

(1) a lineal descendant of a Native or of an individual who would have been a Native if such individual were alive on December 18, 1971, or

(2) an adoptee of a Native or of a descendant of a Native, whose adoption—

(A) occurred prior to his or her majority, and

(B) is recognized at law or in equity;

(s) “Alienability restrictions” means the restrictions imposed on Settlement Common Stock by section 1606(h)(1)(B) of this title;

(t) “Settlement Trust” means a trust—

(1) established and registered by a Native Corporation under the laws of the State of Alaska pursuant to a resolution of its shareholders, and

(2) operated for the benefit of shareholders, Natives, and descendants of Natives, in accordance with section 1629e of this title and the laws of the State of Alaska.

(Pub. L. 92-203, § 3, Dec. 18, 1971, 85 Stat. 689; Pub. L. 96-487, title XIV, § 1401(d), Dec. 2, 1980, 94 Stat. 2492; Pub. L. 100-241, § 3, Feb. 3, 1988, 101 Stat. 1789; Pub. L. 106-194, § 3, May 2, 2000, 114 Stat. 243.)

REFERENCES IN TEXT

Section 6(g) of the Alaska Statehood Act, as amended, referred to in subsec. (e), is section 6(g) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, which is set out as a note preceding section 21 of Title 48, Territories and Insular Possessions.

AMENDMENTS

2000—Subsec. (t)(2). Pub. L. 106-194 substituted “benefit of shareholders, Natives, and descendants of Natives,” for “sole benefit of the holders of the corporation’s Settlement Common Stock”.

1988—Subsec. (h). Pub. L. 100-241, § 3(1), inserted “group,” after “individual.”

Subsec. (k). Pub. L. 100-241, § 3(2), struck out “and” at end.

Subsec. (l). Pub. L. 100-241, § 3(3), substituted semicolon for period.

Subsec. (m). Pub. L. 100-241, § 3(4), substituted “Group Corporation;” for “Native Group.”

Subsecs. (n) to (t). Pub. L. 100-241, § 3(5), added subsecs. (n) to (t).

1980—Subsec. (m). Pub. L. 96-487 added subsec. (m).

DEFINITIONS

Pub. L. 108-452, § 2, Dec. 10, 2004, 118 Stat. 3576, provided that: “In this Act [see Short Title of 2004 Amendment note set out under section 1601 of this title]:

“(1) NATIVE ALLOTMENT.—The term ‘Native allotment’ means an allotment claimed under the Act of May 17, 1906 (34 Stat. 197, chapter 2469) [former 43 U.S.C. 270-1 to 270-3].

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.

“(3) STATE.—The term ‘State’ means the State of Alaska.”

§ 1603. Declaration of settlement

(a) Aboriginal title extinguishment through prior land and water area conveyances

All prior conveyances of public land and water areas in Alaska, or any interest therein, pursuant to Federal law, and all tentative approvals pursuant to section 6(g) of the Alaska Statehood Act, shall be regarded as an extinguishment of the aboriginal title thereto, if any.

(b) Aboriginal title and claim extinguishment where based on use and occupancy; submerged lands underneath inland and offshore water areas and hunting or fishing rights included

All aboriginal titles, if any, and claims of aboriginal title in Alaska based on use and occupancy, including submerged land underneath all water areas, both inland and offshore, and including any aboriginal hunting or fishing rights that may exist, are hereby extinguished.

(c) Aboriginal claim extinguishment where based on right, title, use, or occupancy of land or water areas; domestic statute or treaty relating to use and occupancy; or foreign laws; pending claims

All claims against the United States, the State, and all other persons that are based on claims of aboriginal right, title, use, or occupancy of land or water areas in Alaska, or that are based on any statute or treaty of the United States relating to Native use and occupancy, or that are based on the laws of any other nation, including any such claims that are pending before any Federal or state court or the Indian Claims Commission, are hereby extinguished.

(Pub. L. 92-203, § 4, Dec. 18, 1971, 85 Stat. 689.)

REFERENCES IN TEXT

Section 6(g) of the Alaska Statehood Act, referred to in subsec. (a), is section 6(g) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, which is set out as a note preceding section 21 of Title 48, Territories and Insular Possessions.

§ 1604. Enrollment

(a) Eligible Natives; finality of decision

The Secretary shall prepare within two years from December 18, 1971, a roll of all Natives who were born on or before, and who are living on, December 18, 1971. Any decision of the Secretary regarding eligibility for enrollment shall be final.

(b) Residence; order of priority in enrollment of Natives not permanent residents; regional family or hardship enrollment

The roll prepared by the Secretary shall show for each Native, among other things, the region and the village or other place in which he resided on the date of the 1970 census enumeration, and he shall be enrolled according to such residence. Except as provided in subsection (c), a Native eligible for enrollment who is not, when the roll is prepared, a permanent resident of one of the twelve regions established pursuant to section 1606(a) of this title shall be enrolled by the Secretary in one of the twelve regions, giving priority in the following order to—

(1) the region where the Native resided on the 1970 census date if he had resided there without substantial interruption for two or more years;

(2) the region where the Native previously resided for an aggregate of ten years or more;

(3) the region where the Native was born; and

(4) the region from which an ancestor of the Native came.¹

¹ So in original. The colon probably should be a period.