

HOUSE JOINT RESOLUTION NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MILLETT, Tuck, Keller, Nageak, Peggy Wilson, Kawasaki, Herron, Thompson, LeDoux, Isaacson, Neuman, Lynn, Johnson, Foster, Higgins, Gattis, Holmes, Hawker, Gruenberg, Hughes, Saddler, Reinbold

Introduced: 1/16/13
Referred: Resources

A RESOLUTION

1 **Urging the President of the United States to seek and the United States Congress to**
2 **approve adequate funding for land conveyance activities for the State of Alaska, Alaska**
3 **Native corporations, and Alaska Natives under the Alaska Statehood Act, the Alaska**
4 **Native Claims Settlement Act, the Native Allotment Act of 1906, the Alaska Native**
5 **Veterans Allotment Act of 1998, and the Alaska Land Transfer Acceleration Act.**

6 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 **WHEREAS** Alaska entered into a statehood compact with the federal government
8 through the passage of the Alaska Statehood Act on July 7, 1958; and

9 **WHEREAS**, under the Alaska Statehood Act, the state and the federal government
10 agreed that the state would receive 102,550,000 acres, plus 800,000 additional acres for
11 community and municipal expansion, and that the state was entitled to select the land within
12 25 years after Statehood; and

13 **WHEREAS** the purposes of land grants under the Alaska Statehood Act include
14 serving the state's economic and social well-being through responsible development of the
15 state's vast natural resources and recreational opportunities; and

1 **WHEREAS** the attorney general, in a 1969 legal opinion, stated that, by virtue of the
2 grant, the state became at once vested with the right of property in selected lands; and

3 **WHEREAS**, in 1971, Alaska Natives were granted 45,700,000 acres to satisfy their
4 aboriginal land claims under the Alaska Native Claims Settlement Act; and

5 **WHEREAS** Alaska was admitted to the Union 53 years ago on January 3, 1959, and
6 the Alaska Native Claims Settlement Act passed 41 years ago on December 18, 1971; and

7 **WHEREAS** the state and the Alaska Native corporations have received only 95
8 percent of the land promised, and only 65 percent of the land has been conveyed by land
9 patent; and

10 **WHEREAS**, in a summary of conveyance activities dated October 18, 2012, the
11 United States Bureau of Land Management, Alaska Region, stated that, of the 104,525,001.24
12 acres that the state was promised, the state had received 61,978,633 acres by patent, 59.3
13 percent of the total, and had received tentative approval for an additional 37,419,988 acres,
14 35.79 percent of the total, for a total of 95.09 percent of the land promised; fifty-three years
15 after Statehood, the state is still owed final patent to 42,546,368.24 acres and tentative
16 approval for 5,135,380.04 acres; and

17 **WHEREAS**, in a summary of conveyance activities dated October 18, 2012, the
18 United States Bureau of Land Management, Alaska Region, stated that, of the 45,708,463.47
19 acres promised to the state's 12 Native regional corporations created under the Alaska Native
20 Claims Settlement Act, the Native corporations have received 32,390,390 acres by patent,
21 70.86 percent of the total, and have received tentative approval for 11,393,119 acres, 24.93
22 percent of the total, for a total of 95.79 percent of the land promised; under the Alaska Native
23 Claims Settlement Act, Alaska Native corporations are still owed final patent to
24 13,318,073.47 acres and tentative approval for 1,979,315.61 acres; and

25 **WHEREAS** individual Alaska Natives continue to wait for final processing of federal
26 land granted under the Native Allotments Act of 1906, the August 2, 1956, amendment to the
27 Native Allotments Act, and the Alaska Native Veterans Allotment Act of 1998; and

28 **WHEREAS**, of the 19,171 parcels for which Native Alaskans filed for under the
29 Native Allotments Act and the Alaska Native Veterans Allotment Act, 390 parcels are still
30 pending conveyance, 358 under the Native Allotments Act and 32 under the Alaska Native
31 Veterans Allotment Act, as amended; and

1 **WHEREAS**, in 2004, the United States Congress, upset by the slow pace of
2 completion of the land conveyances to Alaska entities, approved the Alaska Land Transfer
3 Acceleration Act for the purpose of completing the transfer of all conveyances, five years
4 after passage of the Act by the 50th anniversary of Statehood; and

5 **WHEREAS**, at the time of passage of the Alaska Land Transfer Acceleration Act, the
6 state had received final patented conveyance to only 15,000,000 acres, leaving 89,000,000
7 still to be conveyed by patent; at the pace of conveyance then in effect, the state would not
8 receive the last patented land titles promised under the Alaska Statehood Act for 30 to 300
9 years; and

10 **WHEREAS**, after passage of the Alaska Land Transfer Acceleration Act, federal
11 funding for conveyance activities initially increased, and the pace of conveyances also
12 increased; and

13 **WHEREAS**, recently, the level of funding has markedly decreased; for federal fiscal
14 year 2013, the Administration requested \$16,741,000, a cut of \$12,320,000 from the final
15 appropriation for federal fiscal year 2012; and

16 **WHEREAS**, at the current appropriation level, the United States Bureau of Land
17 Management would take 40 to 50 years to complete all land conveyances, 100 years after
18 Statehood; and

19 **WHEREAS** the extreme and extraordinary delays in conveying land to the state, the
20 Alaska Native corporations, and individual Alaska Natives are completely unacceptable; and

21 **WHEREAS** the state, the Alaska Native corporations, and individual Alaska Natives
22 need access to the natural resources on the land selections now more than ever to build the
23 state's economy and to fund essential government services, including education,
24 transportation, and public safety;

25 **BE IT RESOLVED** that the Alaska State Legislature urges the President of the
26 United States to seek and the United States Congress to approve adequate funding for land
27 conveyance activities so that the United States Bureau of Land Management can transfer, as
28 quickly as possible, all the land due to the state, Alaska Native corporations, and individual
29 Alaska Natives.

30 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
31 the United States; the Honorable Ken Salazar, United States Secretary of the Interior; the

1 Honorable Mike Pool, Acting Director, Bureau of Land Management, United States
2 Department of the Interior; and the Honorable Lisa Murkowski and the Honorable Mark
3 Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the
4 Alaska delegation in Congress.