

Union Calendar No. 3

104TH CONGRESS
1ST SESSION

H. R. 400

[Report No. 104-8]

A BILL

To provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes.

JANUARY 27, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

JANUARY 27, 1995

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A BILL

To provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anaktuvuk Pass Land
5 Exchange and Wilderness Redesignation Act of 1995”.

1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings:

3 (1) The Alaska National Interest Lands Con-
4 servation Act (94 Stat. 2371), enacted on December
5 2, 1980, established Gates of the Arctic National
6 Park and Preserve and Gates of the Arctic Wilder-
7 ness. The village of Anaktuvuk Pass, located in the
8 highlands of the central Brooks Range, is virtually
9 surrounded by these national park and wilderness
10 lands and is the only Native village located within
11 the boundary of a National Park System unit in
12 Alaska.

13 (2) Unlike most other Alaskan Native commu-
14 nities, the village of Anaktuvuk Pass is not located
15 on a major river, lake, or coastline that can be used
16 as a means of access. The residents of Anaktuvuk
17 Pass have relied increasingly on snow machines in
18 winter and all-terrain vehicles in summer as their
19 primary means of access to pursue caribou and
20 other subsistence resources.

21 (3) In a 1983 land exchange agreement, linear
22 easements were reserved by the Inupiat Eskimo peo-
23 ple for use of all-terrain vehicles across certain na-
24 tional park lands, mostly along stream and river
25 banks. These linear easements proved unsatisfactory,
26 because they provided inadequate access to subsist-

1 ence resources while causing excessive environmental
2 impact from concentrated use.

3 (4) The National Park Service and the
4 Nunamiut Corporation initiated discussions in 1985
5 to address concerns over the use of all-terrain vehi-
6 cles on park and wilderness land. These discussions
7 resulted in an agreement, originally executed in
8 1992 and thereafter amended in 1993 and 1994,
9 among the National Park Service, Nunamiut Cor-
10 poration, the City of Anaktuvuk Pass, and Arctic
11 Slope Regional Corporation. Full effectuation of this
12 agreement, as amended, by its terms requires ratifi-
13 cation by the Congress.

14 **SEC. 3. RATIFICATION OF AGREEMENT.**

15 (a) RATIFICATION.—

16 (1) IN GENERAL.—The terms, conditions, pro-
17 cedures, covenants, reservations and other provisions
18 set forth in the document entitled “Donation, Ex-
19 change of Lands and Interests in Lands and Wilder-
20 ness Redesignation Agreement Among Arctic Slope
21 Regional Corporation, Nunamiut Corporation, City
22 of Anaktuvuk Pass and the United States of Amer-
23 ica” (hereinafter referred to in this Act as “the
24 Agreement”), executed by the parties on December
25 17, 1992, as amended, are hereby incorporated in

1 this Act, are ratified and confirmed, and set forth
2 the obligations and commitments of the United
3 States, Arctic Slope Regional Corporation,
4 Nunamiut Corporation and the City of Anaktuvuk
5 Pass, as a matter of Federal law.

6 (2) LAND ACQUISITION.—Lands acquired by
7 the United States pursuant to the Agreement shall
8 be administered by the Secretary of the Interior
9 (hereinafter referred to as the “Secretary”) as part
10 of Gates of the Arctic National Park and Preserve,
11 subject to the laws and regulations applicable there-
12 to.

13 (b) MAPS.—The maps set forth as Exhibits C1, C2,
14 and D through I to the Agreement depict the lands subject
15 to the conveyances, retention of surface access rights, ac-
16 cess easements and all-terrain vehicle easements. These
17 lands are depicted in greater detail on a map entitled
18 “Land Exchange Actions, Proposed Anaktuvuk Pass Land
19 Exchange and Wilderness Redesignation, Gates of the
20 Arctic National Park and Preserve”, Map No. 185/80,039,
21 dated April 1994, and on file at the Alaska Regional Of-
22 fice of the National Park Service and the offices of Gates
23 of the Arctic National Park and Preserve in Fairbanks,
24 Alaska. Written legal descriptions of these lands shall be
25 prepared and made available in the above offices. In case

1 of any discrepancies, Map No. 185/80,039 shall be con-
2 trolling.

3 **SEC. 4. NATIONAL PARK SYSTEM WILDERNESS.**

4 (a) GATES OF THE ARCTIC WILDERNESS.—

5 (1) REDESIGNATION.—Section 701(2) of the
6 Alaska National Interest Lands Conservation Act
7 (94 Stat. 2371, 2417) establishing the Gates of the
8 Arctic Wilderness is hereby amended with the addi-
9 tion of approximately 56,825 acres as wilderness
10 and the rescission of approximately 73,993 acres as
11 wilderness, thus revising the Gates of the Arctic Wil-
12 derness to approximately 7,034,832 acres.

13 (2) MAP.—The lands redesignated by para-
14 graph (1) are depicted on a map entitled “Wilder-
15 ness Actions, Proposed Anaktuvuk Pass Land Ex-
16 change and Wilderness Redesignation, Gates of the
17 Arctic National Park and Preserve”, Map No. 185/
18 80,040, dated April 1994, and on file at the Alaska
19 Regional Office of the National Park Service and the
20 office of Gates of the Arctic National Park and Pre-
21 serve in Fairbanks, Alaska.

22 (b) NOATAK NATIONAL PRESERVE.—Section
23 201(8)(a) of the Alaska National Interest Land Conserva-
24 tion Act (94 Stat. 2380) is amended by—

1 (1) striking “approximately six million four
2 hundred and sixty thousand acres” and inserting in
3 lieu thereof “approximately 6,477,168 acres”; and

4 (2) inserting “and the map entitled ‘Noatak
5 National Preserve and Noatak Wilderness Addition’
6 dated September 1994” after “July 1980”.

7 (c) NOATAK WILDERNESS.—Section 701(7) of the
8 Alaska National Interest Lands Conservation Act (94
9 Stat. 2417) is amended by striking “approximately five
10 million eight hundred thousand acres” and inserting in
11 lieu thereof “approximately 5,817,168 acres”.

12 **SEC. 5. CONFORMANCE WITH OTHER LAW.**

13 (a) ALASKA NATIVE CLAIMS SETTLEMENT ACT.—All
14 of the lands, or interests therein, conveyed to and received
15 by Arctic Slope Regional Corporation or Nunamiut Cor-
16 poration pursuant to the Agreement shall be deemed con-
17 veyed and received pursuant to exchanges under section
18 22(f) of the Alaska Native Claims Settlement Act, as
19 amended (43 U.S.C. 1601, 1621(f)). All of the lands or
20 interests in lands conveyed pursuant to the Agreement
21 shall be conveyed subject to valid existing rights.

22 (b) ALASKA NATIONAL INTEREST LANDS CONSERVA-
23 TION ACT.—Except to the extent specifically set forth in
24 this Act or the Agreement, nothing in this Act or in the
25 Agreement shall be construed to enlarge or diminish the

1 rights, privileges, or obligations of any person, including
2 specifically the preference for subsistence uses and access
3 to subsistence resources provided under the Alaska Na-
4 tional Interest Lands Conservation Act (16 U.S.C. 3101
5 et seq.).