

## Union Calendar No. 538

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4194

**[Report No. 112-736]**

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.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2012

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

DECEMBER 31, 2012

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) to  
12 the contrary, Alexander Creek, located within Township  
13 15N, Range 7W, Seward Meridian, Alaska, is and shall  
14 be recognized as an eligible Native village under section  
15 11(b)(3) of this Act.

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

18               “(1) The term ‘agency’ includes—

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

21                       “(B) any element of an agency; and

22                       “(C) any wholly owned or mixed-owned  
23 corporation of the United States Government  
24 identified in chapter 91 of title 31, United  
25 States Code.

1           “(2) The term ‘Alexander Creek’ means Alex-  
2           ander Creek Incorporated, an Alaska Native Group  
3           corporation, organized pursuant to this Act.

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

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

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

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

19           “(d) AUTHORITY AND DIRECTION TO NEGOTIATE.—  
20          Not later than 30 days after the date of the enactment  
21          of this section, the Secretary shall open discussions and  
22          subsequently negotiate and, in the Secretary’s sole discre-  
23          tion on behalf of the United States, enter into an agree-  
24          ment by December 31, 2012, with the Native Village Cor-  
25          poration of Alexander Creek (hereinafter, ‘Alexander

1 Creek’) to settle aboriginal land claims and any other  
2 claims of such Native Village Corporation against the  
3 United States fairly, reaching an agreement in approxi-  
4 mate parity with those of other Alaska Native Village Cor-  
5 porations, notwithstanding Alexander Creek’s prior status  
6 as a Group Corporation.

7 “(e) SHAREHOLDER PARTICIPATION.—Alexander  
8 Creek shall notify each member of the Native village rec-  
9 ognized under this section that, upon the effective date  
10 of this section, such members shall cease to receive bene-  
11 fits from the Region as at-large shareholders pursuant to  
12 section 7(m), and that all future resource payments from  
13 the Region shall be made to the Village Corporation pur-  
14 suant to section 7(j). The Region shall not be liable under  
15 any State, Federal, or local law, or under State or Federal  
16 common law, for damages arising out of or related to the  
17 cessation of payments to such individuals under section  
18 7(m) pursuant to this section.

19 “(f) STATUTORY CONSTRUCTION.—Nothing in this  
20 section shall be construed to—

21 “(1) limit, alter, violate, breach, or otherwise  
22 affect the rights of any party under a contract, set-  
23 tlement agreement, or land exchange entered into  
24 prior to enactment of this section between Alexander  
25 Creek and any party, or one or more parties to any

1 contract, settlement, agreement, or land exchange  
2 predicated upon Alexander Creek's Native village  
3 status under this Act; or

4 “(2) diminish or reduce the acreage entitlement  
5 to which Alexander Creek became entitled to as a  
6 Group Corporation.”.



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