

An Act

Conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Indians, Eskimos, and Aleuts of Alaska, or any tribe or band thereof, may have against the United States, and for other purposes.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED.

Sec. 1. JURISDICTION. Jurisdiction is hereby conferred upon the Court of Claims to hear, determine and enter judgment upon the claims against the United States of any tribe, band, village, community, association, or other identifiable group of Eskimos, Aleuts, or Indians, resident in Alaska, including identifiable groups of residents of a locality (all hereafter collectively referred to as Natives of Alaska or as "claimant").

Jurisdiction is also conferred upon the Court of Claims to hear, determine and render judgment upon all claims that the Natives of Alaska may have against the United States in connection with lands to which the Natives of Alaska claim Indian title by virtue of the aboriginal use and occupancy of such lands from time immemorial. In determining lands to which the Natives of Alaska had or have Indian title for purposes of this Act, the Court shall not exclude any lands solely by reason of the fact that such lands were abandoned by the Natives of Alaska involuntary or because lack of game or other changed conditions not under their control made the continued use of such lands impractical. In considering any claim pursuant to this Act, the Court is hereby empowered to conduct its own investigations into the facts as well as to rely upon the evidence furnished by the claimants.

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Section 2. LANDS DISPOSED OF TO THIRD PARTIES. (a) With respect to any claim by the Natives of Alaska pursuant to this Act involving lands to which the Natives of Alaska claimed Indian title and which the United States disposed of to third parties, the Court of Claims, if it determines that the Natives of Alaska had Indian title to such lands so disposed of, shall render judgment on behalf of the Natives of Alaska for such amount as the Court shall find to be the fair market value of such lands.

(b) With respect to any claim by the Natives of Alaska pursuant to this Act involving lands to which the Natives of Alaska claim Indian title, and which have not been disposed of by the United States to any third party, the Court, if it determines that the Natives of Alaska have Indian title to such lands so claimed, shall award the Natives of Alaska judgment of ownership of such lands.

Section 3. FILING AND PRESENTATION OF CLAIMS. Any claim cognizable under this Act may be filed and presented to the Court, in a representative capacity, by any member of a claimant, or by a segment of a claimant, or by a successor organization in which the identity or interests of the claimant have merged, provided, that wherever there exists a governing body or other organization of a claimant recognized by the Secretary of the Interior as having authority to represent such claimant, such governing body or organization shall have the exclusive right to represent the claimant in the absence of fraud, collusion, or laches on the part of such governing body or organization. No filing or other fees shall be charged to claimants.

Sec. 4. LIMITATION OF TIME FOR FILING CLAIMS. Claims may be filed for a period of three years after the date of this Act, provided, that for good cause shown, the Court may grant extensions, not exceeding a total of one year, in which to file claims.

Sec. 5. DEFENSES OF LIMITATIONS AND LACHES BARRED. All claims under this Act may be heard and determined notwithstanding any statute of limitations or laches, but all other defenses shall be available to the United States.

Sec. 6. COMPROMISE OF CLAIMS. The United States and the claimants are authorized to compromise claims with the approval of the Court. The Court shall establish appropriate procedures to encourage the compromise of claims.

Sec. 7. ATTORNEY'S FEES. The fees of attorneys shall be determined in accordance with the standards established in Section 15 of the Indian Claims Commission Act (25 U.S.C. 70a) and shall not exceed ten per centum of the amount recovered in any case.

Sec. 8. USE OF DOCUMENTS AS EVIDENCE. In any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be in evidence, and the departments of the Government of the United States shall give full and free access to the attorney or attorneys for said Natives of Alaska to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

Sec. 9. DISPOSAL OF LAND. Following the date of the enactment of this Act, no lands with respect to which a claim is filed pursuant to this Act and over which the United States had jurisdiction shall be disposed of by the United States pending the final disposition of such claim.