

Union Calendar No. 520

113TH CONGRESS
2^D SESSION

H. R. 1103

[Report No. 113-689]

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 12, 2013

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

DECEMBER 22, 2014

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.

25 “(d) NEGOTIATIONS.—

1 “(1) AUTHORITY AND DIRECTION TO NEGOTIATE.—Not later than 30 days after the date of enactment of this section, the Secretary shall open discussions and subsequently negotiate and, in the Secretary’s sole discretion on behalf of the United States, enter into an agreement within one year of enactment of this section, with Alexander Creek to fairly and equitably settle aboriginal land claims and any other claims of Alexander Creek against the United States; and such agreement with Alexander Creek shall be in approximate value parity with those of other Alaska Native Village Corporations, notwithstanding Alexander Creek’s prior status as a Group Corporation.

15 “(2) FUNDS FOR SETTLEMENT.—A settlement reached under this subsection shall not be subject to the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401), unless subsequently authorized by law.

20 “(e) SHAREHOLDER PARTICIPATION.—Alexander Creek shall notify each member of the Native village recognized under this section that, upon the effective date of this section, such members shall cease to receive benefits from the Region as at-large shareholders pursuant to section 7(m), and that all future resource payments from

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

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

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

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