



# Southeast Alaska Native Land Entitlement Finalization and Jobs Protection Act

## Key Message

Legislation has been introduced by the Alaska Congressional delegation in the 112<sup>th</sup> Congress that, if enacted, will authorize the conveyance of certain lands within the Tongass National Forest to Sealaska Corporation, an Alaska Native Corporation. The legislation, introduced as S.730, and through a related bill as H.R. 1408, is similar to legislation previously introduced in the 111<sup>th</sup> and 110<sup>th</sup> Congresses. The Administration has not yet developed a position on this reintroduced legislation. During a Congressional hearing in 2009 Deputy Undersecretary Jay Jensen testified that the Department of Agriculture (Department) supports some of the legislative goals, but the Department also had 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 Federal lands around Native villages were withdrawn so that Native Corporations could select lands traditionally used by Alaska Natives.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 64,000 acres of remaining entitlement, depending on the final allocations of land to other Corporations under Section 14(h) of ANCSA.

## Current Situation

S.730 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 has previously expressed concern that similar legislation provided an impetus for other regional corporations to reopen land claims at this critical final stage in the land transfer program. 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 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 the Department's efforts to develop a long-term, sustainable plan supporting diverse economic opportunities for Southeast Alaska, and likely require another amendment of TLMP. Sealaska's current remaining entitlement can be satisfied from its original village withdrawal areas. Sealaska has identified its final priority land selections consistent with the 2004 Alaska Land Transfer Acceleration Act.

HR 1408 was voted out of committee 34-10. S 730 had a hearing in the Committee on Energy and Natural Resources, but has not been scheduled for a mark-up.

## More Information

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