

**Calendar No. 71**

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 719**

[Report No. 104-49]

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**A BILL**

To provide for the conservation, management, and administration of certain parks, forests, and other areas, and for other purposes.

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APRIL 18, 1995

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

APRIL 18, 1995

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, reported the following original bill under authority of the order of the Senate of April 6 (legislative day, April 5), 1995; which was read twice and placed on the calendar

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**A BILL**

To provide for the conservation, management, and administration of certain parks, forests, and other areas, 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,*

1 **TITLE I—ANAKTUVUK PASS LAND EX-**  
2 **CHANGE AND WILDERNESS REDESIG-**  
3 **NATION**

4 **SEC. 101. SHORT TITLE.**

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

7 **SEC. 102. FINDINGS.**

8 The Congress makes the following findings:

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

19 (2) Unlike most other Alaskan Native commu-  
20 nities, the village of Anaktuvuk Pass is not located  
21 on a major river, lake, or coastline that can be used  
22 as a means of access. The residents of Anaktuvuk  
23 Pass have relied increasingly on snow machines in  
24 winter and all-terrain vehicles in summer as their

1 primary means of access to pursue caribou and  
2 other subsistence resources.

3 (3) In a 1983 land exchange agreement, linear  
4 easements were reserved by the Inupiat Eskimo peo-  
5 ple for use of all-terrain vehicles across certain na-  
6 tional parklands, mostly along stream and river  
7 banks. These linear easements proved unsatisfactory,  
8 because they provided inadequate access to subsist-  
9 ence resources while causing excessive environmental  
10 impact from concentrated use.

11 (4) The National Park Service and the  
12 Nunamiut Corporation initiated discussions in 1985  
13 to address concerns over the use of all-terrain vehi-  
14 cles on park and wilderness land. These discussions  
15 resulted in an agreement, originally executed in  
16 1992 and thereafter amended in 1993 and 1994,  
17 among the National Park Service, Nunamiut Cor-  
18 poration, the City of Anaktuvuk Pass, and Arctic  
19 Slope Regional Corporation. Full effectuation of this  
20 agreement, as amended, by its terms requires ratifi-  
21 cation by the Congress.

22 **SEC. 103. RATIFICATION OF AGREEMENT.**

23 (a) RATIFICATION.—

24 (1) IN GENERAL.—The terms, conditions, pro-  
25 cedures, covenants, reservations and other provisions

1 set forth in the document entitled “Donation, Ex-  
2 change of Lands and Interests in Lands and Wilder-  
3 ness Redesignation Agreement Among Arctic Slope  
4 Regional Corporation, Nunamiut Corporation, City  
5 of Anaktuvuk Pass and the United States of Amer-  
6 ica” (hereinafter referred to in this title as “the  
7 Agreement”), executed by the parties on December  
8 17, 1992, as amended, are hereby incorporated in  
9 this title, are ratified and confirmed, and set forth  
10 the obligations and commitments of the United  
11 States, Arctic Slope Regional Corporation,  
12 Nunamiut Corporation and the City of Anaktuvuk  
13 Pass, as a matter of Federal law.

14 (2) LAND ACQUISITION.—Lands acquired by  
15 the United States pursuant to the Agreement shall  
16 be administered by the Secretary of the Interior  
17 (hereinafter referred to as the “Secretary”) as part  
18 of Gates of the Arctic National Park and Preserve,  
19 subject to the laws and regulations applicable there-  
20 to.

21 (b) MAPS.—The maps set forth as Exhibits C1,  
22 C2, and D through I to the Agreement depict the  
23 lands subject to the conveyances, retention of sur-  
24 face access rights, access easements and all-terrain  
25 vehicle easements. These lands are depicted in great-

1 er detail on a map entitled “Land Exchange Actions,  
2 Proposed Anaktuvuk Pass Land Exchange and Wil-  
3 derness Redesignation, Gates of the Arctic National  
4 Park and Preserve”, Map No. 185/80,039, dated  
5 April 1994, and on file at the Alaska Regional Office  
6 of the National Park Service and the offices of  
7 Gates of the Arctic National Park and Preserve in  
8 Fairbanks, Alaska. Written legal descriptions of  
9 these lands shall be prepared and made available in  
10 the above offices. In case of any discrepancies, Map  
11 No. 185/80,039 shall be controlling.

12 **SEC. 104. NATIONAL PARK SYSTEM WILDERNESS.**

13 (a) GATES OF THE ARCTIC WILDERNESS.—

14 (1) REDESIGNATION.—Section 701(2) of the  
15 Alaska National Interest Lands Conservation Act  
16 (94 Stat. 2371, 2417) establishing the Gates of the  
17 Arctic Wilderness is hereby amended with the addi-  
18 tion of approximately 56,825 acres as wilderness  
19 and the rescission of approximately 73,993 acres as  
20 wilderness, thus revising the Gates of the Arctic Wil-  
21 derness to approximately 7,034,832 acres.

22 (2) MAP.—The lands redesignated by para-  
23 graph (1) are depicted on a map entitled “Wilder-  
24 ness Actions, Proposed Anaktuvuk Pass Land Ex-  
25 change and Wilderness Redesignation, Gates of the

1 Arctic National Park and Preserve”, Map No. 185/  
2 80,040, dated April 1994, and on file at the Alaska  
3 Regional Office of the National Park Service and the  
4 office of Gates of the Arctic National Park and Pre-  
5 serve in Fairbanks, Alaska.

