

value of subsurface resources and timber) in the absence of the exemption described in paragraph (1)(A)(ii) during the thirty months prior to the date of the recordation of the plat.

(B) State and local property taxes specified in subparagraph (A) of this paragraph (together with interest at the rate of 5 per centum per annum commencing on the date of recordation of the subdivision plat) shall be paid in equal semi-annual installments over a two-year period commencing on the date six months after the date of recordation of the subdivision plat.

(C) At least thirty days prior to final approval of a plat of the type described in subparagraph (A), the government entity with jurisdiction over the plat shall notify the submitting individual, corporation, or trust of the estimated tax liability that would be incurred as a result of the recordation of the plat at the time of final approval.

(6) SAVINGS.—(A) No provision of this subsection shall be construed to impair, or otherwise affect, any valid contract or other obligation that was entered into prior to February 3, 1988.

(B) Enactment of this subsection shall not affect any real property tax claim in litigation on February 3, 1988.

#### (e) Condemnation

All land subject to an agreement made pursuant to subsection (a) of this section and all land, and interests in land, conveyed or subsequently reconveyed pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.] to a Native individual, Native Corporation, or Settlement Trust shall be subject to condemnation for public purposes in accordance with the provisions of this Act and other applicable law.

#### (f) Existing contracts

Nothing in this section shall be construed as impairing, or otherwise affecting in any manner, any contract or other obligation which was entered into prior to December 2, 1980, or which (1) applies to any land which is subject to an agreement, and (2) was entered into before the agreement becomes effective.

#### (g) State jurisdiction

Except as expressly provided in subsection (d) of this section, no provision of this section shall be construed as affecting the civil or criminal jurisdiction of the State of Alaska.

(Pub. L. 96-487, title IX, §907, Dec. 2, 1980, 94 Stat. 2444; Pub. L. 100-241, §11, Feb. 3, 1988, 101 Stat. 1806; Pub. L. 105-333, §§1, 2, Oct. 31, 1998, 112 Stat. 3129.)

#### REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in subsecs. (d)(1)(A) and (e), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

This Act, referred to in subsec. (e), is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, as amended, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 16, Conservation, and Tables.

#### AMENDMENTS

1998—Subsec. (d)(1)(A). Pub. L. 105-333, §1(a), in introductory provisions, inserted “or conveyed to a Native Corporation pursuant to an exchange authorized by section 22(f) of the Alaska Native Claims Settlement Act or section 3192(h) of title 16 or other applicable law” after “Settlement Trust”.

Subsec. (d)(2)(A)(i). Pub. L. 105-333, §2(3), which directed the amendment of cl. (i) by adding “Any lands previously developed by third-party trespassers shall not be considered to have been developed.” without specifying where the language was to be added, was executed by adding the language before the semicolon at the end to reflect the probable intent of Congress.

Pub. L. 105-333, §2(1), (2), inserted “Any such modification shall be performed by the Native individual or Native Corporation.” after “substantial modification.” and inserted a period after “developed state” the second place it appeared.

Subsec. (d)(2)(B)(iv). Pub. L. 105-333, §1(b), added cl. (iv).

Subsec. (d)(3)(B)(iii). Pub. L. 105-333, §1(c), added cl. (iii).

1988—Subsec. (a)(1). Pub. L. 100-241, §11(1), (2), substituted “subsection (d)(1) of this section” for “subsection (c)(2) of this section” and “no lands shall be included” for “lands not owned by landowners described in subsection (c)(2) of this section shall not be included”.

Subsec. (b)(1). Pub. L. 100-241, §11(1), substituted “subsection (d)(1) of this section” for “subsection (c)(2) of this section”.

Subsec. (c). Pub. L. 100-241, §11(3), amended subsec. (c) generally, changing structure of subsection from one consisting of introductory provisions and four numbered paragraphs to one consisting of two numbered paragraphs.

Pub. L. 100-241, §11(1), substituted “subsection (d)(1) of this section” for “subsection (c)(2) of this section” in pars. (3) and (4)(A).

Subsec. (d). Pub. L. 100-241, §11(3), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “Notwithstanding any other provision of this section, unless the landowner decides otherwise, the benefits specified in subsection (d)(1) of this section shall apply to lands conveyed pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], or sections 1631 and 1632 of this title for a period of three years from the date of conveyance or December 2, 1980, whichever is later: *Provided*, That this subsection shall not apply to any lands which on December 2, 1980, are the subject of a mortgage, pledge or other encumbrance.”

Pub. L. 100-241, §11(1), substituted “subsection (d)(1) of this section” for “subsection (c)(2) of this section”.

