

(Pub. L. 99-450, §11, Oct. 8, 1986, 100 Stat. 1134.)

§ 1600j. Federal leases

(a) Lease of lands owned in whole or in part by United States within Floodway; determination of consistency with operation and maintenance

No lease of lands owned in whole or in part by the United States and within the Colorado River Floodway shall be granted after October 8, 1986, unless the Secretary determines that such lease would be consistent with the operation and maintenance of the Colorado River Floodway.

(b) Extension of existing leases; minimization of inconsistency with operation and maintenance of Floodway

No existing lease of lands owned in whole or in part by the United States and within the Colorado River Floodway shall be extended beyond October 8, 1986, or the stated expiration date of its current term, whichever is later, unless the lessee agrees to take reasonable and prudent steps determined to be necessary by the Secretary to minimize the inconsistency of operation under such lease with the operation and maintenance of the Colorado River Floodway.

(c) Lease of lands owned in whole or in part by United States between Hoover Dam and Davis Dam

No lease of lands owned in whole or part by the United States between Hoover Dam and Davis Dam below elevation 655.0 feet on Lake Mohave shall be granted unless the Secretary determines that such lease would be consistent with the operation of Lake Mohave.

(d) Lease operations on Indian lands

The provisions of subsections (a) and (b) of this section shall not apply to lease operations on Indian lands pursuant to a lease providing for activities which are exempted under section 1600e of this title.

(e) Lands held in trust by United States for benefit of Indian tribes or individuals

Subsections (a) and (b) of this section shall not apply to lands held in trust by the United States for the benefit of any Indian tribe or individual with respect to any lease where capital improvements, and operation and maintenance costs are not provided for by Federal financial assistance if the lessee, tribe, or individual has provided insurance or other security for the benefit of the Secretary sufficient to insure against all reasonably foreseeable,¹ direct, and consequential damages to the property of the tribe, private persons, and the United States, which may result from the proposed lease.

(Pub. L. 99-450, §13, Oct. 8, 1986, 100 Stat. 1135.)

§ 1600k. Notices and existing laws

(a) Provisions relating to construction work, liability for damage, etc., on Mississippi River; notice to lessees

(1) Nothing in this chapter shall alter or affect in any way the provisions of section 702c of title 33.

¹ So in original. Probably should be "foreseeable,".

(2) The Secretary shall provide notice of the provisions of section 702c of title 33 and this chapter to all existing and prospective lessees of lands leased by the United States and within the Colorado River Floodway.

(b) National Flood Insurance Act and National Flood Insurance Program; continuation

Except as otherwise specifically provided in this chapter, all provisions of the National Flood Insurance Act of 1968, as amended [42 U.S.C. 4001 et seq.], and requirements of the National Flood Insurance Program ("NFIP") shall continue in full force and effect within areas wholly or partially within the Colorado River Floodway. Any maps or other information required to be prepared by this chapter shall be used to the maximum extent practicable to support implementation of the NFIP.

(c) National Flood Insurance Act provisions relating directly to Floodway; notice to communities affected

The Secretary shall publish notice on three successive occasions in newspapers of general circulation in communities affected by the provisions of section 4029 of title 42.

(Pub. L. 99-450, §14, Oct. 8, 1986, 100 Stat. 1136.)

REFERENCES IN TEXT

The National Flood Insurance Act of 1968, referred to in subsec. (b), is title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, as amended, which is classified principally to chapter 50 (§4001 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of Title 42 and Tables.

§ 1600l. Authorization of appropriations

There is authorized to be appropriated to the Department of the Interior \$600,000, through the end of fiscal year 1990, in addition to any other funds now available to the Department to discharge its duties to implement sections 1600b to 1600k of this title and section 4029 of title 42: *Provided*, That by mutual agreement, such funds shall be made available to the Federal Emergency Management Agency to discharge its duties under section 4029 of title 42: *Provided further*, That the provisions of sections 1600d and 1600e of this title shall not be affected by this section: *And Provided further*, in addition, Indian tribes may be eligible under Public Law 93-638 [25 U.S.C. 450 et seq.] to contract for studies of Indian lands required under the provisions of this chapter.

(Pub. L. 99-450, §15, Oct. 8, 1986, 100 Stat. 1136.)

REFERENCES IN TEXT

Public Law 93-638, referred to in text, is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, known as the Indian Self-Determination and Education Assistance Act, which is classified principally to subchapter II (§450 et seq.) of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including

the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 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.

