

**Alaska Legislature**  
**Representative Charisse Millett**

Session:  
State Capitol Building  
Juneau, AK 99801  
Phone (907) 465-3879  
Fax (907) 465-2069  
Toll free (888) 269-3879



Interim:  
Anchorage LIO  
1500 West Benson Blvd.  
Anchorage, AK 99501  
Phone (907) 269-0222  
Fax (907) 269-0223

**Sponsor Statement**  
**House Bill 367**  
**Contaminated Native Corporation Lands**

This problem goes back almost three decades, when the Alaska Native community raised serious concerns that the federal Bureau of Land Management was conveying contaminated lands to village and regional corporations under the Alaska Native Claims Settlement Act. Since then, there have been contaminated lands inventories, congressional directives, federal reports, lots of concerns and meetings and discussions — but no solution to the liability that Native corporations could be at risk for containment, removal and remedial actions on the lands.

A 1998 Department of Interior report to Congress on Hazardous Substance Contamination of ANCSA Lands identified more than 650 contaminated sites requiring remediation. A 2016 BLM update to Congress acknowledged that the agency had not acted on much of its 1998 report recommendations. The 2016 update identified the Department of Defense as the single largest pre-transfer owner of contaminated sites still requiring cleanup. The Alaska Native Village Corporation Association testified on the problem as recently as last summer before a congressional committee, pushing for the federal government to deal with the problem sites. The Alaska Native Village Corporation Association's federal legislative priority list includes protecting Alaska Native corporations from liability claims over land that was contaminated before it was transferred to a Native corporation.

This legislation would amend Alaska state statute to make clear that an Alaska Native corporation is not liable for containment, removal or remediation actions if the contamination occurred on the land before it was transferred under the Alaska Native Claims Settlement Act. Though this change in state law would not solve the federal issues of this problem, it is an important step toward protecting Alaska Native corporations from liability for actions by prior owners of the land.