

ing, but not limited to, food, fuel, shelter, and transportation, for provisions authorizing the Secretary to enter into contracts or agreements or leases with, or to issue permits to, public or private agencies or persons, including the natives of the Pribilof Islands, in accordance with such terms and conditions as he deemed desirable for the use of any Government-owned real or personal property located on the islands, for the furnishing of accommodations for tourists and other visitors, for educational, recreational, residential, or commercial purposes, for the operation, maintenance, and repair of Government-owned facilities and utilities, for the transportation and storage of food and other supplies, and for such other purposes as the Secretary deemed desirable.

§ 1163. Responsibility of Alaska to meet educational needs of Pribilof Islands citizens

The State of Alaska will be responsible for meeting the educational needs of the citizens of the Pribilof Islands.

(Pub. L. 89-702, title II, § 203, Nov. 2, 1966, 80 Stat. 1093; Pub. L. 98-129, § 2, Oct. 14, 1983, 97 Stat. 838.)

AMENDMENTS

1983—Pub. L. 98-129 substituted provisions directing that the State of Alaska be responsible for meeting the educational needs of the citizens of the Pribilof Islands for provisions which had authorized the Secretary (1) to provide, with or without reimbursement, the natives of the Pribilof Islands with such facilities, services, and equipment as he deemed necessary, including, but not limited to, food, fuel, shelter, transportation, and education, (2) to provide the employees of the Department of Commerce and other Federal agencies and their dependents, and tourists and other persons, at reasonable rates to be determined by the Secretary, with such facilities, services, and equipment as he deemed necessary, including, but not limited to, food, fuel, shelter, transportation, and education, (3) to purchase, transport, store, and distribute such supplies and equipment to carry out the provisions of this section as the Secretary deemed necessary, and (4) to purchase, construct, operate, and maintain the facilities necessary to carry out the provisions of this section.

§ 1164. Responsibility of Secretary of Health and Human Services to provide medical and dental care to Pribilof Islands natives

The Secretary of Health and Human Services shall provide medical and dental care to the Natives of the Pribilof Islands with or without reimbursement, as provided by other law. He is authorized to provide such care to Federal employees and their dependents and tourists and other persons in the Pribilof Islands at reasonable rates to be determined by him. He may purchase, lease, construct, operate, and maintain such facilities, supplies, and equipment as he deems necessary to carry out the provisions of this section; and the costs of such items, including medical and dental care, shall be charged to the budget of the Secretary of Health and Human Services. Nothing in this chapter shall be construed as superseding or limiting the authority and responsibility of the Secretary of Health and Human Services under the Act of August 5, 1954, as amended [42 U.S.C. 2001 et seq.], or any other law with respect to medical and dental care of natives or other persons in the Pribilof Islands.

(Pub. L. 89-702, title II, § 204, Nov. 2, 1966, 80 Stat. 1094; Pub. L. 98-129, § 2, Oct. 14, 1983, 97 Stat. 839.)

REFERENCES IN TEXT

Act of August 5, 1954, as amended, referred to in text, is act Aug. 5, 1954, ch. 658, 68 Stat. 674, as amended, which is classified generally to subchapter I (§2001 et seq.) of chapter 22 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1983—Pub. L. 98-129 substituted provisions formerly set out in section 1165 of this title relating to medical and dental care of the natives of the Pribilof Islands for provisions which had authorized the Secretary to enter into an agreement with the Governor of the State of Alaska pursuant to which the State assumed full responsibility for furnishing education to the natives of the Pribilof Islands and also to enter into agreements with said Governor pursuant to which the State furnished to such natives adequate food, shelter, transportation, and such other facilities, services, and equipment as the Secretary deemed necessary, with the State of Alaska, in assuming such responsibility, to meet the educational needs of the said natives in the same manner as the State met the educational needs of all of its citizens, including the furnishing of necessary facilities therefor.

