

tion 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);

(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.	Hooper Bay, Southwest Coastal Lowland.
Akhiok, Kodiak.	Hughes, Koyukuk-Lower Yukon.
Akiachak, Southwest Coastal Lowland.	Huslia, Koyukuk-Lower Yukon.
Akiak, Southwest Coastal Lowland.	Igiugig, Bristol Bay.
Akutan, Aleutian.	Iliamna, Cook Inlet.
Alakanuk, Southwest Coastal Lowland.	Inalik, Bering Strait.
Alatna, Koyukuk-Lower Yukon.	Ivanof Bay, Aleutian.
Aleknagik, Bristol Bay.	Kaguyak, Kodiak.
Allakaket, Koyukuk-Lower Yukon.	Katovik, Arctic Slope.
Ambler, Bering Strait.	Kalskag, Southwest Coastal Lowland.
Anaktuvuk, Pass, Arctic Slope.	Kaltag, Koyukuk-Lower Yukon.
Andreafsey, Southwest Coastal Lowland.	Karluk, Kodiak.
Aniak, Southwest Coastal Lowland.	Kasigluk, Southwest Coastal Lowland.
Anvik, Koyukuk-Lower Yukon.	Kiana, Bering Strait.
Arctic Village, Upper Yukon-Porcupine.	King Cove, Aleutian.
Atka, Aleutian.	Kipnuk, Southeast Coastal Lowland.
Atkassok, Arctic Slope.	Kivalina, Bering Strait.
Atmautlauk, Southwest Coastal Lowland.	Kobuk, Bering Strait.
Barrow, Arctic Slope.	Kokhanok, Bristol Bay.
Beaver, Upper Yukon-Porcupine.	Koliganek, Bristol Bay.
Belkofsky, Aleutian.	Kongiganak, Southwest Coastal Lowland.
Bethel, Southwest Coastal Lowland.	Kotlik, Southwest Coastal Lowland.
Bill Moore's, Southwest Coastal Lowland.	Kotzebue, Bering Strait.
Biorka, Aleutian.	Koyuk, Bering Strait.
Birch Creek, Upper Yukon-Porcupine.	Koyukuk, Koyukuk-Lower Yukon.
Brevig Mission, Bering Strait.	Kwethluk, Southwest Coastal Lowland.
Buckland, Bering Strait.	Kwigillingok, Southwest Coastal Lowland.
Candle, Bering Strait.	Larsen Bay, Kodiak.
Cantwell, Tanana.	Levelock, Bristol Bay.
Canyon Village, Upper Yukon-Porcupine.	Lime Village, Upper Kuskokwim.
Chalkyitsik, Upper Yukon-Porcupine.	Lower Kalskag, Southwest Coastal Lowland.
Chanilut, Southwest Coastal Lowland.	McGrath, Upper Kuskokwim.
Cherfornak, Southwest Coastal Lowland.	Makok, Koyukuk-Lower Yukon.
Chevak, Southwest Coastal Lowland.	Manley Hot Springs, Tanana.
Chignik, Kodiak.	Manokotak, Bristol Bay.
Chignik Lagoon, Kodiak.	Marshall, Southwest Coastal Lowland.
Chignik Lake, Kodiak.	Mary's Igloo, Bering Strait.
Chistochina, Copper River.	Medfra, Upper Kuskokwim.
Chitina, Copper River.	Mekoryuk, Southwest Coastal Lowland.
Chukwuktoligamute, Southwest Coastal Lowland.	Mentasta Lake, Copper River.
Circle, Upper Yukon-Porcupine.	Minchumina Lake, Upper Kuskokwim.
Clark's Point, Bristol Bay.	Minto, Tanana.
Copper Center, Copper River.	Mountain Village, Southwest Coastal Lowland.
Crooked Creek, Upper Kuskokwim.	Nabesna Village, Tanana.
Deering, Bering Strait.	Naknek, Bristol Bay.
Dillingham, Bristol Bay.	Napaimute, Upper Kuskokwim.
Dot Lake, Tanana.	Napakiaik, Southwest Coastal Lowland.
Eagle, Upper Yukon-Porcupine.	Napaskiak, Southwest Coastal Lowland.
Eek, Southwest Coastal Lowland.	Nelson Lagoon, Aleutian.
Egegik, Bristol Bay.	Nenana, Tanana.
Eklutna, Cook Inlet.	Newhalen, Cook Inlet.
Ekuk, Bristol Bay.	New Stuyahok, Bristol Bay.
Ekwok, Bristol Bay.	Newtok, Southwest Coastal Lowland.
Elim, Bering Strait.	Nightmute, Southwest Coastal Lowland.
Emmonak, Southwest Coastal Lowland.	Nikolai, Upper Kuskokwim.
English Bay, Cook Inlet.	Nikolski, Aleutian.
False Pass, Aleutian.	Ninilchik, Cook Inlet.
Fort Yukon, Upper Yukon-Porcupine.	Noatak, Bering Strait.
Gakona, Copper River.	Nome, Bering Strait.
Galena, Koyukuk-Lower Yukon.	Nondalton, Cook Inlet.
Gambell, Bering Sea.	Nooiksut, Arctic Slope.
Georgetown, Upper Kuskokwim.	Noorvik, Bering Strait.
Golovin, Bering Strait.	Northeast Cape, Bering Sea.
Goodnews Bay, Southwest Coastal Lowland.	Northway, Tanana.
Grayling, Koyukuk-Lower Yukon.	Nulato, Koyukuk-Lower Yukon.
Gulkana, Copper River.	Nunapitchuk, Southwest Coastal Lowland.
Hamilton, Southwest Coastal Lowland.	Ohogamiut, Southwest Coastal Lowland.
Holy Cross, Koyukuk-Lower Yukon.	Old Harbor, Kodiak.
	Oscarville, Southwest Coastal Lowland.
	Ouzinkie, Kodiak.