6 (b) NOATAK NATIONAL PRESERVE.—Section  
7 201(8)(a) of the Alaska National Interest Land Conserva-  
8 tion Act (94 Stat. 2380) is amended by—

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

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

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

20 **SEC. 105. CONFORMANCE WITH OTHER LAW.**

21 (a) ALASKA NATIVE CLAIMS SETTLEMENT ACT.—All  
22 of the lands, or interests therein, conveyed to and received  
23 by Arctic Slope Regional Corporation or Nunamiut Cor-  
24 poration pursuant to the Agreement shall be deemed con-  
25 veyed and received pursuant to exchanges under section

1 22(f) of the Alaska Native Claims Settlement Act, as  
 2 amended (43 U.S.C. 1601, 1621(f)). All of the lands or  
 3 interests in lands conveyed pursuant to the Agreement  
 4 shall be conveyed subject to valid existing rights.

5 (b) ALASKA NATIONAL INTEREST LANDS CONSERVA-  
 6 TION ACT.—Except to the extent specifically set forth in  
 7 this title or the Agreement, nothing in this title or in the  
 8 Agreement shall be construed to enlarge or diminish the  
 9 rights, privileges, or obligations of any person, including  
 10 specifically the preference for subsistence uses and access  
 11 to subsistence resources provided under the Alaska Na-  
 12 tional Interest Lands Conservation Act (16 U.S.C. 3101  
 13 et seq.).

## 14 **TITLE II—ALASKA PENINSULA**

### 15 **SUBSURFACE CONSOLIDATION**

#### 16 **SEC. 201. SHORT TITLE.**

17 This title may be cited as the “Alaska Peninsula Sub-  
 18 surface Consolidation Act of 1995”.

#### 19 **SEC. 202. DEFINITIONS.**

20 As used in this title:

21 (1) AGENCY.—The term agency—

22 (A) means—

23 (i) any instrumentality of the United  
 24 States; and

1 (ii) any Government corporation (as  
2 defined in section 9101(1) of title 31,  
3 United States Code); and

4 (B) includes any element of an agency.

5 (2) ALASKA NATIVE CORPORATION.—The term  
6 “Alaska Native Corporation” has the same meaning  
7 as is provided for “Native Corporation” in section  
8 3(m) of the Alaska Native Claims Settlement Act  
9 (43 U.S.C. 1602(m)).

10 (3) KONIAG.—The term “Koniag” means  
11 Koniag, Incorporated, which is a Regional Corpora-  
12 tion.

13 (4) KONIAG ACCOUNT.—The term “Koniag Ac-  
14 count” means the account established under section  
15 204.

16 (5) PROPERTY.—The term “property” has the  
17 same meaning as is provided in section 12(b)(7)(vii)  
18 of Public Law 94–204 (43 U.S.C. 1611 note).

19 (6) REGIONAL CORPORATION.—The term “Re-  
20 gional Corporation” has the same meaning as is pro-  
21 vided in section 3(g) of the Alaska Native Claims  
22 Settlement Act (43 U.S.C. 1602(g)).

23 (7) SECRETARY.—Except as otherwise provided,  
24 the term “Secretary” means the Secretary of the In-  
25 terior.

1           (8) SELECTION RIGHTS.—The term “selection  
2 rights” means those rights granted to Koniag, pur-  
3 suant to subsections (a) and (b) of section 12, and  
4 section 14(h)(8), of the Alaska Native Claims Settle-  
5 ment Act (43 U.S.C. 1611 and 1613(h)(8)), to re-  
6 ceive title to the oil and gas rights and other inter-  
7 ests in the subsurface estate of the approximately  
8 275,000 acres of public lands in the State of Alaska  
9 identified as “Koniag Selections” on the map enti-  
10 tled “Koniag Interest Lands, Alaska Peninsula”,  
11 dated May 1989.

12 **SEC. 203. ACQUISITION OF KONIAG SELECTION RIGHTS.**

13           (a) The Secretary shall determine, pursuant to sub-  
14 section (b) hereof, the value of Selection Rights which  
15 Koniag possesses within the boundaries of Aniakchak Na-  
16 tional Monument and Preserve, Alaska Peninsula National  
17 Wildlife Refuge, and Becharof National Wildlife Refuge.

18           (b) VALUE.—

19           (1) IN GENERAL.—The value of the selection  
20 rights shall be equal to the fair market value of—

21                   (A) the oil and gas interests in the lands  
22                   or interests in lands that are the subject of the  
23                   selection rights; and

24                   (B) in the case of the lands or interests in  
25                   lands for which Koniag is to receive the entire

1 subsurface estate, the subsurface estate of the  
2 lands or interests in lands that are the subject  
3 of the selection rights.

4 (2) APPRAISAL.—

5 (A) SELECTION OF APPRAISER.—

6 (i) IN GENERAL.—Not later than 90  
7 days after the date of enactment of this  
8 title, the Secretary and Koniag shall meet  
9 to select a qualified appraiser to conduct  
10 an appraisal of the selection rights. Sub-  
11 ject to clause (ii), the appraiser shall be se-  
12 lected by the mutual agreement of the Sec-  
13 retary and Koniag.

14 (ii) FAILURE TO AGREE.—If the Sec-  
15 retary and Koniag fail to agree on an ap-  
16 praiser by the date that is 60 days after  
17 the date of the initial meeting referred to  
18 in clause (i), the Secretary and Koniag  
19 shall, by the date that is not later than 90  
20 days after the date of the initial meeting,  
21 each designate an appraiser who is quali-  
22 fied to perform the appraisal. The 2 ap-  
23 praisers so identified shall select a third  
24 qualified appraiser who shall perform the  
25 appraisal.

