

(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 subsecs. (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);

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

Nelson Lagoon, Aleutian.
 Nenana, Tanana.
 Newhalen, Cook Inlet.
 New Stuyahok, Bristol Bay.
 Newtok, Southwest Coastal Lowland.
 Nightmute, Southwest Coastal Lowland.
 Nikolai, Upper Kuskokwim.
 Nikolski, Aleutian.
 Niniichik, Cook Inlet.
 Noatak, Bering Strait.
 Nome, Bering Strait.
 Nondalton, Cook Inlet.
 Nooiksut, Arctic Slope.
 Noorvik, Bering Strait.
 Northeast Cape, Bering Sea.
 Northway, Tanana.
 Nulato, Koyukuk-Lower Yukon.
 Nunapitchuk, Southwest Coastal Lowland.
 Ohogamiut, Southwest Coastal Lowland.
 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 December 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 residents of the village on the 1970 census enumeration 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 subsection 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 benefits under this chapter and lands shall be withdrawn 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 residents of an established village on the 1970 census enumeration date as shown by the census or other evidence satisfactory to the Secretary, 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 Possessions. 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 December 18, 1971, the Village Corporation for each Native village identified pursuant to section 1610 of