

(iii) died while a prisoner of war.

(B)(i) If the Secretary requests that the Secretary of Veterans Affairs make a determination whether a veteran died as a direct consequence of a wound received in action, the Secretary of Veterans Affairs shall, within 60 days of receipt of the request—

(I) provide a determination to the Secretary if the records of the Department of Veterans Affairs contain sufficient information to support such a determination; or

(II) notify the Secretary that the records of the Department of Veterans Affairs do not contain sufficient information to support a determination and that further investigation will be necessary.

(ii) Not later than 1 year after notification to the Secretary that further investigation is necessary, the Department of Veterans Affairs shall complete the investigation and provide a determination to the Secretary.

(3) No person who received an allotment or has a pending allotment under the Act of May 17, 1906 may receive an allotment under this section.

(c) Study and report

(1) The Secretary of the Interior shall conduct a study to identify and assess the circumstances of veterans of the Vietnam era who—

(A) served during a period other than that specified in subsection (b)(1)(B) of this section;

(B) were eligible for an allotment under the Act of May 17, 1906; and

(C) did not apply for an allotment under that Act.

(2) The Secretary shall, within one year of October 21, 1998, issue a written report on the study, including findings and recommendations, to the Committee on Appropriations and the Committee on Energy and Natural Resources in the Senate and the Committee on Appropriations and the Committee on Resources in the House of Representatives.

(d) Definitions

For the purposes of this section, the terms “veteran” and “Vietnam era” have the meanings given those terms by paragraphs (2) and (29), respectively, of section 101 of title 38.

(e) Regulations

No later than 18 months after October 21, 1998, the Secretary of the Interior shall promulgate, after consultation with Alaska Natives groups, rules to carry out this section.

(Pub. L. 92-203, §41, as added Pub. L. 105-276, title IV, §432, Oct. 21, 1998, 112 Stat. 2516; amended Pub. L. 106-559, title III, §301, Dec. 21, 2000, 114 Stat. 2782; Pub. L. 108-452, title III, §306, Dec. 10, 2004, 118 Stat. 3590.)

REFERENCES IN TEXT

Act of May 17, 1906, referred to in subsecs. (a)(1), (b)(1)(A), (3) and (c)(1)(B), (C), is act May 17, 1906, ch. 2469, 34 Stat. 197, as amended, which was classified to sections 270-1 to 270-3 of this title prior to its repeal by Pub. L. 92-203, §18(a), Dec. 18, 1971, 85 Stat. 710.

The Alaska Statehood Act, referred to in subsec. (a)(3)(B), is Pub. L. 85-508, July 7, 1958, 72 Stat. 339, as amended, which is set out as a note preceding section

21 of Title 48, Territories and Insular Possessions. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2004—Subsec. (b)(1)(A). Pub. L. 108-452, §306(1), inserted before semicolon at end “(except that the term ‘nonmineral’, as used in that Act, shall for the purpose of this subsection be defined as provided in section 1634(a)(3) of this title, except that such definition shall not apply to land within a conservation system unit)”.

Subsec. (b)(2). Pub. L. 108-452, §306(2), designated existing provisions as subpar. (A), redesignated former subpars. (A) to (C) as cls. (i) to (iii), respectively, of subpar. (A), inserted “or based on other evidence acceptable to the Secretary” after “Department of Veterans Affairs” in cl. (ii), and added subpar. (B).

2000—Subsec. (a)(3)(I)(4). Pub. L. 106-559, §301(1), substituted “or” for “and Reindeer”.

Subsec. (a)(4)(B). Pub. L. 106-559, §301(2), substituted “; or” for “; and” at end.

Subsec. (b)(1)(B)(i). Pub. L. 106-559, §301(3), substituted “December 31” for “June 2”.

Subsec. (b)(2). Pub. L. 106-559, §301(4), inserted introductory provisions and struck out former introductory provisions which read as follows: “The personal representative of the estate of a decedent who was eligible under subsection (b)(1) of this section may, for the benefit of the heirs, select an allotment if, during the period specified in subsection (b)(1)(B) of this section, the decedent—”.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 1629h. Kake Tribal Corporation land transfer

(a) In general

If—

(1) the State of Alaska relinquishes its selection rights under the Alaska Statehood Act (Public Law 85-508) to lands described in subsection (c)(2) of this section; and

(2) Kake Tribal Corporation and Sealaska Corporation convey all right, title, and interest to lands described in subsection (c)(1) of this section to the City of Kake, Alaska,

then the Secretary of Agriculture (hereinafter referred to as “Secretary”) shall, not later than 180 days thereafter, convey to Kake Tribal Corporation title to the surface estate in the land identified in subsection (c)(2) of this section, and convey to Sealaska Corporation title to the subsurface estate in such land.

(b) Effect on selection totals

(1) Of the lands to which the State of Alaska relinquishes selection rights and which are conveyed to the City of Kake pursuant to subsection (a) of this section, 694.5 acres shall be charged against lands to be selected by the State of Alaska under section 6(a) of the Alaska Statehood Act and 694.5 acres against lands to be selected by the State of Alaska under section 6(b) of the Alaska Statehood Act.