1 (B) STANDARDS AND METHODOLOGY.—

2 The appraisal shall—

3 (i) be conducted in conformity with  
4 the standards of the Appraisal Foundation  
5 (as defined in section 1121(9) of the Fi-  
6 nancial Institutions Reform, Recovery, and  
7 Enforcement Act of 1989 (12 U.S.C.  
8 3350(9)); and

9 (ii) utilize risk adjusted discounted  
10 cash flow methodology.

11 (C) SUBMISSION OF APPRAISAL REPORT.—

12 Not later than 180 days after the selection of  
13 an appraiser pursuant to subparagraph (A), the  
14 appraiser shall submit to the Secretary and to  
15 Koniag a written appraisal report specifying the  
16 value of the selection rights and the methodol-  
17 ogy used to arrive at the value.

18 (3) DETERMINATION OF VALUE.—

19 (A) DETERMINATION BY THE SEC-  
20 RETARY.—Not later than 60 days after the date  
21 of the receipt of the appraisal report under  
22 paragraph (2)(C), the Secretary shall determine  
23 the value of the selection rights and shall notify  
24 Koniag of the determination.

1 (B) ALTERNATIVE DETERMINATION OF  
2 VALUE.—

3 (i) IN GENERAL.—Subject to clause  
4 (ii), if Koniag does not agree with the  
5 value determined by the Secretary under  
6 subparagraph (A), the procedures specified  
7 in section 206(d) of the Federal Land Pol-  
8 icy and Management Act of 1976 (43  
9 U.S.C. 1716(d)) shall be used to establish  
10 the value.

11 (ii) AVERAGE VALUE LIMITATION.—  
12 The average value per acre of the selection  
13 rights shall not be more than \$300.

14 **SEC. 204. KONIAG ACCOUNT.**

15 (a) IN GENERAL.—

16 (1) The Secretary shall enter into negotiations  
17 for an agreement or agreements to exchange Federal  
18 lands or interests therein which are in the State of  
19 Alaska for the Koniag Selection Rights referred to  
20 in section 203.

21 (2) If the value of the Federal lands to be ex-  
22 changed is less than the value of the Koniag Selec-  
23 tion Rights established in section 203, then the Sec-  
24 retary may exchange the Federal lands for an equiv-  
25 alent portion of the Koniag Selection Rights. The re-

1        remaining selection rights shall remain available for  
2        additional exchanges.

3            (3) For purposes of this section, the term  
4        “Federal lands” means lands or interests therein lo-  
5        cated in Alaska, administered by the Secretary and  
6        the title to which is in the United States but exclud-  
7        ing all lands and interests therein which are located  
8        within a conservation system unit as defined in the  
9        Alaska National Interest Lands Conservation Act  
10       section 102(4).

11       (b) ACCOUNT.—

12            (1) IN GENERAL.—With respect to any Koniag  
13        Selection Rights for which an exchange has not been  
14        completed by October 1, 2004 (hereafter in this sec-  
15        tion referred to as “remaining selection rights”), the  
16        Secretary of the Treasury, in consultation with the  
17        Secretary, shall, notwithstanding any other provision  
18        of law, establish in the Treasury of the United  
19        States, an account to be known as the Koniag Ac-  
20        count. Upon the relinquishment of the remaining se-  
21        lection rights to the United States, the Secretary  
22        shall credit the Koniag Account in the amount of the  
23        appraised value of the remaining selection rights.

24            (2) INITIAL BALANCE.—The initial balance of  
25        the Koniag Account shall be equal to the value of

1 the selection rights as determined pursuant to sec-  
2 tion 203(b).

3 (3) USE OF ACCOUNT.—

4 (A) IN GENERAL.—Amounts in the Koniag  
5 Account shall—

6 (i) be made available by the Secretary  
7 of the Treasury to Koniag for bidding on  
8 and purchasing property sold at public  
9 sale, subject to the conditions described in  
10 this paragraph; and

11 (ii) remain available until expended.

12 (B) ASSIGNMENT.—

13 (i) IN GENERAL.—Subject to clause  
14 (ii) and notwithstanding any other provi-  
15 sion of law, the right to request the Sec-  
16 retary of the Treasury to withdraw funds  
17 from the Koniag Account shall be assign-  
18 able in whole or in part by Koniag.

19 (ii) NOTICE OF ASSIGNMENT.—No as-  
20 signment shall be recognized by the Sec-  
21 retary of the Treasury until Koniag files  
22 written notice of the assignment with the  
23 Secretary of the Treasury and the Sec-  
24 retary.

25 (C) BIDDING AND PURCHASING.—

1 (i) IN GENERAL.—Koniag may use  
2 the Koniag Account to—

3 (I) bid, in the same manner as  
4 any other bidder, for any property at  
5 any public sale by an agency; and

6 (II) purchase the property in ac-  
7 cordance with applicable laws, includ-  
8 ing the regulations of the agency of-  
9 fering the property for sale.

10 (ii) REQUIREMENTS FOR AGENCIES.—  
11 In conducting a transaction described in  
12 clause (i), an agency shall accept, in the  
13 same manner as cash, an amount tendered  
14 from the Koniag Account.

