9 “(cc) to protect cultural re-
10 sources;

11 “(dd) to conduct scientific
12 research; or

13 “(ee) to provide environ-
14 mental protection; and

15 “(II) the condition that the
16 Urban Corporation post on any appli-
17 cable property, in accordance with
18 State law, notices of the restrictions
19 on use.

20 “(B) EFFECT.—Access provided to any in-
21 dividual or entity under subparagraph (A) shall
22 not—

23 “(i) create an interest in any third
24 party in the land conveyed under para-
25 graph (1)(A); or

1 “(ii) provide standing to any third
2 party in any review of, or challenge to, any
3 determination by the Urban Corporation
4 with respect to the management or devel-
5 opment of the land conveyed under para-
6 graph (1)(A), except as against the Urban
7 Corporation for the management of public
8 access under subparagraph (A).

9 “(6) MISCELLANEOUS.—

10 “(A) SPECIAL USE AUTHORIZATIONS.—

11 “(i) IN GENERAL.—On the conveyance
12 of land to an Urban Corporation under
13 paragraph (1)(A)—

14 “(I) any guiding or outfitting
15 special use authorization issued by the
16 Forest Service for the use of the con-
17 veyed land shall terminate; and

18 “(II) as a condition of the con-
19 veyance and consistent with section
20 14(g), the Urban Corporation shall
21 issue the holder of the special use au-
22 thorization terminated under sub-
23 clause (I) an authorization to continue
24 the authorized use, subject to the
25 terms and conditions that were in the

1 special use authorization issued by the
2 Forest Service, for—

3 “(aa) the remainder of the
4 term of the authorization; and

5 “(bb) 1 additional consecu-
6 tive 10-year renewal period.

7 “(ii) NOTICE OF COMMERCIAL ACTIVI-
8 TIES.—The Urban Corporation, and any
9 holder of a guiding or outfitting authoriza-
10 tion under this subparagraph, shall have a
11 mutual obligation, subject to the guiding
12 or outfitting authorization, to inform the
13 other party of any commercial activities
14 prior to engaging in the activities on the
15 land conveyed to the Urban Corporation
16 under paragraph (1)(A).

17 “(iii) NEGOTIATION OF NEW
18 TERMS.—Nothing in this paragraph pre-
19 cludes the Urban Corporation and the
20 holder of a guiding or outfitting authoriza-
21 tion from negotiating a new mutually
22 agreeable guiding or outfitting authoriza-
23 tion.

24 “(iv) LIABILITY.—Neither the Urban
25 Corporation nor the United States shall

1 bear any liability, except for willful acts of
2 the Urban Corporation or the United
3 States, regarding the use and occupancy of
4 any land conveyed to the Urban Corpora-
5 tion under paragraph (1)(A), as provided
6 in any outfitting or guiding authorization
7 under this paragraph.

8 “(B) MUTUAL USE AGREEMENT FOR
9 ROADS AND FACILITIES.—

10 “(i) IN GENERAL.—The Secretary of
11 Agriculture shall seek to enter into a bind-
12 ing mutual use agreement for—

13 “(I) the use of National Forest
14 System roads and related transpor-
15 tation facilities (including marine ac-
16 cess facilities, log transfer facilities,
17 sort yards, and associated log rafting
18 and storage areas) in the Tongass
19 National Forest by the Urban Cor-
20 poration and designees of the Urban
21 Corporation; and

22 “(II) the use of the roads and re-
23 lated transportation facilities (includ-
24 ing marine access facilities, log trans-
25 fer facilities, sort yards, and associ-

1 ated log rafting and storage areas) of
2 the Urban Corporation by the Forest
3 Service and designees of the Forest
4 Service.

5 “(ii) TERMS AND CONDITIONS.—The
6 binding mutual use agreement under
7 clause (i)—

8 “(I) shall provide that the use of
9 road and transportation facilities in-
10 frastructure by a third party shall not
11 begin until the date on which the
12 third party signs a mutual use agree-
13 ment entered into with the Urban
14 Corporation;

15 “(II) shall provide that the State
16 (including entities and designees of
17 the State) shall be authorized to use
18 the roads and related transportation
19 facilities of the Urban Corporation on
20 substantially similar terms as are pro-
21 vided by the Urban Corporation to the
22 Forest Service;

23 “(III) shall include restrictions
24 on, and fees for, the use of the Na-
25 tional Forest System roads and re-

1 lated transportation facilities in exist-
2 ence as of the date of enactment of
3 this section, as necessary, that are
4 reasonable and comparable to the re-
5 strictions and fees imposed by the
6 Forest Service for the use of the
7 roads and related transportation fa-
8 cilities;

9 “(IV) shall not restrict or limit
10 any access to the roads and related
11 transportation facilities of the Urban
12 Corporation or the Forest Service that
13 may be otherwise provided by valid ex-
14 isting rights and agreements in exist-
15 ence as of the date of enactment of
16 this section; and

17 “(V) shall provide for periodic
18 updates to the mutual use agreement
19 if the terms and conditions of the up-
20 dated mutual use agreement are con-
21 sistent with the terms and conditions
22 described in subclauses (I) through
23 (IV).

