

United States as set forth in such Act, (1) a royalty of 2 per centum upon the gross value of such minerals produced (as such gross value is determined for royalty purposes under the sale or lease), and (2) 2 per centum of all rentals and bonuses shall be deducted and paid into the Alaska Native Fund. The respective shares of the State and the United States shall be calculated on the remaining balance.

**(e) Federal enforcement; State underpayment; deductions from grants-in-aid or other Federal assistance equal to underpayment and deposit of such amount in Fund**

The provisions of this section shall be enforceable by the United States for the benefit of the Natives, and in the event of default by the State in making the payments required, in addition to any other remedies provided by law, there shall be deducted annually by the Secretary of the Treasury from any grant-in-aid or from any other sums payable to the State under any provision of Federal law an amount equal to any such underpayment, which amount shall be deposited in the Fund.

**(f) Oil and gas revenues; amount payable equal to Federal or State royalties in cash or kind**

Revenues received by the United States or the State as compensation for estimated drainage of oil or gas shall, for the purposes of this section, be regarded as revenues from the disposition of oil and gas. In the event the United States or the State elects to take royalties in kind, there shall be paid into the Fund on account thereof an amount equal to the royalties that would have been paid into the Fund under the provisions of this section had the royalty been taken in cash.

**(g) Alaska Native Fund payments; cessation; reimbursement for advance payments**

The payments required by this section shall continue only until a sum of \$500,000,000 has been paid into the Alaska Native Fund less the total of advance payments paid into the Alaska Native Fund pursuant to section 407 of the Trans-Alaska Pipeline Authorization Act. Thereafter, payments which would otherwise go into the Alaska Native Fund will be made to the United States Treasury as reimbursement for the advance payments authorized by section 407 of the Trans-Alaskan Pipeline Authorization Act. The provisions of this section shall no longer apply, and the reservation required in patents under this section shall be of no further force and effect, after a total sum of \$500,000,000 has been paid to the Alaska Native Fund and to the United States Treasury pursuant to this subsection.

**(h) Final payment; order of computation**

When computing the final payment into the Fund the respective shares of the United States and the State with respect to payments to the Fund required by this section shall be determined pursuant to this subsection and in the following order:

- (1) first, from sources identified under subsections (b) and (c) hereof; and
- (2) then, from sources identified under subsection (d) hereof.

**(i) Outer Continental Shelf mineral revenues; provisions of section inapplicable**

The provisions of this section do not apply to mineral revenues received from the Outer Continental Shelf.

(Pub. L. 92-203, § 9, Dec. 18, 1971, 85 Stat. 694; Pub. L. 93-153, title IV, § 407(b), Nov. 16, 1973, 87 Stat. 591.)

REFERENCES IN TEXT

The Mineral Leasing Act of 1920, referred to in subsec. (a), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

The Alaska Statehood Act, referred to in subsections (b), (c), and (d), 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. For complete classification of this Act to the Code, see Tables.

Section 407 of the Trans-Alaska Pipeline Authorization Act, referred to in subsec. (g), probably means section 407(a) of Pub. L. 93-153, which is set out as a note below.

AMENDMENTS

1973—Subsec. (g). Pub. L. 93-153 inserted provisions covering advance payments into the Alaska Native Fund pursuant to section 407 of the Trans-Alaska Pipeline Authorization Act and the reimbursement of the United States Treasury for payments made.

ADVANCE PAYMENTS TO ALASKA NATIVES UNTIL COMMENCEMENT OF DELIVERIES OF NORTH SLOPE CRUDE OIL TO PIPELINE

Section 407(a) of Pub. L. 93-153 authorized \$5,000,000 to be paid from the United States Treasury to the Alaska Native Fund every six months of each fiscal year beginning with the fiscal year ending June 30, 1976, as advance payments chargeable against revenues paid under this section until delivery of North Slope crude oil to a pipeline commenced.

**§ 1609. Limitation of actions**

**(a) Complaint, time for filing; jurisdiction; commencement by State official; certainty and finality of vested rights, titles, and interests**

Notwithstanding any other provision of law, any civil action to contest the authority of the United States to legislate on the subject matter or the legality of this chapter shall be barred unless the complaint is filed within one year of December 18, 1971, and no such action shall be entertained unless it is commenced by a duly authorized official of the State. Exclusive jurisdiction over such action is hereby vested in the United States District Court for the District of Alaska. The purpose of this limitation on suits is to insure that, after the expiration of a reasonable period of time, the right, title, and interest of the United States, the Natives, and the State of Alaska will vest with certainty and finality and may be relied upon by all other persons in their relations with the State, the Natives, and the United States.

**(b) Land selection; suspension and extension of rights**

In the event that the State initiates litigation or voluntarily becomes a party to litigation to contest the authority of the United States to

legislate on the subject matter or the legality of this chapter, all rights of land selection granted to the State by the Alaska Statehood Act shall be suspended as to any public lands which are determined by the Secretary to be potentially valuable for mineral development, timber, or other commercial purposes, and no selections shall be made, no tentative approvals shall be granted, and no patents shall be issued for such lands during the pendency of such litigation. In the event of such suspension, the State's right of land selection pursuant to section 6 of the Alaska Statehood Act shall be extended for a period of time equal to the period of time the selection right was suspended.

