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106TH CONGRESS  
1ST SESSION

# S. 1797

To amend the Alaska Native Claims Settlement Act, to provide for a land conveyance to the City of Craig, Alaska, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 1999

Mr. MURKOWSKI 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 amend the Alaska Native Claims Settlement Act, to provide for a land conveyance to the City of Craig, 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       FINDINGS.—Congress finds and declares that:

4               The Alaska Statehood Act of 1959 (sec. 6(a))  
5       granted 400,000 acres of national forest land to the  
6       State of Alaska for the purpose of furthering devel-  
7       opment of and expansion of communities. In 1969,  
8       the State of Alaska selected 17,040 acres of this  
9       Federal land grant at the City of Craig's request,

1 but this and other selections were not approved by  
2 the U.S. Forest Service.

3 On December 18, 1971, the Alaska Native  
4 Claims Settlement Act (ANCSA) was enacted to set-  
5 tle outstanding Native aboriginal claims to lands in  
6 the State of Alaska. The settlement included the di-  
7 rection to convey certain lands to Alaska Native vil-  
8 lage corporations located in Southeast Alaska. These  
9 conveyances included all of the public land selected  
10 around the City of Craig by the State of Alaska in  
11 1969.

12 Pursuant to ANCSA, the Federal Government  
13 conveyed 3,960 acres of public land within the City  
14 of Craig, and all public land surrounding the com-  
15 munity, to two Native village corporations. These  
16 adjoining conveyances occupy 93 percent of the  
17 4,258 acres within Craig's city limits. Outside of the  
18 existing 200-acre Craig townsite, no other land with-  
19 in 10 miles of the Craig city limits has been avail-  
20 able for selection under the Alaska Statehood Act of  
21 1959.

22 In the Alaska National Interest Lands Con-  
23 servation Act (ANILCA), Congress exempted Native  
24 corporations from municipal taxation of their under-  
25 developed land, and added a tax recapture provision

1 (43 U.S.C.A. sec. 1636(d)(5)) which acts as a fur-  
2 ther disincentive to development of Native village  
3 corporation land.

4 Under the Alaska State law, incorporated mu-  
5 nicipalities are entitled to a share of available State  
6 land within their corporate limits. However, the pas-  
7 sage of ANCSA and a set of circumstances experi-  
8 enced by no other municipality in Alaska, which in-  
9 cludes Federal land conveyances to two adjoining  
10 Native village corporations, has prevented the City  
11 of Craig from acquiring a State land entitlement.

12 Since 1971, the City of Craig has grown from  
13 a population of 250 people to nearly 2,500 people  
14 and its demographics has changed making it dif-  
15 ficult for Craig to qualify for many programs en-  
16 acted by Congress to provide assistance to villages  
17 with a majority of Alaska Native populations.

18 Tax provisions of Federal law and Federal land  
19 conveyances have had the unintended effect of pre-  
20 venting the City of Craig from exercising its govern-  
21 mental powers to tax 93 percent of the land within  
22 the municipality, and to receive any of the Federal  
23 land grant promised at Alaska statehood for commu-  
24 nity expansion and development.

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Craig Municipal Eq-  
3 uity Act of 1999”.

4 **SEC. 2. AUTHORIZATION TO CONVEY LANDS.**

5 (a) GENERAL.—The Secretary of Agriculture shall,  
6 subject to valid existing rights, convey to the City of Craig  
7 all Federal interests in lands identified in subsection (b).

8 (b) LEGAL DESCRIPTION.—Control Lake/Big Salt  
9 Lake Road Corridor:

10 All Federal land in the following described pro-  
11 tracted and partially surveyed townships in the Cop-  
12 per River Meridian, Alaska:

13 COPPER RIVER MERIDIAN, ALASKA

14 T. 71 S., R. 81 E.

15 Section 24, E $\frac{1}{2}$ ;

16 Section 25, E $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ;

17 Section 36.

18 Containing 1360 acres, more or less.

19 T. 71 S., R. 82 E.

20 Section 19, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;

21 Section 29, W $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ;

22 Section 30, All;

23 Section 31, All.

24 Containing 1500 acres, more or less.

25 T. 72 S., R. 82 E.

26 Section 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ , SW $\frac{1}{4}$ ;

1 Section 6, All;  
2 Section 7, NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>;  
3 Section 8, W<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;  
4 Section 17, NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>,  
5 NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>;  
6 Section 20, NE<sup>1</sup>/<sub>4</sub>.

7 Containing 1672 acres, more or less.

8 Aggregating 4532 acres, more or less.

9 (c) TIMING OF CONVEYANCE AND PROVIDING FOR  
10 THE ESTABLISHMENT OF AN ESCROW ACCOUNT.—The  
11 Secretary of Agriculture shall convey the land mandated  
12 by subsection (a) within ninety (90) days after the date  
13 of enactment of this Act. The Secretary shall establish an  
14 escrow account to hold any and all proceeds derived on  
15 or after the date of enactment of this Act from contracts,  
16 leases, permits, rights-of-way or easements pertaining to  
17 the land to be conveyed, and provide for disbursement of  
18 those funds, plus interest, to the City of Craig when the  
19 land is conveyed.

20 (d) TIMBER, MANUFACTURING; EXPORT RESTRIC-  
21 TION.—Notwithstanding any other provisions of law, tim-  
22 ber harvested from land conveyed to the City of Craig  
23 under this section shall not be exported as unprocessed  
24 logs from Alaska, nor may the City of Craig sell, trade,  
25 exchange, substitute, or otherwise convey that timber to

1 any person for the purpose of exporting that timber from  
2 the State of Alaska.

3 (e) RELATION TO OTHER REQUIREMENTS.—Not-  
4 withstanding any other provisions of law, the land con-  
5 veyed to the City of Craig under this section shall be con-  
6 sidered in lieu of land not conveyed at statehood for the  
7 purpose of furthering development of and expansion of the  
8 City of Craig. This grant is not subject to the provisions  
9 of the Alaska Statehood Act, nor does it limit or restrict  
10 the State of Alaska's land entitlement under that Act.

11 (f) MAPS.—The maps referred to in this section shall  
12 be maintained on file in the Office of the Chief, United  
13 States Forest Service, and in the Office of the Secretary  
14 of the Interior, Washington, DC. The acreage cited in this  
15 section is approximate, and if there is any discrepancy be-  
16 tween cited acreage and the land depicted on the specified  
17 maps, the maps shall control. The maps do not constitute  
18 an attempt by the United States to convey State of Alaska  
19 or private land.

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