§ 1165. Disposal of Federal property on Pribilof Islands

(a) Submission to Congress of property transfer document

Any provision of law relating to the transfer and disposal of Federal property to the contrary notwithstanding, the Secretary, after consultation with the Secretary of the department in which the Coast Guard is operating, is authorized to bargain, grant, sell or otherwise convey, on such terms as he deems to be in the best interests of the United States and in furtherance of the purposes of this chapter, any and all right, title, and interest of the United States in and to the property, both real and personal, held by the Secretary on the Pribilof Islands: *Provided*, That such property is specified in a document entitled "Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions," which is submitted to the Congress on or before October 31, 1983.

(b) Contents of property transfer document

The property transfer document described in subsection (a) of this section shall include, but need not be limited to—

- (1) a description of each conveyance;
- (2) the terms to be imposed on each conveyance;
- (3) designation of the recipient of each conveyance;
- (4) a statement noting acceptance of each conveyance, including the terms, if any, under which it is accepted; and
- (5) an identification of all Federal property to be retained by the Federal Government on the Pribilof Islands to meet its responsibilities as described in this chapter and under the Convention.

(c) Report to Congress on conveyed and retained properties

Not later than 3 months after December 23, 2000, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources

of the House of Representatives a report that includes—

- (1) a description of all property specified in the document referred to in subsection (a) of this section that has been conveyed under that subsection;
- (2) a description of all Federal property specified in the document referred to in subsection (a) of this section that is going to be conveyed under that subsection; and
- (3) an identification of all Federal property on the Pribilof Islands that will be retained by the Federal Government to meet its responsibilities under this chapter, the Convention, and any other applicable law.

(d) Memorandum of Understanding

A Memorandum of Understanding shall be entered into by the Secretary, a representative of the local governmental authority on each Island, the trustee or trustees, and the appropriate officer of the State of Alaska setting forth the respective responsibilities of the Federal Government, the Trust, and the State regarding—

- (1) application of Federal retirement benefits, severance pay, and insurance benefits with respect to Natives of the Pribilof Islands;
- (2) funding to be allocated by the State of Alaska for the construction of boat harbors on St. Paul and St. George Islands;
- (3) assumption of the State of Alaska of traditional State responsibilities for facilities and services on such islands in accordance with applicable laws and regulations;
- (4) preservation of wildlife resources within the Secretary's jurisdiction;
- (5) continued activities relating to the implementation of the Convention;
- (6) oversight of the operation of the Trust established by section 1166(a)¹ of this title to further progress toward creation of a stable, diversified, and enduring economy not dependent on commercial fur sealing;
- (7) the cooperation of government agencies, rendered through existing programs, in assisting with an orderly transition from Federal management and the creation of a private enterprise economy on the Pribilof Islands as described in this chapter; and
- (8) such other matters as may be necessary and appropriate for carrying out the purposes of the chapter, including the assumption of responsibilities to ensure an orderly transition from Federal management of the Pribilof Islands.

The Memorandum shall be submitted to Congress on or before October 31, 1983.

(e) Taxation

The grant, sale, transfer or conveyance of any real or personal property pursuant to this section shall not be subject to any form of Federal, State or local taxation. The basis for computing gain or loss on subsequent sale or disposition of such real or personal property for purposes of any Federal, State or local tax imposed on, or measured by revenue shall be the fair market value of such real or personal property at the time of receipt.

¹ See References in Text note below.

(f) Agreements with governmental agencies and third parties

In carrying out the purposes of this chapter, the Secretary is authorized to enter into agreements, including but not limited to land exchange agreements with other Departments and Agencies of both the State and Federal Governments, and with third parties, notwithstanding any provision of law relating to the transfer and disposal of Federal property to the contrary; except that the authority of the Secretary of the Interior regarding exchanges involving lands in the National Wildlife Refuge System on October 14, 1983, is not affected by this section.

(Pub. L. 89-702, title II, § 205, Nov. 2, 1966, 80 Stat. 1094; Pub. L. 98-129, § 2, Oct. 14, 1983, 97 Stat. 839; Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(4)], Dec. 21, 2000, 114 Stat. 2763, 2763A-245; Pub. L. 106-562, title I, § 104, Dec. 23, 2000, 114 Stat. 2796.)