15 (iii) ADJUSTMENT OF BALANCE.—The  
16 Secretary of the Treasury shall adjust the  
17 balance of the Koniag Account to reflect  
18 each transaction under clause (i).

19 (4) SPECIAL PROCEDURES.—The Secretary of  
20 the Treasury, in consultation with the Secretary,  
21 shall establish procedures to permit the Koniag Ac-  
22 count to—

23 (A) receive deposits;

1 (B) make deposits into escrow when an es-  
2 crow is required for the sale of any property;  
3 and

4 (C) reinstate to the Koniag Account any  
5 unused escrow deposits if a sale is not con-  
6 summated.

7 (c) TREATMENT OF AMOUNTS FROM ACCOUNT.—  
8 The Secretary of the Treasury shall—

9 (1) deem as a cash payment any amount ten-  
10 dered from the Koniag Account and received by an  
11 agency as a proceed from a public sale of property;  
12 and

13 (2) make any transfer necessary to permit the  
14 agency to use the proceed in the event an agency is  
15 authorized by law to use the proceed for a specific  
16 purpose.

17 (d) REQUIREMENT FOR THE ADMINISTRATION OF  
18 SALES.—

19 (1) IN GENERAL.—Subject to paragraph (2),  
20 the Secretary of the Treasury and the heads of  
21 agencies shall administer sales described in sub-  
22 section (a)(3)(C) in the same manner as is provided  
23 for any other Alaska Native Corporation that—

24 (A) is authorized by law as of the date of  
25 enactment of this title; and

1 (B) has an account similar to the Koniag  
2 Account for bidding on and purchasing property  
3 sold for public sale.

4 (2) PROHIBITION.—Amounts in an account es-  
5 tablished for the benefit of a specific Alaska Native  
6 Corporation may not be used to satisfy the property  
7 purchase obligations of any other Alaska Native Cor-  
8 poration.

9 (e) REVENUES.—The Koniag Account shall be  
10 deemed to be an interest in the subsurface for purposes  
11 of section 7(i) of the Alaska Native Claims Settlement Act  
12 (43 U.S.C. 1601 et seq.).

13 **SEC. 205. CERTAIN CONVEYANCES.**

14 (a) INTERESTS IN LAND.—For the purpose of section  
15 21(c) of the Alaska Native Claims Settlement Act (43  
16 U.S.C. 1620(c)), the following shall be deemed to be an  
17 interest in land:

18 (1) The establishment of the Koniag Account  
19 and the right of Koniag to request the Secretary of  
20 the Treasury to withdraw funds from the Koniag  
21 Account.

22 (2) The receipt by a Settlement Trust (as de-  
23 fined in section 3(t) of such Act (43 U.S.C. 1602(t))  
24 of a conveyance by Koniag of any right in the  
25 Koniag Account.

1 (b) AUTHORITY TO APPOINT TRUSTEES.—In estab-  
 2 lishing a Settlement Trust under section 39 of such Act  
 3 (43 U.S.C. 1629e), Koniag may delegate the authority  
 4 granted to Koniag under subsection (b)(2) of such section  
 5 to any entity that Koniag may select without affecting the  
 6 status of the Settlement Trust under this section.

7 **TITLE III—AMENDMENTS TO ALASKA**

8 **NATIVE CLAIMS SETTLEMENT ACT**

9 **SEC. 301. PURCHASE OF SETTLEMENT COMMON STOCK OF**

10 **COOK INLET REGION.**

11 (a) IN GENERAL.—Section 7(h) of the Alaska Native  
 12 Claims Settlement Act (43 U.S.C. 1606(h)) is amended  
 13 by adding at the end the following:

14 “(4) COOK INLET REGIONAL CORPORATION.—

15 (A) In this paragraph:

16 “(i) The term ‘Cook Inlet Regional Cor-  
 17 poration’ means Cook Inlet Region, Incor-  
 18 porated.

19 “(ii) The term ‘nonresident distribution  
 20 right’ means the right of owners of nonvillage  
 21 shares to share in distributions made to share-  
 22 holders pursuant to subsections (j) and (m).

23 “(iii) The term ‘nonvillage shares’ means  
 24 shares of Settlement Common Stock owned by

1 stockholders who are not residents of a Native  
2 village.

3 “(iv) The term ‘nonvoting security’ means  
4 a security, for only the nonresident rights that  
5 attach to a share of Settlement Common Stock,  
6 that does not have attached voting rights.

7 “(B) Cook Inlet Regional Corporation may, by  
8 an amendment to its articles of incorporation made  
9 in accordance with the voting standards under sec-  
10 tion 36(d)(1), purchase Settlement Common Stock  
11 of Cook Inlet Regional Corporation and all rights as-  
12 sociated with the stock from the shareholders of  
13 Cook Inlet Regional Corporation in accordance with  
14 any provisions included in the amendment that re-  
15 late to the terms, procedures, number of offers to  
16 purchase, and timing of offers to purchase.

17 “(C) Subject to subparagraph (D), and notwith-  
18 standing paragraph (1)(B), the shareholders of Cook  
19 Inlet Regional Corporation may, in accordance with  
20 an amendment made pursuant to subparagraph (B),  
21 sell Settlement Common Stock of the Cook Inlet Re-  
22 gional Corporation to the Corporation.