Paradise, Koyukuk-Lower Yukon.  
 Pauloff Harbor, Aleutian.  
 Pedro Bay, Cook Inlet.  
 Perryville, Kodiak.  
 Pilot Point, Bristol Bay.  
 Pilot Station, Southwest Coastal Lowland.  
 Pitkas Point, Southwest Coastal Lowland.  
 Platinum, Southwest Coastal Lowland.  
 Point Hope, Arctic Slope.  
 Point Lay, Arctic Slope.  
 Portage Creek (Ohgsenakale), Bristol Bay.  
 Port Graham, Cook Inlet.  
 Port Heiden (Meshick), Aleutian.  
 Port Lions, Kodiak.  
 Quinhagak, Southwest Coastal Lowland.  
 Rampart, Upper Yukon-Porcupine.  
 Red Devil, Upper Kuskokwim.  
 Ruby, Koyukuk-Lower Yukon.  
 Russian Mission or Chauthalue  
 (Kuskokwim), Upper Kuskokwim.  
 Russian Mission (Yukon), Southwest Coastal  
 Lowland.  
 St. George, Aleutian.  
 St. Mary's, Southwest Coastal Lowland.  
 St. Michael, Bering Strait.  
 St. Paul, Aleutian.  
 Salamatof, Cook Inlet.  
 Sand Point, Aleutian.  
 Savonoski, Bristol Bay.  
 Savoonga, Bering Sea.  
 Scammon Bay, Southwest Coastal Lowland.  
 Selawik, Bering Strait.  
 Seldovia, Cook Inlet.  
 Shageluk, Koyukuk-Lower Yukon.  
 Shaktoolik, Bering Strait.  
 Sheldon's Point, Southwest Coastal Low-  
 land.  
 Shishmaref, Bering Strait.  
 Shungnak, Bering Strait.  
 Slana, Copper River.  
 Sleetmute, Upper Kuskokwim.  
 South Naknek, Bristol Bay.  
 Squaw Harbor, Aleutian.  
 Stebbins, Bering Strait.  
 Stevens Village, Upper Yukon-Porcupine.  
 Stony River, Upper Kuskokwim.  
 Takotna, Upper Kuskokwim.  
 Tanacross, Tanana.  
 Tanana, Koyukuk-Lower Yukon.  
 Tatilek, Chugach.  
 Tazlina, Copper River.  
 Telida, Upper Kuskokwim.  
 Teller, Bering Strait.  
 Tetlin, Tanana.  
 Togiak, Bristol Bay.  
 Toksook Bay, Southwest Coastal Lowland.  
 Tulusak, Southwest Coastal Lowland.  
 Tuntutuliak, Southwest Coastal Lowland.  
 Tununak, Southwest Coastal Lowland.  
 Twin Hills, Bristol Bay.  
 Tyonek, Cook Inlet.  
 Ugashik, Bristol Bay.  
 Unalakleet, Bering Strait.  
 Unalaska, Aleutian.  
 Unga, Aleutian.  
 Uyak, Kodiak.  
 Venetie, Upper Yukon-Porcupine.  
 Wainwright, Arctic Slope.  
 Wales, Bering Strait.  
 White Mountain, Bering Strait.