(2) The land conveyed to Kake Tribal Corporation and to Sealaska Corporation under this section is, for all purposes, considered to be land conveyed under this chapter. However, the conveyance of such land to Kake Tribal Corporation shall not count against or otherwise affect the Corporation’s remaining entitlement under section 1615(b) of this title.

(c) Lands subject to exchange

(1) The lands to be transferred to the City of Kake under subsection (a) of this section are the surface and subsurface estate to approximately 1,430 acres of land owned by Kake Tribal Corporation and Sealaska Corporation, and depicted as “KTC Land to City of Kake” on the map entitled “Kake Land Exchange-2000”, dated May 2000.

(2) The lands subject to relinquishment by the State of Alaska and to conveyance to Kake Tribal Corporation and Sealaska Corporation under subsection (a) of this section are the surface and subsurface estate to approximately 1,389 acres of Federal lands depicted as “Jenny Creek-Land Selected by the State of Alaska to KTC” on the map entitled “Kake Land Exchange-2000”, dated May 2000.

(3) In addition to the transfers authorized under subsection (a) of this section, the Secretary may acquire from Sealaska Corporation the subsurface estate to approximately 1,127 acres of land depicted as “KTC Land-Conservation Easement to SEAL Trust” on the map entitled “Kake Land Exchange-2000”, dated May 2000, through a land exchange for the subsurface estate to approximately 1,168 acres of Federal land in southeast Alaska that is under the administrative jurisdiction of the Secretary. Any exchange under this paragraph shall be subject to the mutual consent of the United States Forest Service and Sealaska Corporation.

(d) Withdrawal

Subject to valid existing rights, the lands described in subsection (c)(2) of this section are withdrawn from all forms of location, entry, and selection under the mining and public land laws of the United States and from leasing under the mineral and geothermal leasing laws. This withdrawal expires 18 months after the effective date of this section.

(e) Maps

The maps referred to in this chapter shall be maintained on file in the Office of the Chief, United States Forest Service, the Office of the Secretary of the Interior, and the Office of the Petersburg Ranger District, Alaska.

(f) Watershed management

The United States Forest Service may cooperate with Kake Tribal Corporation and the City of Kake in developing a watershed management plan that provides for the protection of the watershed in the public interest. Grants may be made, and contracts and cooperative agreements may be entered into, to the extent necessary to assist the City of Kake and Kake Tribal Corporation in the preparation and implementation of a watershed management plan for the land within the City of Kake’s municipal watershed.

(g) Effective date

This section is effective upon the execution of one or more conservation easements that, subject to valid existing rights of third parties—

- (1) encumber all lands depicted as “KTC Land to City of Kake” and “KTC Land-Conservation Easement to SEAL Trust” on a map entitled “Kake Land Exchange-2000” dated May 2000;

(2) provide for the relinquishment by Kake Tribal Corporation of the Corporation’s development rights on lands described in paragraph (1); and

(3) provide for perpetual protection and management of lands depicted as “KTC Land to City of Kake” and “KTC Land-Conservation Easement to SEAL Trust” on the map described in paragraph (1) as—

- (A) a watershed;
- (B) a municipal drinking water source in accordance with the laws of the State of Alaska;
- (C) a source of fresh water for the Gunnuk Creek Hatchery; and
- (D) habitat for black bear, deer, birds, and other wildlife.

(h) Timber manufacturing; export restriction

Notwithstanding any other provision of law, timber harvested from lands conveyed to Kake Tribal Corporation under this section shall not be available for export as unprocessed logs from Alaska, nor may Kake Tribal Corporation sell, trade, exchange, substitute, or otherwise convey such timber to any person for the purpose of exporting that timber from the State of Alaska.

(i) Authorization of appropriations

There are authorized such sums as may be necessary to carry out this chapter, including to compensate Kake Tribal Corporation for relinquishing its development rights pursuant to subsection (g)(2) of this section and to provide assistance to Kake Tribal Corporation to meet the requirements of subsection (h) of this section. No funds authorized under this section may be paid to Kake Tribal Corporation unless Kake Tribal Corporation is a party to the conservation easements described in subsection (g) of this section.

(Pub. L. 92-203, § 42, as added Pub. L. 106-283, § 3, Oct. 6, 2000, 114 Stat. 867.)

REFERENCES IN TEXT

The Alaska Statehood Act, referred to in subsecs. (a)(1) and (b)(1), is Pub. L. 85-508, July 7, 1958, 72 Stat. 339, as amended, which is set out as a note preceding section 21 of Title 48, Territories and Insular Possessions. For complete classification of this Act to the Code, see Tables.

DECLARATION OF PURPOSE

Pub. L. 106-283, § 2, Oct. 6, 2000, 114 Stat. 867, provided that: “The purpose of this Act [see Short Title of 2000 Amendment note set out under section 1601 of this title] is to authorize the reallocation of lands and selection rights between the State of Alaska, Kake Tribal Corporation, and the City of Kake, Alaska, in order to provide for the protection and management of the municipal watershed.”

CHAPTER 33A—IMPLEMENTATION OF ALASKA NATIVE CLAIMS SETTLEMENT AND ALASKA STATEHOOD

Sec.	
1631.	Ownership of submerged lands.
1632.	Statute of limitations on decisions of Secretary and reconveyance of land by Village Corporation.
1633.	Administrative provisions.
1634.	Alaska Native allotments.
1635.	State selections and conveyances.