23 “(D) No purchase or sale may be made pursu-  
24 ant to this paragraph without the prior approval of  
25 the board of directors of Cook Inlet Regional Cor-

1       poration. Except as provided in subparagraph (E),  
2       each purchase and sale made under this paragraph  
3       shall be made pursuant to an offer made on the  
4       same terms to all holders of Settlement Common  
5       Stock of the Cook Inlet Regional Corporation.

6               “(E) To recognize the different rights that ac-  
7       cruer to any class or series of nonvillage shares, an  
8       amendment made pursuant to subparagraph (B)  
9       shall authorize the board of directors (at the option  
10      of the board) to offer to purchase—

11               “(i) nonvillage shares, including non-  
12      resident distribution rights, at a price that in-  
13      cludes a premium, in addition to the amount  
14      that is offered for the purchase of other village  
15      shares of Settlement Common Stock of the  
16      Cook Inlet Regional Corporation, that reflects  
17      the value of the nonresident distribution rights;  
18      or

19               “(ii) nonvillage shares without the non-  
20      resident distribution rights associated with the  
21      shares.

22               “(F) Any shareholder who accepts an offer  
23      made by the board of directors pursuant to subpara-  
24      graph (E)(ii) shall receive, with respect to each

1 nonvillage share sold by the shareholder to the Cook  
2 Inlet Regional Corporation—

3 “(i) the consideration for a share of Settle-  
4 ment Common Stock offered to shareholders of  
5 village shares; and

6 “(ii) a nonvoting security.

7 “(G) An amendment made pursuant to sub-  
8 paragraph (B) shall authorize the issuance of a  
9 nonvoting security that—

10 “(i) shall, for purposes of subsections (j)  
11 and (m), be treated as a nonvillage share with  
12 respect to—

13 “(I) computing distributions under  
14 those subsections; and

15 “(II) entitling the holder of the share  
16 to the proportional share of the distribu-  
17 tions made under those subsections;

18 “(ii) may be sold to Cook Inlet Regional  
19 Corporation; and

20 “(iii) shall otherwise be subject to the re-  
21 strictions under paragraph (1)(B).

22 “(H) A share of Settlement Common Stock  
23 purchased pursuant to this paragraph shall be can-  
24 celed on the conditions that—

1           “(i) a nonvillage share with the non-  
2 resident rights that attach to such a share that  
3 is purchased pursuant to this paragraph shall  
4 be considered to be—

5                   “(I) an outstanding share; and

6                   “(II) for the purposes of subsection  
7 (m), a share of stock registered on the  
8 books of the Cook Inlet Regional Corpora-  
9 tion in the name of a stockholder who is  
10 not a resident of a Native village;

11           “(ii) any amount of funds that would be  
12 distributable with respect to a nonvillage share  
13 or nonvoting security pursuant to subsection (j)  
14 or (m) shall be distributed by Cook Inlet Re-  
15 gional Corporation to the Corporation; and

16           “(iii) a village share that is purchased pur-  
17 suant to this paragraph shall be considered to  
18 be—

19                   “(I) an outstanding share; and

20                   “(II) for the purposes of subsection  
21 (k), shares of stock registered on the books  
22 of the Cook Inlet Regional Corporation in  
23 the name of a resident of a Native village.

1           “(I) Any offer to purchase Settlement Common  
2           Stock made pursuant to this paragraph shall exclude  
3           from the offer—

4                   “(i) any share of Settlement Common  
5           Stock held, at the time the offer is made, by an  
6           officer (including a member of the board of di-  
7           rectors) of Cook Inlet Regional Corporation or  
8           a member of the immediate family of the offi-  
9           cer; and

10                   “(ii) any share of Settlement Common  
11           Stock held by any custodian, guardian, trustee,  
12           or attorney representing a shareholder of Cook  
13           Inlet Regional Corporation in fact or law, or  
14           any other similar person, entity, or representa-  
15           tive.

16           “(J)(i) The board of directors of Cook Inlet Re-  
17           gional Corporation, in determining the terms of an  
18           offer to purchase made under this paragraph, in-  
19           cluding the amount of any premium paid with re-  
20           spect to a nonvillage share, may rely upon the good  
21           faith opinion of a recognized firm of investment  
22           bankers or valuation experts.

23                   “(ii) Notwithstanding any other law, Cook Inlet  
24           Regional Corporation, a member of the board of di-  
25           rectors of Cook Inlet Regional Corporation, and any

1 firm or member of a firm of investment bankers or  
2 valuation experts who assists in a determination  
3 made under this subparagraph shall not be liable for  
4 damages resulting from terms made in an offer  
5 made in connection with any purchase of Settlement  
6 Common Stock if the offer was made—

7 “(I) in good faith;

8 “(II) in reliance on a determination made  
9 pursuant to clause (i); and

10 “(III) otherwise in accordance with this  
11 paragraph.

12 “(K) The consideration given for the purchase  
13 of Settlement Common Stock made pursuant to an  
14 offer to purchase that provides for the consideration  
15 may be in the form of cash, securities, or a combina-  
16 tion of cash and securities, as determined by the  
17 board of directors of Cook Inlet Regional Corpora-  
18 tion, in a manner consistent with an amendment  
19 made pursuant to subparagraph (B).

20 “(L) Sale of Settlement Common Stock in ac-  
21 cordance with this paragraph shall not diminish a  
22 shareholder’s status as a Native or descendant of a  
23 Native for the purpose of qualifying for those pro-  
24 grams, benefits and services or other rights or privi-  
25 leges set out for the benefit of Natives and Native

1 Americans. Proceeds from the sale of Settlement  
2 Common Stock shall not be excluded in determining  
3 eligibility for any needs-based program that may be  
4 provided by a Federal, State, or local agency.”.

