

INTERIM ADMINISTRATION UNDER PUBLIC LAND LAWS

SEC. 7. (a) As soon as possible after the effective date of this Act, the Secretary shall, subject to valid existing rights, withdraw from all forms of appropriation under any of the public land laws, including without limitation selection by the State of Alaska under the Statehood Act of July 7, 1958 (72 Stat. 339), any lands which he believes may be subject to a grant to a Native group pursuant to this Act, but not to exceed a total of 20 million acres. Such withdrawals shall be revoked as rapidly as grants to Native groups permit. A State selection of lands that are withdrawn shall not be approved, regardless of whether the selection was initiated before or after the withdrawal, until the withdrawal is revoked.

(b) A Native claim based on use and occupancy of unwithdrawn land shall not be the basis for the rejection of State selections or other applications or claims under the public land laws.

(c) Either before withdrawing lands under this section or before granting a patent pursuant to this Act, the Secretary shall consult with the Secretary of Defense with respect to the effect of the withdrawal or grant on the security of the United States.

(d) Nothing in this Act shall affect the rights of Natives as citizens to acquire public lands of the United States under the Native Allotment Act of May 17, 1906 (34 Stat. 197), as amended (48 U.S.C. 357), or the provisions of other applicable statutes.

(e) Lands granted pursuant to this Act shall, so long as they remain not subject to State or local taxes on real estate, continue to be regarded as public lands for the purpose of computing the Federal share of any highway project pursuant to title 23 of the United States Code, as amended and supplemented.

(f) Any lands granted in fee or in trust under this Act shall be subject to the right of the Secretary to issue and enforce for the protection of migratory birds regulations in accordance with the provisions of the Migratory Bird Treaty Act, as amended.

(g) The Secretary is authorized to make any grant of land under this Act subject to easements for any public use, benefit, or purpose, including easements for the administration and utilization of any Federal lands.

(h) Prior to conveyance of land under this Act, the Secretary shall have its exterior boundaries surveyed. This requirement for survey shall be satisfied without continuous marking of the line, but by establishment of monuments along all the boundaries, except meander courses, by electronic measurement or other means, at intervals of not more than six thousand feet, or by extension of the rectangular system of surveys over the areas conveyed. Conveyances of surveyed lands shall be in accordance with the plats of survey, and those for unsurveyed lands shall, following survey, be so conformed.

TRUSTS

SEC. 8. (a) Title to land granted under this Act to a Native group in trust shall be held by the United States in trust, acting through the Secretary as trustee. The term of a trust established by, or pursuant to, this section shall not exceed twenty-five years from the date of any grant made under this Act, and when the trust terminates it shall be liquidated in accordance with the terms of the trust instrument or as prescribed by the Secretary, if there is no trust instrument, or as prescribed in sections 5 and 6 of this Act. Whenever a distribution of capital or income of the trust is made to the Native group, the finding of the Secretary as to the qualified recipients shall be final and conclusive.

(b) The Secretary, as trustee, under this Act shall have the powers and duties set forth in the deed of trust, including without limitation, subdivision, management, and disposal by sale, lease, or other method, of the lands or interests therein, except the mineral interests in lands granted under section 5 of this Act, investment and reinvestment of the proceeds, and distribution of income or capital of the trust to the Native group and he shall not be subject to the laws of Alaska governing the execution of trusts. In the disposal of any tract of land under the trust, the trustee shall give a right of first refusal to the occupant thereof. The title to land conveyed by the trustee to a Native shall be subject to the provisions of section 1 of the Act of May 25, 1926 (44 Stat. 692; 48 U.S.C. 355a), with respect to lands conveyed to Natives in townsites established under section 11 of the Act of March 3, 1891 (26 Stat. 1099; 48 U.S.C. 355), as supplemented by the Act of February 26, 1948 (62 Stat. 35; 48 U.S.C. 355e). The trustee may