

(e) Condemnation

All land subject to an agreement made pursuant to subsection (a) 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), 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 subssecs. (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)” for “subsection (c)(2)” and “no lands shall be included” for “lands not owned by landowners described in subsection (c)(2) shall not be included”.

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

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)” for “subsection (c)(2)” 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) 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)” for “subsection (c)(2)”.

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.