5 (b) CONFORMING AMENDMENT.—Section 8(c) of the  
6 Alaska Native Claims Settlement Act (43 U.S.C. 1607(c))  
7 is amended by striking “(h)” and inserting “(h) (other  
8 than paragraph (4))”.

## 9 **TITLE IV—BUTTE COUNTY LAND**

### 10 **CONVEYANCE**

#### 11 **SEC. 401. FINDINGS AND PURPOSE.**

12 (a) FINDINGS.—The Congress finds and declares  
13 that—

14 (1) certain landowners in Butte County, Cali-  
15 fornia who own property adjacent to the Plumas Na-  
16 tional Forest have been adversely affected by certain  
17 erroneous surveys;

18 (2) these landowners have occupied or improved  
19 their property in good faith and in reliance on erro-  
20 neous surveys of their properties that they believed  
21 were accurate; and

22 (3) the 1992 Bureau of Land Management de-  
23 pendent resurvey of the Plumas National Forest will  
24 correctly establish accurate boundaries between such  
25 forest and private lands.

1 (b) PURPOSE.—It is the purpose of this title to au-  
2 thorize and direct the Secretary of Agriculture to convey,  
3 without consideration, certain lands in Butte County, Cali-  
4 fornia, to persons claiming to have been deprived of title  
5 to such lands.

6 **SEC. 402. DEFINITIONS.**

7 For the purpose of this title—

8 (1) the term “affected lands” means those Fed-  
9 eral lands located in the Plumas National Forest in  
10 Butte County, California, in sections 11, 12, 13, and  
11 14, township 21 north, range 5 East, Mount Diablo  
12 Meridian, as described by the dependent resurvey by  
13 the Bureau of Land Management conducted in  
14 1992, and subsequent Forest Service land line loca-  
15 tion surveys, including all adjoining parcels where  
16 the property line as identified by the 1992 BLM de-  
17 pendent resurvey and National Forest boundary  
18 lines before such dependent resurvey are not coinci-  
19 dent;

20 (2) the term “claimant” means an owner of real  
21 property in Butte County, California, whose real  
22 property adjoins Plumas National Forest lands de-  
23 scribed in subsection (a), who claims to have been  
24 deprived by the United States of title to property as  
25 a result of previous erroneous surveys; and

1           (3) the term “Secretary” means the Secretary  
2           of Agriculture.

3 **SEC. 403. CONVEYANCE OF LANDS.**

4           Notwithstanding any other provision of law, the Sec-  
5           retary is authorized and directed to convey, without con-  
6           sideration, all right, title, and interest of the United States  
7           in and to affected lands as described in section 402(1),  
8           to any claimant or claimants, upon proper application  
9           from such claimant or claimants, as provided in section  
10          404.

11 **SEC. 404. TERMS AND CONDITIONS OF CONVEYANCE.**

12          (a) NOTIFICATION.—Not later than 2 years after the  
13          date of enactment of this title, claimants shall notify the  
14          Secretary, through the Forest Supervisor of the Plumas  
15          National Forest, in writing of their claim to affected lands.  
16          Such claim shall be accompanied by—

17                 (1) a description of the affected lands claimed;

18                 (2) information relating to the claim of owner-  
19                 ship of such lands; and

20                 (3) such other information as the Secretary  
21                 may require.

22          (b) ISSUANCE OF DEED.—(1) Upon a determination  
23          by the Secretary that issuance of a deed for affected lands  
24          is consistent with the purpose and requirements of this

1 title, the Secretary shall issue a quitclaim deed to such  
2 claimant for the parcel to be conveyed.

3 (2) Prior to the issuance of any such deed as provided  
4 in paragraph (1), the Secretary shall ensure that—

5 (A) the parcel or parcels to be conveyed have  
6 been surveyed in accordance with the Memorandum  
7 of Understanding between the Forest Service and  
8 the Bureau of Land Management, dated November  
9 11, 1989;

10 (B) all new property lines established by such  
11 surveys have been monumented and marked; and

12 (C) all terms and conditions necessary to pro-  
13 tect third party and Government rights-of-way or  
14 other interests are included in the deed.

15 (3) The Federal Government shall be responsible for  
16 all surveys and property line markings necessary to imple-  
17 ment this subsection.

18 (c) NOTIFICATION TO BLM.—The Secretary shall  
19 submit to the Secretary of the Interior an authenticated  
20 copy of each deed issued pursuant to this title no later  
21 than 30 days after the date such deed is issued.

22 **SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated such sums  
24 as necessary to carry out the purposes of this title.

1                   **TITLE V—CHACOAN OUTLIERS**  
 2                                   **PROTECTION**

3 **SEC. 501. SHORT TITLE.**

4           This title may be cited as the “Chacoan Outliers Pro-  
 5 tection Act of 1995”.

6 **SEC. 502. PURPOSES.**

7           Section 501(b) of Public Law 96–550 (16 U.S.C.  
 8 410ii(b)) is amended by striking “San Juan Basin;” and  
 9 inserting “San Juan Basin and surrounding areas;”.

