

Union Calendar No. 824

115TH CONGRESS
2D SESSION

H. R. 1418

[Report No. 115–1058]

To amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2017

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 30, 2018

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that 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. 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) RECOGNITION OF THE VILLAGE OF ALEXANDER
9 CREEK.—Subject to the limitations of this section and
10 notwithstanding section 1432(d) of the Alaska National
11 Interest Lands Conservation Act (Public Law 96–487)
12 and any conveyance or agreement in furtherance thereof
13 or thereto, to the contrary, Alexander Creek, located with-
14 in Township 15N, Range 7W, Seward Meridian, Alaska,
15 is and shall be recognized as an eligible Native village
16 under section 11(b)(3) of this Act.

17 “(b) DEFINITIONS.—For the purposes of this section,
18 the following terms apply:

19 “(1) The term ‘agency’ includes—

20 “(A) any instrumentality of the United
21 States;

22 “(B) any element of an agency; and

23 “(C) any wholly owned or mixed-owned
24 corporation of the United States Government

1 identified in chapter 91 of title 31, United
2 States Code.

3 “(2) The term ‘Alexander Creek’ means Alex-
4 ander Creek, Incorporated, an Alaska Native Group
5 corporation organized pursuant to this Act prior to
6 the enactment of this section, but subsequent to en-
7 actment of this section means Alexander Creek, In-
8 corporated, an Alaska Native Village corporation
9 recognized and organized pursuant to section (a).

10 “(3) The term ‘Region’ means Cook Inlet Re-
11 gion Incorporated, an Alaska Native Regional Cor-
12 poration, which is the appropriate Regional Corpora-
13 tion for Alexander Creek under section 1613(h) of
14 this Act.

15 “(c) ORGANIZATION OF ALEXANDER CREEK.—As
16 soon as practicable after enactment of this section, Alex-
17 ander Creek shall cause to be filed—

18 “(1) any amendments to its corporate charter
19 in the State of Alaska necessary to convert from a
20 Native group to a Native Village corporation; and

21 “(2) if necessary, any amendments to its cor-
22 porate charter and governing business documents
23 that fulfill the terms of the agreement authorized
24 under this Act.

1 “(d) NEGOTIATIONS.—Not later than 30 days after
2 the date of the enactment of this section, the Secretary
3 shall open negotiations with Alexander Creek and, not
4 later than 13 months after the date of the enactment of
5 this section, reach an agreement with Alexander Creek to
6 fairly and equitably settle Alexander Creek’s aboriginal
7 land claims and any other claims of Alexander Creek
8 against the United States. An agreement under this sec-
9 tion shall be in approximate value parity with those of
10 other Alaska Native Village Corporations, notwithstanding
11 Alexander Creek’s prior status as a Group Corporation.
12 The Secretary shall effectuate such agreement under the
13 authority in this section, other existing authorities, and
14 in coordination with the Administrator pursuant to 40
15 U.S.C. 549 with respect to property to be transferred to
16 Alexander Creek pursuant to such agreement. Notwith-
17 standing paragraphs (2) and (3) of section 549(a) of title
18 40, United States Code, Alexander Creek is hereby consid-
19 ered both a ‘State’ and a ‘State agency’ under that section
20 for the sole purpose of the Secretary effectuating an agree-
21 ment under this section.

22 “(e) SHAREHOLDER PARTICIPATION.—Alexander
23 Creek shall notify each member of the Native village rec-
24 ognized under this section that, upon the effective date
25 of this section, such members shall cease to receive bene-

1 fits from the Region as at-large shareholders pursuant to
2 section 7(m), and that all future resource payments from
3 the Region shall be made to the Village Corporation pur-
4 suant to section 7(j). The Region shall not be liable under
5 any State, Federal, or local law, or under State or Federal
6 common law, for damages arising out of or related to the
7 cessation of payments to such individuals under section
8 7(m) pursuant to this section.

9 “(f) CONSTRUCTION.—Except as provided in this sec-
10 tion with respect to Alexander Creek, nothing in this sec-
11 tion shall be construed to modify or amend land convey-
12 ance entitlements or conveyance agreements between the
13 Region and village corporations other than Alexander
14 Creek in such region, nor between the Region and the
15 Federal Government, nor between any such parties and
16 the State of Alaska.

17 “(g) CONSTRUCTION REGARDING CURRENT ALEX-
18 ANDER CREEK LAND.—Nothing in this section shall be
19 construed to reduce the land entitlement to which Alex-
20 ander Creek became entitled as a Group Corporation, in-
21 cluding the land selected by and conveyed to Alexander
22 Creek at the time of enactment of this section.”.

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