

117TH CONGRESS
1ST SESSION

H. R. 440

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

JANUARY 21, 2021

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

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:

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

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

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

13 “(1) The term ‘agency’ includes—

14 “(A) any instrumentality of the United
15 States;

16 “(B) any element of an agency; and

17 “(C) any wholly owned or mixed-owned
18 corporation of the United States Government
19 identified in chapter 91 of title 31, United
20 States Code.

21 “(2) The term ‘Alexander Creek’ means Alex-
22 ander Creek, Incorporated, an Alaska Native Group
23 corporation organized pursuant to this Act prior to
24 the enactment of this section, but subsequent to en-
25 actment of this section means Alexander Creek, In-

1 corporated, an Alaska Native Village corporation
2 recognized and organized pursuant to section (a).

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

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

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

14 “(2) if necessary, any amendments to its cor-
15 porate charter and governing business documents
16 that fulfill the terms of the agreement authorized
17 under this Act.

18 “(d) NEGOTIATIONS.—Not later than 30 days after
19 the date of the enactment of this section, the Secretary
20 shall open negotiations with Alexander Creek and, not
21 later than 13 months after the date of the enactment of
22 this section, reach an agreement with Alexander Creek to
23 fairly and equitably settle Alexander Creek’s aboriginal
24 land claims and any other claims of Alexander Creek
25 against the United States. An agreement under this sec-

1 tion shall be in approximate value parity with those of
2 other Alaska Native Village Corporations, notwithstanding
3 Alexander Creek’s prior status as a Group Corporation.
4 The Secretary shall effectuate such agreement under the
5 authority in this section, other existing authorities, and
6 in coordination with the Administrator with respect to sur-
7 plus property to be transferred to Alexander Creek pursu-
8 ant to such agreement. Notwithstanding paragraphs (2)
9 and (3) of section 549(a) of title 40, United States Code,
10 Alexander Creek is hereby considered both a ‘State’ and
11 a ‘State agency’ under that section for the sole purpose
12 of the Secretary effectuating an agreement under this sec-
13 tion. Notwithstanding any other provision of law, Alex-
14 ander Creek is hereby considered eligible to receive real
15 property declared to be surplus under section 1303 of title
16 40, United States Code, for the sole purpose of the Sec-
17 retary effectuating an agreement under this section.

18 “(e) SHAREHOLDER PARTICIPATION.—Alexander
19 Creek shall notify each member of the Native village rec-
20 ognized under this section that, upon the effective date
21 of this section, such members shall cease to receive bene-
22 fits from the Region as at-large shareholders pursuant to
23 section 7(m), and that all future resource payments from
24 the Region shall be made to the Village Corporation pur-
25 suant to section 7(j). The Region shall not be liable under

1 any State, Federal, or local law, or under State or Federal
2 common law, for damages arising out of or related to the
3 cessation of payments to such individuals under section
4 7(m) pursuant to this section.

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

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

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