10 **SEC. 503. ADDITIONS TO CHACO CULTURE ARCHEOLOGICAL**  
 11                                   **PROTECTION SITES.**

12           Subsection 502(b) of Public Law 96–550 (16 U.S.C.  
 13 410ii–1(b)) is amended to read as follows:

14           “(b)(1) Thirty-nine outlying sites as generally de-  
 15 picted on a map entitled ‘Chaco Culture Archeological  
 16 Protection Sites’, numbered 310/80,033–B and dated Sep-  
 17 tember 1991, are designated as ‘Chaco Culture Archeolog-  
 18 ical Protection Sites’. The 39 archeological protection sites  
 19 totaling approximately 14,372 acres are identified as fol-  
 20 lows:

<b>“Name:</b>	<b>Acres:</b>
Allentown .....	380
Andrews Ranch .....	950
Bee Burrow .....	480
Bisa’ani .....	131
Casa del Rio .....	40
Casamero .....	160
Chimney Rock .....	3,160
Coolidge .....	450
Dalton Pass .....	135
Dittert .....	480
Great Bend .....	26

Greenlee Ruin .....	60
Grey Hill Spring .....	23
Guadalupe .....	115
Halfway House .....	40
Haystack .....	565
Hogback .....	453
Indian Creek .....	100
Jaquez .....	66
Kin Nizhoni .....	726
Lake Valley .....	30
Manuelito-Atsee Nitsaa .....	60
Manuelito-Kin Hochoi .....	116
Morris 41 .....	85
Muddy Water .....	1,090
Navajo Springs .....	260
Newcomb .....	50
Peach Springs .....	1,046
Pierre's Site .....	440
Raton Well .....	23
Salmon Ruin .....	5
San Mateo .....	61
Sanostee .....	1,565
Section 8 .....	10
Skunk Springs/Crumbled House .....	533
Standing Rock .....	348
Toh-la-kai .....	10
Twin Angeles .....	40
Upper Kin Klizhin .....	60.

1       “(2) The map referred to in paragraph (1) shall be—

2               “(A) kept on file and available for public in-  
3       spection in—

4               “(i) appropriate offices of the National  
5       Park Service;

6               “(ii) the office of the State Director of the  
7       Bureau of Land Management in Santa Fe, New  
8       Mexico; and

9               “(iii) the office of the Area Director of the  
10       Bureau of Indian Affairs in Window Rock, Ari-  
11       zona; and

1           “(B) made available for the purposes described  
2           in subparagraph (A) to the offices of the Arizona  
3           and New Mexico State Historic Preservation Offi-  
4           cers.”.

5 **SEC. 504. DEFINITION.**

6           Section 503 of Public Law 96–550 (16 U.S.C. 410ii–  
7 2) is amended by inserting “(referred to in this title as  
8 the ‘Secretary’)” after “Secretary of the Interior”.

9 **SEC. 505. LAND ACQUISITIONS.**

10          Section 504(c)(2) of Public Law 96–550 (16 U.S.C.  
11 410ii–3(c)(2)) is amended to read as follows:

12          “(2) The Secretary shall seek to use a combination  
13 of land acquisition authority under this section and coop-  
14 erative agreements under section 505 to protect archeolog-  
15 ical resources at such sites described in section 502(b) as  
16 remain in private ownership.”.

17 **SEC. 506. ASSISTANCE TO THE NAVAJO NATION.**

18          Section 506 of Public Law 96–550 (16 U.S.C. 410ii–  
19 5) is amended by adding at the end the following new sub-  
20 section:

21          “(f)(1) The Secretary, acting through the Director of  
22 the National Park Service, shall assist the Navajo Nation  
23 in the protection and management of such Chaco Culture  
24 Archeological Protection Sites as are located on lands  
25 under the jurisdiction of the Navajo Nation through a

1 grant, contract, or cooperative agreement entered into  
2 under the Indian Self-Determination and Education As-  
3 sistance Act (25 U.S.C. 450 et seq.).

4 “(2) The assistance provided under paragraph (1)  
5 shall—

6 “(A) consist of assistance in site planning, re-  
7 source protection, interpretation, resource manage-  
8 ment actions, and such other activities as may be  
9 identified in the grant, contract, or cooperative  
10 agreement; and

11 “(B) include assistance with the development of  
12 a Navajo facility to serve persons who seek to appre-  
13 ciate the Chacoan Outlier Sites.”.

14 **TITLE VI—COLONIAL NATIONAL**  
15 **HISTORICAL PARK**

16 **SEC. 601. COLONIAL NATIONAL HISTORICAL PARK.**

17 (a) TRANSFER AND RIGHTS-OF-WAY.—The Sec-  
18 retary of the Interior (hereinafter in this title referred to  
19 as the “Secretary”) is authorized to transfer, without re-  
20 imbursement, to York County, Virginia, that portion of  
21 the existing sewage disposal system, including related im-  
22 provements and structures, owned by the United States  
23 and located within the Colonial National Historical Park,  
24 together with such rights-of-way as are determined by the

1 Secretary to be necessary to maintain and operate such  
2 system.

3 (b) REPAIR AND REHABILITATION OF SYSTEM.—The  
4 Secretary is authorized to enter into a cooperative agree-  
5 ment with York County, Virginia, under which the Sec-  
6 retary will pay a portion, not to exceed \$110,000, of the  
7 costs of repair and rehabilitation of the sewage disposal  
8 system referred to in subsection (a).