REPEAL OF SECTION

Pub. L. 106-562, title I, § 105(c), Dec. 23, 2000, 114 Stat. 2798, provided that, effective on the date on which the Secretary of Commerce makes the certification described in Pub. L. 106-562, § 105(b)(2), set out in a Termination of Responsibilities note under section 1161 of this title, this section is repealed.

Substantially identical provisions repealing this section were contained in Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(5)(C)], Dec. 21, 2000, 114 Stat. 2763, 2763A-247.

REFERENCES IN TEXT

December 23, 2000, referred to in subsec. (c), was in the original "the date of the enactment of the Pribilof Islands Transition Act" which was translated as referring to the date of enactment of title I of Pub. L. 106-562. Section 1(a)(4) [div. B, title I, § 144(e)] of Pub. L. 106-554, which was approved Dec. 21, 2000, is also known as the "Pribilof Islands Transition Act". See Short Title of 2000 Amendments notes under section 1151 of this title.

Section 1166(a) of this title, referred to in subsec. (d)(6), was amended generally by Pub. L. 106-554 and Pub. L. 106-562, and, as so amended, no longer contains provisions relating to establishment of a Trust.

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(4)(A)], and Pub. L. 106-562, § 104(1), generally amended subsec. (c) identically, substituting present provisions for provisions which read as follows: "Within 60 days of the transfer of real or personal property specified in the document described in subsection (a) of this section, the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate shall be given a report prepared by the Secretary stating the fair market value at the time of the transfer of all real and personal property conveyed."

Subsec. (g). Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(4)(B)], and Pub. L. 106-562, § 104(2), struck out subsec. (g) which read as follows: "The Secretary shall submit to Congress a report, no later than October 1, 1983, providing information on the status of the negotiations for concluding the documents described in subsections (a) and (d) of this section."

1983—Pub. L. 98-129 amended section generally, substituting provisions relating to the disposal of Federal property on the Pribilof Islands for provisions relating to the medical and dental care of Pribilof Islands natives. See section 1164 of this title.

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.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

PRIBILOF ISLANDS ENVIRONMENTAL CLEANUP

Pub. L. 104-91, § 3, Jan. 6, 1996, 110 Stat. 8, as amended by Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(5)(A)(iv), (6)(A), (7)], Dec. 21, 2000, 114 Stat. 2763, 2763A-246, 2763A-248; Pub. L. 106-562, title I, §§ 105(a)(4), 106(a), 107, Dec. 23, 2000, 114 Stat. 2797, 2799; Pub. L. 108-447, div. B, title II, § 212, Dec. 8, 2004, 118 Stat. 2884, provided that:

“(a) IN GENERAL.—The Secretary of Commerce shall, subject to the availability of appropriations provided for the purposes of this section, clean up landfills, wastes, dumps, debris, storage tanks, property, hazardous or unsafe conditions, and contaminants, including petroleum products and their derivatives, left by the National Oceanic and Atmospheric Administration on lands which it and its predecessor agencies abandoned, quitclaimed, or otherwise transferred or are obligated to transfer, to local entities or residents on the Pribilof Islands, Alaska, pursuant to the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.), as amended, or other applicable law.

“(b) OBLIGATIONS OF SECRETARY.—In carrying out cleanup activities under subsection (a), the Secretary of Commerce shall—

“(1) to the maximum extent practicable, execute agreements with the State of Alaska, and affected local governments, entities, and residents eligible to receive conveyance of lands under the Fur Seal Act of 1966 (16 U.S.C. 1161 et seq.) [16 U.S.C. 1151 et seq.] or other applicable law;

“(2) manage such activities with the minimum possible overhead, delay, and duplication of State and local planning and design work;

“(3) receive approval from the State of Alaska for agreements described in paragraph (1) where such activities are required by State law;

“(4) receive approval from affected local entities or residents before conducting such activities on their property; and

“(5) not seek or require financial contributions by or from local entities or landowners.