CHAPTER 33—ALASKA NATIVE CLAIMS SETTLEMENT

Sec.	
1601.	Congressional findings and declaration of policy.
1602.	Definitions.
1603.	Declaration of settlement.
1604.	Enrollment.
1605.	Alaska Native Fund.
1606.	Regional Corporations.
1607.	Village Corporations.
1608.	Revenue sharing.
1609.	Limitation of actions.
1610.	Withdrawal of public lands.
1611.	Native land selections.
1612.	Surveys.
1613.	Conveyance of lands.
1613a.	ANCSA amendment.
1614.	Timber sale contracts; modification; timber from contingency area.
1615.	Withdrawal and selection of public lands; funds in lieu of acreage.
1616.	Joint Federal-State Land Use Planning Commission for Alaska.
1617.	Revocation of Indian allotment authority in Alaska.
1618.	Revocation of reserved rights; excepted reserve; acquisition of title to surface and subsurface estates in reserve; election of Village Corporations; restoration of land to Elim Native Corporation.
1619.	Attorney and consultant fees.
1620.	Taxation.
1621.	Miscellaneous provisions.
1622.	Annual reports to Congress until 1984; submission in 1985 of report of status of Natives, summary of actions taken, and recommendations.
1623.	Authorization of appropriations.
1624.	Regulations; issuance; publication in Federal Register.
1625.	Securities laws exemption.
1626.	Relation to other programs.
1627.	Merger of Native corporations.
1628.	Assignments by Regional Corporations of rights to receive payments from Fund.
1629.	Cape Krusenstern National Monument land exchange between United States and NANA Regional Corporation, Inc.
1629a.	Relinquishment by NANA Regional Corporation, Inc., of lands compact and contiguous to public lands in Cape Krusenstern National Monument.
1629b.	Procedures for considering amendments and resolutions.
1629c.	Duration of alienability restrictions.
1629d.	Dissenters rights.
1629e.	Settlement Trust option.
1629f.	Claims arising from contamination of transferred lands.
1629g.	Open season for certain Alaska Native veterans for allotments.
1629h.	Kake Tribal Corporation land transfer.

§ 1601. Congressional findings and declaration of policy

Congress finds and declares that—

(a) there is an immediate need for a fair and just settlement of all claims by Natives and Native groups of Alaska, based on aboriginal land claims;

(b) the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives, without litigation, with maximum participation by Natives in decisions affecting their rights and property, without establishing any permanent racially defined institutions, rights, privileges, or obligations, without creating a reservation system or lengthy wardship or trusteeship, and without adding to the categories of property and institutions enjoying special tax privileges or to the legislation establishing special relationships between the United States Government and the State of Alaska;

(c) no provision of this chapter shall replace or diminish any right, privilege, or obligation of Natives as citizens of the United States or of Alaska, or relieve, replace, or diminish any obligation of the United States or of the State or Alaska to protect and promote the rights or welfare of Natives as citizens of the United States or of Alaska; the Secretary is authorized and directed, together with other appropriate agencies of the United States Government, to make a study of all Federal programs primarily designed to benefit Native people and to report back to the Congress with his recommendations for the future management and operation of these programs within three years of December 18, 1971;

(d) no provision of this chapter shall constitute a precedent for reopening, renegotiating, or legislating upon any past settlement involving land claims or other matters with any Native organizations, or any tribe, band, or identifiable group of American Indians;

(e) no provision of this chapter shall effect a change or changes in the petroleum reserve policy reflected in sections 7421 through 7438¹ of title 10 except as specifically provided in this chapter;

(f) no provision of this chapter shall be construed to constitute a jurisdictional act, to confer jurisdiction to sue, nor to grant implied consent to Natives to sue the United States or any of its officers with respect to the claims extinguished by the operation of this chapter; and

(g) no provision of this chapter shall be construed to terminate or otherwise curtail the activities of the Economic Development Administration or other Federal agencies conducting loan or loan and grant programs in Alaska. For this purpose only, the terms "Indian reservation" and "trust or restricted Indian-owned land areas" in Public Law 89-136, the Public Works and Economic Development Act of 1965, as amended [42 U.S.C. 3121 et seq.], shall be interpreted to include lands granted to Natives under this chapter as long as such lands remain in the ownership of the Native villages or the Regional Corporations.

(Pub. L. 92-203, § 2, Dec. 18, 1971, 85 Stat. 688.)

¹ See References in Text note below.