(Pub. L. 92-203, §10, Dec. 18, 1971, 85 Stat. 696.)

#### REFERENCES IN TEXT

The Alaska Statehood Act and section 6 of the Alaska Statehood Act, referred to in subsec. (b), are Pub. L. 85-508, July 7, 1958, 72 Stat. 339, and section 6 thereof, as amended, and are 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.

#### § 1610. Withdrawal of public lands

##### (a) Description of withdrawn public lands; exceptions; National Wildlife Refuge lands exception; time of withdrawal

(1) The following public lands are withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, as amended:

(A) The lands in each township that encloses all or part of any Native village identified pursuant to subsection (b) of this section;

(B) The lands in each township that is contiguous to or corners on the township that encloses all or part of such Native village; and

(C) The lands in each township that is contiguous to or corners on a township containing lands withdrawn by paragraph (B) of this subsection.

The following lands are excepted from such withdrawal: lands in the National Park System and lands withdrawn or reserved for national defense purposes other than Naval Petroleum Reserve Numbered 4.

(2) All lands located within the townships described in subsection (a)(1) hereof that have been selected by, or tentatively approved to, but not yet patented to, the State under the Alaska Statehood Act are withdrawn, subject to valid existing rights, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from the creation of third party interests by the State under the Alaska Statehood Act.

(3)(A) If the Secretary determines that the lands withdrawn by subsections (a)(1) and (2) hereof are insufficient to permit a Village or Regional Corporation to select the acreage it is entitled to select, the Secretary shall withdraw three times the deficiency from the nearest unreserved, vacant and unappropriated public lands. In making this withdrawal the Secretary shall, insofar as possible, withdraw public lands

of a character similar to those on which the village is located and in order of their proximity to the center of the Native village: *Provided*, That if the Secretary, pursuant to section 1616, and 1621(e) of this title determines there is a need to expand the boundaries of a National Wildlife Refuge to replace any acreage selected in the Wildlife Refuge System by the Village Corporation the withdrawal under this section shall not include lands in the Refuge.

(B) The Secretary shall make the withdrawal provided for in subsection (3)(A) hereof on the basis of the best available information within sixty days of December 18, 1971, or as soon thereafter as practicable.

##### (b) List of Native villages subject to chapter; review; eligibility for benefits; expiration of withdrawals for villages; alternative eligibility; eligibility of unlisted villages

(1) The Native villages subject to this chapter are as follows:

#### NAME OF PLACE AND REGION

Afognak, Afognak Island.  
 Akhiok, Kodiak.  
 Akiachak, Southwest Coastal Lowland.  
 Akiak, Southwest Coastal Lowland.  
 Akutan, Aleutian.  
 Alakanuk, Southwest Coastal Lowland.  
 Alatna, Koyukuk-Lower Yukon.  
 Aleknagik, Bristol Bay.  
 Allakaket, Koyukuk-Lower Yukon.  
 Ambler, Bering Strait.  
 Anaktuvuk, Pass, Arctic Slope.  
 Andreadsey, Southwest Coastal Lowland.  
 Aniak, Southwest Coastal Lowland.  
 Anvik, Koyukuk-Lower Yukon.  
 Arctic Village, Upper Yukon-Porcupine.  
 Atka, Aleutian.  
 Atkassok, Arctic Slope.  
 Atmautlauk, Southwest Coastal Lowland.  
 Barrow, Arctic Slope.  
 Beaver, Upper Yukon-Porcupine.  
 Belkofsky, Aleutian.  
 Bethel, Southwest Coastal Lowland.  
 Bill Moore's, Southwest Coastal Lowland.  
 Biorka, Aleutian.  
 Birch Creek, Upper Yukon-Porcupine.  
 Brevig Mission, Bering Strait.  
 Buckland, Bering Strait.  
 Candle, Bering Strait.  
 Cantwell, Tanana.  
 Canyon Village, Upper Yukon-Porcupine.  
 Chalkyitsik, Upper Yukon-Porcupine.  
 Chanilut, Southwest Coastal Lowland.  
 Cherfornak, Southwest Coastal Lowland.  
 Chevak, Southwest Coastal Lowland.  
 Chignik, Kodiak.  
 Chignik Lagoon, Kodiak.  
 Chignik Lake, Kodiak.  
 Chistochina, Copper River.  
 Chitina, Copper River.  
 Chukwuktoligamute, Southwest Coastal Lowland.  
 Circle, Upper Yukon-Porcupine.  
 Clark's Point, Bristol Bay.  
 Copper Center, Copper River.  
 Crooked Creek, Upper Kuskokwim.  
 Deering, Bering Strait.  
 Dillingham, Bristol Bay.