24 “(iii) INTENT OF CONGRESS.—It is
25 the intent of Congress that the mutual use

1 agreement under clause (i) shall be entered
2 into as soon as practicable after the date
3 of enactment of this section and in any
4 case by not later than 1 year after the date
5 of incorporation of the Urban Corporation.

6 “(iv) CONTINUED ACCESS.—Begin-
7 ning on the date on which the land is con-
8 veyed to the Urban Corporation under
9 paragraph (1)(A) and ending on the effec-
10 tive date of a binding mutual use agree-
11 ment entered into under clause (i), the
12 Urban Corporation shall provide and allow
13 administrative access to roads and related
14 transportation facilities on the land under
15 substantially similar terms as are provided
16 by the Forest Service as of the date of en-
17 actment of this section.

18 “(C) EFFECT ON OTHER LAWS.—

19 “(i) IN GENERAL.—Nothing in this
20 section delays the duty of the Secretary to
21 convey land to—

22 “(I) the State under Public Law
23 85–508 (commonly known as the
24 ‘Alaska Statehood Act’) (48 U.S.C.
25 note prec. 21); or

1 “(II) a Native Corporation
2 under—

3 “(aa) this Act; or

4 “(bb) the Alaska Land
5 Transfer Acceleration Act (43
6 U.S.C. 1611 note; Public Law
7 108–452).

8 “(ii) STATEHOOD ENTITLEMENT.—

9 “(I) IN GENERAL.—Statehood se-
10 lections under Public Law 85–508
11 (commonly known as the ‘Alaska
12 Statehood Act’) (48 U.S.C. note prec.
13 21) are not displaced by the parcels of
14 land described in clauses (i) through
15 (v) of paragraph (1)(A).

16 “(II) BOUNDARY ADJUST-
17 MENTS.—In the event of a dispute be-
18 tween an area selected as a Statehood
19 selection and a parcel of land referred
20 to in subclause (I), the Secretary shall
21 work with the Urban Corporation and
22 the State in good faith to adjust the
23 boundary of the parcel to exclude any
24 area selected as a Statehood selection.

1 “(iii) CONVEYANCES.—The Secretary
2 shall promptly proceed with the conveyance
3 of all land necessary to fulfill the final en-
4 titlement of all Native Corporations in ac-
5 cordance with—

6 “(I) this Act; and

7 “(II) the Alaska Land Transfer
8 Acceleration Act (43 U.S.C. 1611
9 note; Public Law 108–452).

10 “(iv) FISH AND WILDLIFE.—Nothing
11 in this section enlarges or diminishes the
12 responsibility and authority of the State
13 with respect to the management of fish
14 and wildlife on public land in the State.

15 “(D) MAPS.—

16 “(i) AVAILABILITY.—Each map re-
17 ferred to in paragraph (1)(A) shall be
18 available in the appropriate offices of the
19 Secretary and the Secretary of Agriculture.

20 “(ii) CORRECTIONS.—The Secretary,
21 in consultation with the Secretary of Agri-
22 culture, may make any necessary correc-
23 tion to a clerical or typographical error in
24 a map referred to in paragraph (1)(A).

1 “(7) ESCROW FUNDS.—Beginning on the date
2 of enactment of this section, the escrow require-
3 ments of section 2 of Public Law 94–204 (43 U.S.C.
4 1613 note) shall apply to proceeds (including inter-
5 est) derived from the land withdrawn under para-
6 graph (2).

7 “(c) CONVEYANCE OF ROADS, TRAILS, LOG TRANS-
8 FER FACILITIES, LEASES, AND APPURTENANCES.—

9 “(1) IN GENERAL.—The land conveyed to an
10 Urban Corporation under subsection (b)(1)(A) shall
11 include all right, title, and interest of the United
12 States in all roads, trails, log transfer facilities,
13 leases, and appurtenances on or related to the land
14 conveyed to the Urban Corporation.

15 “(2) CONDITIONS.—The land conveyed to an
16 Urban Corporation under subsection (b)(1)(A) shall
17 be subject to all valid existing rights in accordance
18 with section 14(g), including any reciprocal rights-
19 of-way, easements, or agreements for the use of the
20 roads, trails, log transfer facilities, leases, and ap-
21 purtenances conveyed under subsection (b)(1)(A).

