

118TH CONGRESS
2D SESSION

H. R. 7022

To provide equitable treatment for the people of the Village Corporation established for the Native Village of Saxman, Alaska, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2024

Mrs. PELTOLA introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide equitable treatment for the people of the Village Corporation established for the Native Village of Saxman, 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 **SECTION 1. FINDINGS.**

4 Congress finds that—

5 (1) the Cape Fox Corporation is a Village Cor-
6 poration for the Native Village of Saxman, Alaska,
7 organized pursuant to the Alaska Native Claims Set-
8 tlement Act (43 U.S.C. 1601 et seq.);

9 (2) similar to other Village Corporations in
10 southeast Alaska, under section 16 of that Act (43

1 U.S.C. 1615), Cape Fox could select only 23,040
2 acres from land withdrawn for the purpose of that
3 selection;

4 (3) under section 22(l) of that Act (43 U.S.C.
5 1621(l))—

6 (A) the Village Corporations in southeast
7 Alaska, other than Cape Fox, were restricted
8 with respect to the selection of land within 2
9 miles of a home rule city (as that term is used
10 in that Act); and

11 (B) to protect the watersheds in the vicin-
12 ity, Cape Fox was restricted with respect to the
13 selection of land within 6 miles of the boundary
14 of the home rule city of Ketchikan, Alaska;

15 (4) the 6-mile restriction described in para-
16 graph (3)(B) precluded Cape Fox from selecting val-
17 uable industrial sites and other commercial property
18 located—

19 (A) within the townships in which the Na-
20 tive Village of Saxman is located, more particu-
21 larly described as T.75 S., T.76 S., R.91 E.,
22 Copper River Meridian; and

23 (B) on surrounding land that is far re-
24 moved from Ketchikan, Alaska, and its water-
25 sheds;

1 (5) as a result of the restriction described in
2 paragraph (3)(B), only the remote, mountainous,
3 northeast corner of the property described in para-
4 graph (4)(A), which is nonproductive and has no
5 known economic value, was available for selection by
6 Cape Fox, as required under section 16(b) of the
7 Alaska Native Claims Settlement Act (43 U.S.C.
8 1615(b));

9 (6) land selections by Cape Fox under that Act
10 were further limited by the fact that—

11 (A) the Annette Island Indian Reservation
12 is located within the applicable selection area;
13 and

14 (B) land of that Reservation is unavailable
15 for selection by Cape Fox;

16 (7) Cape Fox is the only Village Corporation af-
17 fected by the restrictions described in paragraphs
18 (3)(B) and (6); and

19 (8) the Secretary has advised Congress that the
20 predicament of Cape Fox is sufficiently unique to
21 warrant the legislative remedy provided by this Act.

22 **SEC. 2. DEFINITIONS.**

23 In this Act:

24 (1) CAPE FOX.—The term “Cape Fox” means
25 the Cape Fox Village Corporation, a Village Cor-

1 poration for the Native Village of Saxman, Alaska,
2 organized pursuant to the Alaska Native Claims Set-
3 tlement Act (43 U.S.C. 1601 et seq.).

4 (2) FEDERAL LAND.—The term “Federal land”
5 means the approximately 180 acres of surface land
6 within the Tongass National Forest in the State of
7 Alaska, as generally depicted on the Map.

8 (3) MAP.—The term “Map” means the map en-
9 titled “Cape Fox Village Corporation Final Selec-
10 tion” and dated December 18, 2023.

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 **SEC. 3. WAIVER OF CORE TOWNSHIP REQUIREMENT FOR**
14 **CERTAIN LAND.**

15 (a) IN GENERAL.—Notwithstanding section 16(b) of
16 the Alaska Native Claims Settlement Act (43 U.S.C.
17 1615(b)), Cape Fox shall not be required to select or re-
18 ceive conveyance of the approximately 185 acres of
19 unconveyed land described in subsection (b) located within
20 the township in which the Native Village of Saxman, Alas-
21 ka, is located.

22 (b) LAND DESCRIBED.—The land referred to in sub-
23 section (a) is as follows:

24 (1) Approximately 40 acres in T. 74 S., R.90
25 E., sec. 10, SWNE, Copper River Meridian.

1 (2) Approximately 144.57 acres in T.75 S.,
2 R.91 E., sec. 1, lots 1, 3, and 4, Copper River Me-
3 ridian.

4 **SEC. 4. SELECTION OUTSIDE EXTERIOR SELECTION**
5 **BOUNDARY.**

6 (a) SELECTION AND CONVEYANCE OF SURFACE ES-
7 TATE.—Not later than 90 days after the date of enact-
8 ment of this Act, if Cape Fox submits to the Secretary
9 a written notice of selection of the Federal land, the Sec-
10 retary shall, on receiving that written notice, convey the
11 Federal land to Cape Fox.

12 (b) CONVEYANCE OF SUBSURFACE ESTATE.—On
13 conveyance to Cape Fox of the surface estate to the Fed-
14 eral land under subsection (a), the Secretary shall convey
15 to Sealaska Corporation the subsurface estate to that Fed-
16 eral land.

17 (c) TIMING.—It is the intent of Congress that the
18 Secretary complete the conveyances to Cape Fox and
19 Sealaska Corporation under subsections (a) and (b), re-
20 spectively, as soon as practicable after the date on which
21 the Secretary receives a written notice of the selection of
22 Cape Fox under subsection (a), but not later than 180
23 days after the date on which the Secretary receives that
24 written notice.

1 (d) ENTITLEMENT FULFILLED.—The conveyance of
2 Federal land to Cape Fox and the subsurface interest in
3 the Federal land to Sealaska Corporation under sub-
4 sections (a) and (b), respectively, shall be considered to
5 fulfill the entitlement of—

6 (1) Cape Fox under section 16 of the Alaska
7 Native Claims Settlement Act (43 U.S.C. 1615); and

8 (2) Sealaska Corporation to any subsurface in-
9 terest in the Federal land under section 14(f) of that
10 Act (43 U.S.C. 1613(f)).

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