

**Statement of
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**Senate Energy and Natural Resources Committee
Subcommittee on Public Lands, Forests, and Mining
S. 4889, Alaska Native Claims Settlement Act Fulfillment Act
November 18, 2020**

Thank you for the opportunity to present the views of the Department of the Interior (Department) on S. 4889, the Alaska Native Claims Settlement Act Fulfillment Act. S. 4889 amends the Alaska Native Claims Settlement Act (ANCSA) of 1971 concerning various Alaska Native issues, including certain land conveyances to Alaska Native communities, reversion of lands to Village Corporations, and authorization for five Native communities in Southeast Alaska to organize as Urban Corporations.

The Department supports this legislation and looks forward to working with the sponsors and the Committee on some technical modifications. The Department defers to the U.S. Department of Agriculture (USDA) on the parts of Section 7 that pertain to the National Forest System.

Background

ANCSA provided the framework to settle aboriginal land claims in Alaska and entitled Alaska Native communities to select and receive title to 46 million acres of Federal land. The Act established a corporate structure for Native land ownership in Alaska under which Alaska Natives would become shareholders in one of over 200 private, land-owning Alaska Native Village, Group, Urban, and Reserve Corporations and/or one of 12 private, for-profit, land-owning Regional Corporations. Most Alaska Natives are enrolled in two corporations; the corporation representing the community where they lived in 1971 and a Regional Corporation. Each Regional Corporation encompasses a specific geographic area and is associated with Alaska Natives who had traditionally lived in the area. For each Corporation, whether Village or Regional, ANCSA provided at least two potential acreage entitlements through which it could select and receive ownership of Federal lands. For Alaska Natives who were non-residents of the state at the time the Act was signed into law, ANCSA authorized a non-landowning 13th Regional Corporation.

As the Secretary of the Interior's designated survey and land conveyance agent, the Bureau of Land Management (BLM) is the Federal agency tasked with transferring to Alaska Native Corporations title to the 46 million acres to which they are entitled. The BLM's Alaska Land Transfer program administers the transfer of lands to individual Alaska Natives under the Alaska Native Allotment Act, the transfer of 46 million acres to Alaska Native communities under ANCSA, and the conveyance of 104.5 million acres to the State of Alaska under the Alaska

Statehood Act. When the survey and conveyance work under the Alaska Native Allotment Act, ANCSA, and the Alaska Statehood Act is completed, more than 150 million acres, consisting of approximately 42 percent of the surface area in Alaska, will have been transferred from Federal to state and private ownership.

S. 4889

Following is a review of the provisions of S.4889 of interest to the Department of the Interior.

Sec. 4. Canyon Village

Section 4 of the bill would direct the Secretary to convey the surface estate for selected lands to Kian Tr'ee Corporation for the Native village of Canyon Village. The section also directs the Secretary to convey the subsurface rights for the selected lands to Doyon, Limited, an Alaska Native regional corporation or, at Doyon's choice, alternative subsurface estate, to fulfill its ANCSA entitlements. The Department supports this section.

Sec. 5. Kaktovik Inupiat Corporation

Section 5 directs the Secretary of the Interior to convey surface estate for selected lands to Kaktovik Inupiat Corporation and the subsurface to Arctic Slope Regional Corporation. The Department supports this section for its potential to move toward equitable resolution of complex, longstanding issues.

Sec. 6. Reversion of Municipal Trust Lands to Village Corporations

Under Section 6, Village Corporations would no longer be required to convey any land in trust to the State of Alaska for the establishment of a Municipal Corporation. Any land that was previously conveyed in trust by a Village Corporation to the State of Alaska for establishment of a Municipal Corporation that has not yet been created by the date of enactment of this bill would revert back to the Village Corporation. The Department supports this section and would like to work with the sponsors and the Committee on minor technical modifications.

Sec. 7. Recognition and Compensation of Unrecognized Native Communities in Southeast Alaska

This section would amend ANCSA to authorize the Southeast Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to organize as Urban Corporations, and providing each with land in the surface estate comprising of approximately 23,040 acres in southeastern Alaska upon incorporation. The Department defers to the Forest Service on issues related to the land selected to be transferred in the bill, as the selected lands are all on the Tongass National Forest.

Conclusion

Thank you for the opportunity to testify on S.4889. The Department is proud to support the efforts of the sponsors to bring resolution to these issues facing Alaska Native communities.