(2) Within two and one-half years from Decem-  
 ber 18, 1971, the Secretary shall review all of the

villages listed in subsection (b)(1) hereof, and a  
 village shall not be eligible for land benefits  
 under section 1613(a) and (b) of this title, and  
 any withdrawal for such village shall expire, if  
 the Secretary determines that—

(A) less than twenty-five Natives were resi-  
 dents of the village on the 1970 census enu-  
 meration date as shown by the census or other  
 evidence satisfactory to the Secretary, who  
 shall make findings of fact in each instance; or

(B) the village is of a modern and urban  
 character, and the majority of the residents  
 are non-Native.

Any Native group made ineligible by this sub-  
 section shall be considered under section 1613(h)  
 of this title.

(3) Native villages not listed in subsection  
 (b)(1) hereof shall be eligible for land and bene-  
 fits under this chapter and lands shall be with-  
 drawn pursuant to this section if the Secretary  
 within two and one-half years from December 18,  
 1971, determines that—

(A) twenty-five or more Natives were resi-  
 dents of an established village on the 1970 cen-  
 sus enumeration date as shown by the census  
 or other evidence satisfactory to the Sec-  
 retary, who shall make findings of fact in each  
 instance; and

(B) the village is not of a modern and urban  
 character, and a majority of the residents are  
 Natives.

(Pub. L. 92-203, § 11, Dec. 18, 1971, 85 Stat. 696.)

#### REFERENCES IN TEXT

The Alaska Statehood Act, as amended, referred to in  
 subsec. (a)(1), (2), 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 Posses-  
 sions. For complete classification of this Act to the  
 Code, see Tables.

#### § 1611. Native land selections

##### (a) Acreage limitation; proximity of selections and size of sections and units; waiver

(1) During a period of three years from Decem-  
 ber 18, 1971, the Village Corporation for each Na-  
 tive village identified pursuant to section 1610 of  
 this title shall select, in accordance with rules  
 established by the Secretary, all of the township  
 or townships in which any part of the village is  
 located, plus an area that will make the total  
 selection equal to the acreage to which the vil-  
 lage is entitled under section 1613 of this title.  
 The selection shall be made from lands with-  
 drawn by section 1610(a) of this title: *Provided*,  
 That no Village Corporation may select more  
 than 69,120 acres from lands withdrawn by sec-  
 tion 1610(a)(2) of this title, and not more than  
 69,120 acres from the National Wildlife Refuge  
 System, and not more than 69,120 acres in a Na-  
 tional Forest: *Provided further*, That when a Vil-  
 lage Corporation selects the surface estate to  
 lands within the National Wildlife Refuge Sys-  
 tem or Naval Petroleum Reserve Numbered 4,  
 the Regional Corporation, for that region may  
 select the subsurface estate in an equal acreage  
 from other lands withdrawn in section 1610(a)  
 of this title within the region, if possible.

(2) Selections made under this subsection (a)  
 shall be contiguous and in reasonably compact