

Bureau of Land Management, Interior

§ 2641.5

made of Federal lands within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the United States Fish and Wildlife Service; within any area designated part of the National Wilderness Preservation System or any area designated as a wilderness study area; or within any national forest or Indian reservation.

(c) The applicant shall, upon request by the authorized officer, submit a deposit in an amount determined by the authorized officer, to cover the administrative costs of processing the application, including the cost of survey, if one is necessary, and issuing of a document of conveyance. No document of conveyance shall be issued for unsurveyed lands. The processing of applications under this part shall be accomplished without any expense to the Bureau of Land Management.

(d) Each applicant also shall pay the cost of publication of a notice in the FEDERAL REGISTER and in a newspaper of general circulation in the area in which the lands are located.

§ 2641.3 Publication and payment.

(a) Prior to issuance of a conveyance document, the authorized officer shall publish a notice of realty action in the FEDERAL REGISTER and in a newspaper of general circulation in the area of the lands to be conveyed. The notice shall identify the lands proposed for conveyance and contain the terms, covenants, conditions and reservations to be included in the conveyance document. The notice shall provide public comment period of 45 days from the date of publication in the FEDERAL REGISTER. Comments shall be sent to the Bureau of Land Management office issuing the notice.

(b) The notice of realty action may segregate the lands or interests in lands to be conveyed to the extent that they will not be subject to appropriation under the public land laws, including the mining laws. The segregative effect of the notice of realty action shall terminate either upon the issuance of a document of conveyance

or 1 year after the date of publication, whichever occurs first.

(c) The determination concerning the granting or denial of an application shall be sent by the authorized officer to the applicant and to any party who commented on the application.

(d) The authorized officer shall advise the applicant whether any balance is due on the payments required of the applicant and of the time within which payment shall be made. Failure to pay the required amount within the allotted time shall constitute grounds for rejection of the application. If the applicant has deposited with the authorized officer an amount in excess of the payments required, the authorized officer shall so advise the applicant and return the excess payment.

§ 2641.4 Approval of conveyance.

(a) Each conveyance document shall contain appropriate covenants, terms, conditions and reservations requested by the Administrator, and those required for protection of the Department of the Interior or any agency thereof.

(b) Upon receipt of the payment required by § 2641.2 (c) and (d) of this title and after consideration of comments received, the authorized officer shall make a decision upon the application. If the decision is to make a conveyance, the authorized officer shall send the conveyance document to the Attorney General of the United States for consideration. Upon approval by the Attorney General, the authorized officer shall issue the conveyance document.

§ 2641.5 Reversion.

A conveyance shall be made only on the condition that, at the option of the Administrator, the property interest conveyed shall revert to the United States in the event that the lands in question are not developed for airport or airway purposes or are used in a manner inconsistent with the terms of the conveyance. If only a part of the property interest conveyed is not developed for airport purposes, or is used in a manner inconsistent with the terms of the conveyance, only that particular part shall, at the option of the

Administrator, revert to the United States.

PART 2650—ALASKA NATIVE SELECTIONS

Subpart 2650—Alaska Native Selections: Generally

- Sec.
- 2650.0-1 Purpose.
- 2650.0-2 Objectives.
- 2650.0-3 Authority.
- 2650.0-5 Definitions.
- 2650.0-7 References.
- 2650.0-8 Waiver.
- 2650.1 Provisions for interim administration.
- 2650.2 Application procedures for land selections.
- 2650.3 Lawful entries, lawful settlements, and mining claims.
- 2650.3-1 Lawful entries and lawful settlements.
- 2650.3-2 Mining claims.
- 2650.4 Conveyance reservations.
- 2650.4-1 Existing rights and contracts.
- 2650.4-2 Succession of interest.
- 2650.4-3 Administration.
- 2650.4-4 Revenues. [Reserved]
- 2650.4-5 National forest lands.
- 2650.4-6 National wildlife refuge system lands.
- 2650.4-7 Public easements.
- 2650.5 Survey requirements.
- 2650.5-1 General.
- 2650.5-2 Rule of approximation.
- 2650.5-3 Regional surveys.
- 2650.5-4 Village surveys.
- 2650.5-5 Cemetery sites and historical places.
- 2650.5-6 Adjustment to plat of survey.
- 2650.6 Selection limitations.
- 2650.7 Publication.
- 2650.8 Appeals.

Subpart 2651—Village Selections

- 2651.0-3 Authority.
- 2651.1 Entitlement.
- 2651.2 Eligibility requirements.
- 2651.3 Selection period.
- 2651.4 Selection limitations.
- 2651.5 Conveyance reservations.
- 2651.6 Airport and air navigation facilities.

Subpart 2652—Regional Selections

- 2652.0-3 Authority.
- 2652.1 Entitlement.
- 2652.2 Selection period.
- 2652.3 Selection limitations.
- 2652.4 Conveyance reservations.

Subpart 2653—Miscellaneous Selections

- 2653.0-3 Authority.

- 2653.0-5 Definitions.
- 2653.1 Conveyance limitations.
- 2653.2 Application procedures.
- 2653.3 Lands available for selection.
- 2653.4 Termination of selection period.
- 2653.5 Cemetery sites and historical places.
- 2653.6 Native groups.
- 2653.7 Sitka-Kenai-Juneau-Kodiak selections.
- 2653.8 Primary place of residence.
- 2653.8-1 Acreage to be conveyed.
- 2653.8-2 Primary place of residence criteria.
- 2653.8-3 Appeals.
- 2653.9 Regional selections.
- 2653.10 Excess selections.
- 2653.11 Conveyance reservations.

Subpart 2654—Native Reserves

- 2654.0-3 Authority.
- 2654.0-5 Definitions.
- 2654.1 Exercise of option.
- 2654.2 Application procedures.
- 2654.3 Conveyances.

Subpart 2655—Federal Installations

- 2655.0-3 Authority.
- 2655.0-5 Definitions.
- 2655.1 Lands subject to determination.
- 2655.2 Criteria for determinations.
- 2655.3 Determination procedures.
- 2655.4 Adverse decisions.

AUTHORITY: Sec. 25, Alaska Native Claims Settlement Act of December 18, 1971; Administrative Procedure Act (5 U.S.C. 551 *et seq.*), unless otherwise noted.

SOURCE: 38 FR 14218, May 30, 1973, unless otherwise noted.

Subpart 2650—Alaska Native Selections: Generally

§ 2650.0-1 Purpose.

The purpose of the regulations in this part is to provide procedures for orderly and timely implementation of those provisions of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601) which pertain to selections of lands and interests in lands in satisfaction of the land selections conferred by said Act upon Alaska Natives and Alaska Native corporations.

§ 2650.0-2 Objectives.

The program of the Secretary is to implement such provisions in keeping with the congressional declaration of policy that the settlement of the Natives' aboriginal land claims be fair and just and that it be accomplished rapidly, with certainty, in conformity