



Southeast Alaska Native Land Entitlement Finalization Act

Key Message

Legislation has been introduced by the Alaska Congressional delegation in the 111th Congress that, if enacted, will authorize the conveyance of certain lands from the Tongass National Forest to Sealaska Corporation, an Alaska Native Corporation. The legislation, introduced as S.881 and H.R. 2099, is similar to a bill previously introduced in the 110th Congress. A hearing was held in October 2009 before the Senate Energy and Natural Resources Committee, Subcommittee on Public Lands & Forests. Deputy Undersecretary Jay Jensen testified that USDA supports several of the goals of the legislation and is committed to working collaboratively with Sealaska, Congress, and other community partners, but the Department has concerns with the legislation.

Background

Sealaska Corporation (Sealaska) is the Southeast Alaska regional corporation established pursuant to the Alaska Native Claims Settlement Act of 1971 (ANCSA). Congress enacted ANCSA to finalize Alaska Native land claims that were holding up development. Rather than establish Indian reservations, Congress created a system of village and regional for-profit corporations, owned by Native shareholders. Nearly 44 million acres and one billion dollars are distributed to the Corporations under ANCSA. Federal lands around Native villages were withdrawn so that Native Corporations could select lands traditionally used by Alaska Natives. The Bureau of Land Management (BLM) has conveyed approximately 291,000 acres of land to Sealaska, leaving an estimated 67,000 to 79,000 acres of remaining entitlement, depending on the final allocations of land to other Corporations under Section 14(h) of ANCSA.

Current Situation

S.881 amends ANCSA to allow Sealaska to select and receive lands administered by the Forest Service that are outside of the original ANCSA withdrawal areas and will create new and unique categories of selections not available to other regional corporations. The Department is concerned that S.881 provides an impetus for other regional corporations to reopen land claims at this critical final stage in the land transfer program by creating new categories of selections and by allowing Sealaska to select lands outside of its existing withdrawal areas. Sealaska seeks lands outside of its existing withdrawal areas that contain significant areas of productive old-growth timber and major areas of young-growth timber; these lands are mostly in timber production and old growth land use designations under the Tongass Land Management Plan (TLMP). Conveying Sealaska's remaining entitlement from areas outside its withdrawal areas may significantly affect the conservation and adaptive management strategies identified in TLMP, hinder USDA's efforts to develop a long-term, sustainable plan supporting diverse economic opportunities for Southeast Alaska, and likely require another TLMP amendment. Sealaska's current remaining entitlement can be satisfied from its original village withdrawal areas. Sealaska has identified its final priority land selections as required by the 2004 Alaska Land Transfer Acceleration Act.

More Information

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