

*Tom Sulli*

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To require the Secretary of Commerce to transfer certain land to the Alaska Native Village Corporation for St. Paul Island.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

**S. 1611**

To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SULLIVAN

Viz:

1 At the end of title VII, add the following:

2 **SEC. 709. PRIBILOF ISLANDS.**

3 (a) TRANSFER AND DISPOSITION OF PROPERTY.—

(1) TRANSFER.—~~Subject to paragraph (2) and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562), the Secretary of Commerce shall transfer at no cost to the recipient all right, title, interest and improvements in the following property to the Alaska Native Village Corporation for St. Paul Island:~~

*1) TRANSFER.—*

*To further accomplish the settlement of land claims under the Alaska Native Claims Settlement Act (43 U.S.C. 1602 et seq) the Secretary of Commerce shall, subject to paragraph (2), and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106-562), convey all right, title and interest in the following property to the native village corporation for St. Paul Island.*

1 (A) Lots 4, 5, and 6A, Block 18, Tract A,  
2 U.S. Survey 4943, noted on Bureau of Land  
3 Management supplemental master title plat for  
4 sec. 25, T. 35 S., R. 132 W., Seward Meridian,  
5 and on Sheet 3 of 3, of U. S. Survey 4943, files  
6 on January 20, 2004.

7 (B) On the termination of the license de-  
8 scribed in paragraph (2)(C), tract 43, located in  
9 sec. 18, T. 35 S., R. 131 W., Seward Meridian  
10 and shown on township survey filed, May 14,  
11 1986.

12 (2) FEDERAL USE.—

13 (A) IN GENERAL.—The Secretary of the  
14 department in which the Coast Guard is oper-  
15 ating may operate, maintain, keep, locate, in-  
16 spect, repair, and replace any Federal aid to  
17 navigation located on the property described in  
18 paragraph (1) as long as the aid is needed for  
19 navigational purposes.

20 (B) ADMINISTRATION.—In carrying out  
21 paragraph (1), the Secretary may enter the  
22 property, at any time for as long as the aid is  
23 needed for navigational purposes, without notice  
24 to the extent that it is not practicable to pro-  
25 vide advance notice.

1           (C) LICENSE.—The Secretary of the De-  
2           partment in which the Coast Guard is operating  
3           may maintain a license in effect on the date of  
4           enactment of this Act with respect to the real  
5           property and improvements under paragraph  
6           (1) until the termination of the license.

7           (D) REPORTS.—Not later than 2 years  
8           after the date of enactment of this Act and not  
9           less than once every 2 years thereafter, the Sec-  
10          retary of the department in which the Coast  
11          Guard is operating shall submit to the Com-  
12          mittee on Natural Resources of the House of  
13          Representatives and the Committee on Com-  
14          merce, Science, and Transportation of the Sen-  
15          ate a report on—

16               (i) efforts taken to remediate contami-  
17               nated soils on tract 43 described in para-  
18               graph (1)(B);

19               (ii) a schedule for the completion of  
20               contaminated soil remediation on tract 43;  
21               and

22               (iii) any use of tract 43 to carry out  
23               Coast Guard navigation activities.

24          (3) AGREEMENT ON TRANSFER OF OTHER  
25          PROPERTY ON ST. PAUL ISLAND.—

1           (A) IN GENERAL.—In addition to the prop-  
2           erty transferred under paragraph (1), not later  
3           than 60 days after the date of enactment of  
4           this Act, the Secretary of Commerce and the  
5           presiding officer of the Alaska Native Village  
6           Corporation for St. Paul Island shall enter into  
7           an agreement to exchange of property on  
8           Tracts 50 and 38 on St. Paul Island and to fi-  
9           nalize the recording of deeds, to reflect the  
10          boundaries and ownership of Tracts 50 and 38  
11          as depicted on a survey of the National Oceanic  
12          and Atmospheric Administration, to be filed  
13          with the office of the recorder for the Depart-  
14          ment of Natural Resources for the State of  
15          Alaska.

16           (B) EASEMENTS.—The survey described in  
17          subparagraph (A) shall include respective ease-  
18          ments granted to the Secretary and the Village  
19          Corporation for the purpose of utilities, drain-  
20          age, road access, and salt lagoon conservation.