“(c) RESOLUTION OF FEDERAL RESPONSIBILITIES.—(1) Within 9 months after the date of enactment of this section [Jan. 6, 1996], and after consultation with the Secretary of the Interior, the State of Alaska, and local entities and residents of the Pribilof Islands, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives, a report proposing necessary actions by the Secretary of Commerce and Congress to resolve all claims with respect to, and permit the final implementation, fulfillment and completion of—

“(A) the land conveyance entitlements of local entities and residents of the Pribilof Islands under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

“(B) the provisions of this section; and

“(C) any other matters which the Secretary deems appropriate.

“(2) The report required under paragraph (1) shall include the estimated costs of all actions, and shall con-

tain the statements of the Secretary of Commerce, the Secretary of the Interior, any statement submitted by the State of Alaska, and any statements of claims or recommendations submitted by local entities and residents of the Pribilof Islands.

“[(d) Redesignated as section 212 of Pub. L. 89-702, and transferred to section 1169b of this title.]

“(e) DEFINITION.—For the purposes of this section, the term ‘clean up’ means the planning and execution of remediation actions for lands described in subsection (a) and the redevelopment of landfills to meet statutory requirements.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated \$10,000,000 for each of fiscal years 2001, 2002, 2003, 2004, 2005, 2006, and 2007 for the purposes of carrying out this section.

“(2) LIMITATION.—None of the funds authorized by this subsection may be expended for the purpose of cleaning up or remediating any landfills, wastes, dumps, debris, storage tanks, property, hazardous or unsafe conditions, or contaminants, including petroleum products and their derivatives, left by the Department of Defense or any of its components on lands on the Pribilof Islands, Alaska.

“(g) LOW-INTEREST LOAN PROGRAM.—

“(1) CAPITALIZATION OF REVOLVING FUND.—Of amounts authorized under subsection (f) for each of fiscal years 2001, 2002, 2003, 2004, and 2005, the Secretary may provide to the State of Alaska up to \$2,000,000 per fiscal year to capitalize a revolving fund to be used by the State for loans under this subsection.

“(2) LOW-INTEREST LOANS.—The Secretary shall require that any revolving fund established with amounts provided under this subsection shall be used only to provide low-interest loans to Natives of the Pribilof Islands to assess, respond to, remediate, and monitor contamination from lead paint, asbestos, and petroleum from underground storage tanks.

“(3) NATIVES OF THE PRIBILOF ISLANDS DEFINED.—The definitions set forth in section 101 of the Fur Seal Act of 1966 (16 U.S.C. 1151) shall apply to this section, except that the term ‘Natives of the Pribilof Islands’ includes the Tanadgusix and Tanaq Corporations.

“(4) REVERSION OF FUNDS.—Before the Secretary may provide any funds to the State of Alaska under this section, the State of Alaska and the Secretary must agree in writing that, on the last day of fiscal year 2011, and of each fiscal year thereafter until the full amount provided to the State of Alaska by the Secretary under this section has been repaid to the United States, the State of Alaska shall transfer to the Treasury of the United States monies remaining in the revolving fund, including principal and interest paid into the revolving fund as repayment of loans.”

[Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(5)(A)(iv), (6)(A), (7)], and Pub. L. 106-562, §§ 105(a)(4), 106(a), 107, made substantially identical amendments to section 3 of Pub. L. 104-91, set out above. The text of subssecs. (f) and (g) of section 3 is based on amendments by Pub. L. 106-562.]

[Pub. L. 106-562, title I, § 105(c), Dec. 23, 2000, 114 Stat. 2798, provided that, effective on the date on which the Secretary of Commerce makes the certification described in Pub. L. 106-562, § 105(b)(2), set out in a Termination of Responsibilities note under section 1161 of this title, section 3 of Pub. L. 104-91, set out above, is repealed. Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 144(e)(5)(C)], Dec. 21, 2000, 114 Stat. 2763, 2763A-247, enacted a provision substantially identical to Pub. L. 106-562, § 105(c).]

§ 1166. Financial assistance

(a) Grant authority

(1) In general

Subject to the availability of appropriations, the Secretary shall provide financial assist-