Subsec. (e). Pub. L. 100-241, §11(3), amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “The provisions of section 21(e) of the Alaska Native Claims Settlement Act [43 U.S.C. 1620(e)] shall apply to all lands which are subject to an agreement under this section so long as the parties to the agreement are in compliance therewith.”

Subsec. (g). Pub. L. 100-241, §11(4), added subsec. (g).

#### § 1637. Use of protraction diagrams

With the agreement of the party to whom a patent is to be issued under this chapter, or the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], the Secretary, in his discretion, may base such patent on protraction diagrams in lieu of field surveys. Any person or corporation receiving a patent under this chapter or the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.] on the basis of a protraction diagram shall receive any gain or bear any loss of acreage due to errors, if any, in such protraction diagram.

(Pub. L. 96-487, title IX, §909, Dec. 2, 1980, 94 Stat. 2447.)

## REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in text, is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

**§ 1638. National Environmental Policy Act**

The National Environmental Policy Act of 1969 (83 Stat. 852) [42 U.S.C. 4321 et seq.] shall not be construed, in whole or in part, as requiring the preparation or submission of an environmental impact statement for withdrawals, conveyances, regulations, orders, easement determinations, or other actions which lead to the issuance of conveyances to Natives or Native Corporations, pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], or this Act. Nothing in this section shall be construed as affirming or denying the validity of any withdrawals by the Secretary under section 14(h)(3) of the Alaska Native Claims Settlement Act [43 U.S.C. 1613(h)(3)].

(Pub. L. 96-487, title IX, §910, Dec. 2, 1980, 94 Stat. 2447.)

## REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in text, is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 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 4321 of Title 42 and Tables.

The Alaska Native Claims Settlement Act, referred to in text, is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

This Act, referred to in text, is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, as amended, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 16, Conservation, and Tables.

**§ 1639. Construction with Alaska Native Claims Settlement Act**

Except as specifically provided in this Act, (i) the provisions of the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.] are fully applicable to this Act, and (ii) nothing in this Act shall be construed to alter or amend any of such provisions.

(Pub. L. 96-487, title XIV, §1412, Dec. 2, 1980, 94 Stat. 2498.)

## REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, as amended, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 16, Conservation, and Tables.

The Alaska Native Claims Settlement Act, referred to in cl. (i), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§1601 et seq.) of this title. For complete classification

of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

## CODIFICATION

Section was not enacted as part of title IX of Pub. L. 96-487 which comprises this chapter.

**§ 1640. Relinquishment of selections partly within conservation units**

Whenever a valid State or Native selection is partly in and partly out of the boundary of a conservation system unit, notwithstanding any other provision of law to the contrary, the State or any Native Corporation may relinquish its rights in any portion of any validly selected Federal land, including land underneath waters, which lies within the boundary of the conservation system unit. Upon relinquishment, the Federal land (including land underneath waters) so relinquished within the boundary of the conservation system unit shall become, and be administered as, a part of the conservation system unit. The total land entitlement of the State or Native Corporation shall not be affected by such relinquishment. In lieu of the lands and waters relinquished by the State, the State may select pursuant to the Alaska Statehood Act as amended by this Act, an equal acreage of other lands available for such purpose. The Native Corporation may retain an equal acreage from over-selection lands on which selection applications were otherwise properly and timely filed. A relinquishment pursuant to this section shall not invalidate an otherwise valid State or Native Corporation land selection outside the boundaries of the conservation system unit, on the grounds that, after such relinquishment, the remaining portion of the land selection no longer meets applicable requirements of size, compactness, or contiguity, or that the portion of the selection retained immediately outside the conservation system unit does not follow section lines along the boundary of the conservation system unit. The validity of the selection outside such boundary shall not be adversely affected by the relinquishment.

(Pub. L. 96-487, title XIV, §1415, Dec. 2, 1980, 94 Stat. 2499.)

## REFERENCES IN TEXT

The Alaska Statehood Act as amended by this Act, referred to in text, is Pub. L. 85-508, July 7, 1958, 72 Stat. 339 as amended by Pub. L. 96-487, Dec. 2, 1980, 96 Stat. 2371, which is set out as a note preceding section 21 of Title 48, Territories and Insular Possessions.

This Act, referred to in text, is Pub. L. 96-487, Dec. 2, 1980, 94 Stat. 2371, as amended, known as the Alaska National Interest Lands Conservation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 16, Conservation, and Tables.

## CODIFICATION

Section was not enacted as part of title IX of Pub. L. 96-487 which comprises this chapter.

**§ 1641. Conveyances to Village Corporations****(a) Optional procedure**

The provisions of this section shall be applicable only to the conveyance of Federal lands described herein to a Native Corporation which