22 “(3) CONTINUATION OF AGREEMENTS.—

23 “(A) IN GENERAL.—On or before the date
24 on which land is conveyed to an Urban Cor-
25 poration under subsection (b)(1)(A), the Sec-

1 retary shall provide to the Urban Corporation
2 notice of all reciprocal rights-of-way, easements,
3 and agreements for use of the roads, trails, log
4 transfer facilities, leases, and appurtenances on
5 or related to the land in existence as of the date
6 of enactment of this section.

7 “(B) REQUIREMENT.—In accordance with
8 section 14(g), any right-of-way, easement, or
9 agreement described in subparagraph (A) shall
10 continue unless the right-of-way, easement, or
11 agreement—

12 “(i) expires under its own terms; or

13 “(ii) is mutually renegotiated.

14 “(d) SETTLEMENT TRUST.—

15 “(1) IN GENERAL.—Each Urban Corporation
16 may establish a settlement trust in accordance with
17 section 39 for the purposes of promoting the health,
18 education, and welfare of the trust beneficiaries, and
19 preserving the Native heritage and culture, of the
20 community of Haines, Ketchikan, Petersburg,
21 Tenakee, or Wrangell, as applicable.

22 “(2) PROCEEDS AND INCOME.—The proceeds
23 and income from the principal of a trust established
24 under paragraph (1) shall—

1 “(A) first be applied to the support of
2 those enrollees, and the descendants of the en-
3 rollees, who are elders or minor children; and

4 “(B) thereafter to the support of all other
5 enrollees.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 is authorized to be appropriated to the Secretary
8 \$12,500,000, to be used by the Secretary to provide 5
9 grants in the amount of \$2,500,000 each, to be used only
10 for activities that support the implementation of this sec-
11 tion, including planning and development.”.

12 **SEC. 7. CONVEYANCES OF BLM LAND TO THE CITY OF**
13 **TENAKEE SPRINGS, ALASKA.**

14 (a) DEFINITIONS.—In this section:

15 (1) CITY.—The term “City” means the city of
16 Tenakee Springs, Alaska.

17 (2) FEDERAL LAND.—The term “Federal land”
18 means the Bureau of Land Management land de-
19 picted on the Survey and more particularly described
20 as—

21 (A) each of lots 1 through 6 of Mineral
22 Springs Reserve No. 1, as depicted on the Sur-
23 vey;

1 (B) each of lots 1 through 3 of Mineral
2 Springs Reserve No. 2, as depicted on the Sur-
3 vey; and

4 (C) each of lots 1 and 2 of Mineral
5 Springs Reserve No. 3, as depicted on the Sur-
6 vey.

7 (3) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (4) SURVEY.—The term “Survey” means the
10 survey prepared by the Bureau of Land Manage-
11 ment entitled “U.S. Survey No. 1409, Alaska, De-
12 pendent Resurvey and Subdivision, Mineral Springs
13 Reserves Nos. 1, 2, and 3” and dated November 16,
14 2009.

15 (b) LAND CONVEYANCES.—

16 (1) IN GENERAL.—Notwithstanding the land
17 use planning requirements of sections 202 and 203
18 of the Federal Land Policy and Management Act of
19 1976 (43 U.S.C. 1712, 1713), on written request
20 from the City and subject to the provisions of this
21 subsection, the Secretary shall convey, without con-
22 sideration, all right, title, and interest of the United
23 States in and to the Federal land.

1 (2) TERMS AND CONDITIONS.—As a condition
2 of the conveyance of Federal land under paragraph
3 (1)—

4 (A) the City shall offer to the occupant, as
5 of the date of enactment of this Act, of the ap-
6 plicable parcel of Federal land, a right of first
7 refusal to enter into an agreement with the City
8 to lease the applicable parcel of Federal land;
9 and

10 (B) if the occupant, as of the date of en-
11 actment of this Act, accepts the offer to enter
12 into a lease agreement with the City for the ap-
13 plicable parcel of Federal land described in sub-
14 paragraph (A), the lease agreement shall, in ac-
15 cordance with terms established by the City and
16 approved by the City council, be—

17 (i) for a term of not more than 20
18 years, in the case of a residential lease;
19 and

20 (ii) for a term of not more than 99
21 years, in the case of a nonresidential lease.

22 (3) COSTS.—As a condition of the conveyance
23 of Federal land under paragraph (1), the City shall

- 1 pay to the Secretary all costs associated with the
- 2 conveyance, including the cost of any surveys.

○