21          (b) TRANSFER OF PROPERTY NOT OTHERWISE  
22          SPECIFIED FOR TRANSFER.—Section 105 of the Pribilof  
23          Islands Transition Act (16 U.S.C. 1161 note; Public Law  
24          106–562) is amended—

1           (1) by redesignating subsection (e) as sub-  
2           section (g); and

3           (2) by inserting after subsection (d) the fol-  
4           lowing:

5           “(e) NOTIFICATIONS.—

6           “(1) IN GENERAL.—Not later than 30 days  
7           after the Secretary of Commerce makes a determina-  
8           tion under subsection (f) that land on St. Paul Is-  
9           land, Alaska, not specified for transfer in the docu-  
10          ment entitled ‘Transfer of Property on the Pribilof  
11          Islands: Descriptions, Terms and Conditions’ or sec-  
12          tion 709(a) of the Coast Guard Authorization Act of  
13          2015, are in excess of the needs of the Secretary  
14          and the Federal Government, the Secretary shall no-  
15          tify the Alaska Native Village Corporation for St.  
16          Paul Island of the determination.

17          “(2) ELECTION TO RECEIVE.—Not later than  
18          60 days after the date receipt of the notification of  
19          the Secretary under paragraph (1), the Village Cor-  
20          poration for St. Paul Island shall notify the Sec-  
21          retary in writing whether the Village Corporation  
22          elects to receive all right, title and interest in the  
23          land or a portion of the land.

24          “(3) TRANSFER.—If the Village Corporation  
25          provides notice under paragraph (2) that the Village

1 Corporation elects to receive all right, title and inter-  
2 est in the land or a portion of the land, the Sec-  
3 retary shall transfer all right, title, and interest in  
4 the land or portion to the Village Corporation at no  
5 cost.

6 “(4) OTHER DISPOSITION.—If the Village Cor-  
7 poration does not provide notice under paragraph  
8 (2) that the Village Corporation elects to receive all  
9 right, title and interest in the land or a portion of  
10 the land, the Secretary may dispose of the land in  
11 accordance with other applicable law.

12 “(f) DETERMINATION.—

13 “(1) IN GENERAL.—Not later than 2 years  
14 after the date of enactment of this subsection and  
15 not less than once every 5 years thereafter, the Sec-  
16 retary of Commerce shall determine whether prop-  
17 erty located on St. Paul Island and not transferred  
18 to the Natives of the Pribilof Islands is in excess of  
19 the smallest practicable tract enclosing land—

20 “(A) needed by the Secretary for the pur-  
21 poses of carrying out the Fur Seal Act of 1966  
22 (16 U.S.C. 1151 et seq.);

23 “(B) in the case of land withdrawn by the  
24 Secretary on behalf of other Federal agencies,

1 needed for carrying out the missions of those  
2 agencies for which land was withdrawn; or

3 “(C) actually used by the Federal Govern-  
4 ment in connection with the administration of  
5 any Federal installation on St. Paul Island.

6 “(2) REPORT OF DETERMINATION.—When a  
7 determination is made under paragraph (1), the Sec-  
8 retary shall report the determination to—

9 “(A) the Committee on Natural Resources  
10 of the House of Representatives;

11 “(B) the Committee on Commerce, Science  
12 and Transportation of the Senate; and

13 “(C) the Alaska Native Village Corporation  
14 for St. Paul Island.”

15 (c) NOTICE OF CERTIFICATION.—Section 105 of the  
16 Pribilof Islands Transition Act (16 U.S.C. 1161 note;  
17 Public Law 106-562) is amended—

18 (1) in subsection (a)(1), by striking “The Sec-  
19 retary” and inserting “Notwithstanding paragraph  
20 (2) and effective beginning on the date the Secretary  
21 publishes the notice of certification required by sub-  
22 section (b)(5), the Secretary”;

23 (2) in subsection (b)—

24 (A) in paragraph (1)(A), by striking “sec-  
25 tion 205 of the Fur Seal Act of 1966 (16

1 U.S.C. 1165)” and inserting “section 205(a) of  
2 the Fur Seal Act of 1966 (16 U.S.C.  
3 1165(a))”; and

4 (B) by adding at the end the following:

5 “(5) NOTICE OF CERTIFICATION.—The Sec-  
6 retary shall promptly publish and submit to the  
7 Committee on Natural Resources of the House of  
8 Representatives and the Committee on Commerce,  
9 Science, and Transportation of the Senate notice  
10 that the certification described in paragraph (2) has  
11 been made.”; and

12 (3) in subsection (c)—

13 (A) in the matter preceding paragraph (1),  
14 by striking “makes the certification described in  
15 subsection (b)(2)” and inserting “publishes the  
16 notice of certification required by subsection  
17 (b)(5)”; and

18 (B) in paragraph (1), by striking “Section  
19 205” and inserting “Subsections (a), (b), (c),  
20 and (d) of section 205”.