



TO WHOM IT MAY CONCERN:

Under other provisions of the Alaska Native Claims Settlement Act (ANCSA), any land distributed to a shareholder by a Native corporation is specifically required to be exempt from inclusion as a resource for such benefits. The ANCSA Amendments of 1987 (P.L. 100-241, 101 Stat. 1812, February 3, 1988) added a new section 29(c) to ANCSA [43 U.S.C. 1626(c)]. Under this provision, land or interest in land received from a Native corporation is to be excluded as an asset or resource in determining eligibility for any assistance program.

The relevant portion of the statute follows and the full text accompanies this letter:

- (c) In determining the eligibility of a household, an individual Native or a descendent of a Native . . . to –
  - (1) participate in the Food Stamp Program,
  - (2) receive aid, assistance, or benefits, based on need, under the Social Security Act, or
  - (3) receive financial assistance or benefits based on need, under any other Federal program or federally-assisted program, *none of the following received from a Native Corporation, shall be considered or taken into account as an asset or resource:...*
  
- (D) and or an interest in land (including land or an interest in land received from a Native Corporation as a dividend or distribution on stock).

If you have any questions, please contact the UIC Lands Department at (907) 852-4460. Thank you.

defined in the Investment Company Act of 1940) by the corporation and the corporation owns at least 95 per centum of the equity of the subsidiary.

“(2) The Investment Company Act of 1940 shall not apply to any Settlement Trust.

“(3) If, but for this section, a Native Corporation would qualify as an Investment Company under the Investment Company Act of 1940, it shall be entitled to voluntarily register pursuant to such Act and any such corporation which so registered shall thereafter comply with the provisions of such Act.”.

**ELIGIBILITY FOR NEEDS-BASED FEDERAL PROGRAMS; MINORITY STATUS**

SEC. 15. Section 29 (43 U.S.C. 1626) is amended by adding the following new subsections:

“(c) In determining the eligibility of a household, an individual Native, or a descendant of a Native (as defined in section 3(r)) to—

“(1) participate in the Food Stamp Program,

“(2) receive aid, assistance, or benefits, based on need, under the Social Security Act, or

“(3) receive financial assistance or benefits, based on need, under any other Federal program or federally-assisted program, none of the following, received from a Native Corporation, shall be considered or taken into account as an asset or resource:

“(A) cash (including cash dividends on stock received from a Native Corporation) to the extent that it does not, in the aggregate, exceed \$2,000 per individual per annum;

“(B) stock (including stock issued or distributed by a Native Corporation as a dividend or distribution on stock);

“(C) a partnership interest;

“(D) land or an interest in land (including land or an interest in land received from a Native Corporation as a dividend or distribution on stock); and

“(E) an interest in a settlement trust.

“(d) Notwithstanding any other provision of law, Alaska Natives shall remain eligible for all Federal Indian programs on the same basis as other Native Americans.

“(e)(1) For all purposes of Federal law, a Native Corporation shall be considered to be a corporation owned and controlled by Natives and a minority business enterprise if the Settlement Common Stock of the corporation and other stock of the corporation held by holders of Settlement Common Stock and by Natives and descendants of Natives, represents a majority of both the total equity of the corporation and the total voting power of the corporation for the purposes of electing directors.

“(2) For all purposes of Federal law, direct and indirect subsidiary corporations, joint ventures, and partnerships of a Native Corporation qualifying pursuant to paragraph (1) shall be considered to be entities owned and controlled by Natives and a minority business enterprise if the shares of stock or other units of ownership interest in any such entity held by such Native Corporation and by the holders of its Settlement Common Stock represent a majority of both—

“(A) the total equity of the subsidiary corporation, joint venture, or partnership; and