9 (c) FEES AND CHARGES.—In consideration for the  
10 rights-of-way granted under subsection (a), and in rec-  
11 ognition of the National Park Service's contribution au-  
12 thorized under subsection (b), the cooperative agreement  
13 under subsection (b) shall provide for a reduction in, or  
14 the elimination of, the amounts charged to the National  
15 Park Service for its sewage disposal. The cooperative  
16 agreement shall also provide for minimizing the impact of  
17 the sewage disposal system on the park and its resources.  
18 Such system may not be enlarged or substantially altered  
19 without National Park Service concurrence.

20 **SEC. 602. INCLUSION OF LAND IN COLONIAL NATIONAL**  
21 **HISTORICAL PARK.**

22 Notwithstanding the provisions of the Act of June 28,  
23 1938 (52 Stat. 1208; 16 U.S.C. 81b et seq.), limiting the  
24 average width of the Colonial Parkway, the Secretary is  
25 authorized to include within the boundaries of Colonial

1 National Historical Park and acquire by donation, ex-  
2 change, or purchase with donated or appropriated funds—

3 (1) the lands or interests in lands described as  
4 lots 30 to 48, inclusive;

5 (2) the portion of lot 49 that is 200 feet in  
6 width from the existing boundary of Colonial Na-  
7 tional Historical Park;

8 (3) a 3.2-acre archaeological site, as shown on  
9 the plats titled “Page Landing At Jamestown being  
10 a subdivision of property of Neck O Land Limited  
11 Partnership” dated June 21, 1989, sheets 2 and 3  
12 of 3 sheets and bearing National Park Service  
13 Drawing Number 333.80031; and

14 (4) all or a portion of the adjoining lot number  
15 11 of the Neck O Land Hundred Subdivision, with  
16 or without improvements.

17 **SEC. 603. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums  
19 as are necessary to carry out this title.

20 **TITLE VII—ACQUISITION OF FRANKLIN D.**  
21 **ROOSEVELT FAMILY LANDS**

22 **SEC. 701. ACQUISITION OF LANDS.**

23 (a) IN GENERAL.—(1) The Secretary of the Interior  
24 (hereinafter in this title referred to as the “Secretary”)  
25 is authorized to acquire, by purchase with donated or ap-

1 appropriated funds, donation, or otherwise, lands and inter-  
2 ests therein in the following properties located at Hyde  
3 Park, New York identified as lands critical for protection  
4 as depicted on the map entitled “Roosevelt Family Es-  
5 tate” and dated September 1994:

6 (A) the “Open Park Hodhome Tract”, consist-  
7 ing of approximately 40 acres, which shall be the  
8 highest priority for acquisition;

9 (B) the “Top Cottage Tract”, consisting of ap-  
10 proximately 30 acres; and

11 (C) the “Poughkeepsie Shopping Center, Inc.  
12 Tract”, consisting of approximately 55 acres.

13 (b) ADMINISTRATION.—Lands and interests therein  
14 acquired by the Secretary pursuant to this title shall be  
15 added to, and administered by the Secretary as part of  
16 the Franklin Delano Roosevelt National Historic Site or  
17 the Eleanor Roosevelt National Historic Site, as appro-  
18 priate.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
20 hereby authorized to be appropriated not to exceed  
21 \$3,000,000 to carry out this title.

1       **TITLE VIII—ESTABLISHMENT OF THE**  
2       **GREAT FALLS HISTORIC DISTRICT**

3       **SEC. 801. SHORT TITLE.**

4       This title may be cited as the “Great Falls Preserva-  
5       tion and Redevelopment Act”.

6       **SEC. 802. FINDINGS.**

7       Congress finds that—

8               (1) the Great Falls Historic District in the  
9       State of New Jersey is an area of historical signifi-  
10      cance as an early site of planned industrial develop-  
11      ment, and has remained largely intact, including  
12      architecturally significant structures;

13              (2) the Great Falls Historic District is listed on  
14      the National Register of Historic Places and has  
15      been designated a National Historic Landmark;

16              (3) the Great Falls Historic District is situated  
17      within a one-half hour’s drive from New York City  
18      and a 2 hour’s drive from Philadelphia, Hartford,  
19      New Haven, and Wilmington;

20              (4) the District was developed by the Society of  
21      Useful Manufactures, an organization whose leaders  
22      included a number of historically renowned individ-  
23      uals, including Alexander Hamilton; and

24              (5) the Great Falls Historic District has been  
25      the subject of a number of studies that have shown

1 that the District possesses a combination of historic  
2 significance and natural beauty worthy of and  
3 uniquely situated for preservation and redevelop-  
4 ment.

5 **SEC. 803. PURPOSES.**

6 The purposes of this title are—

7 (1) to preserve and interpret, for the edu-  
8 cational and inspirational benefit of the public, the  
9 contribution to our national heritage of certain his-  
10 toric and cultural lands and edifices of the Great  
11 Falls Historic District, with emphasis on harnessing  
12 this unique urban environment for its educational  
13 and recreational value; and

14 (2) to enhance economic and cultural redevelop-  
15 ment within the District.

16 **SEC. 804. DEFINITIONS.**

17 As used in this title:

18 (1) DISTRICT.—The term “District” means the  
19 Great Falls Historic District established by section  
20 805.

21 (2) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior.

1 **SEC. 805. GREAT FALLS HISTORIC DISTRICT.**

2 (a) ESTABLISHMENT.—There is established the  
3 Great Falls Historic District in the city of Paterson, in  
4 Passaic County, New Jersey.

5 (b) BOUNDARIES.—The boundaries of the District  
6 shall be the boundaries specified for the Great Falls His-  
7 toric District listed on the National Register of Historic  
8 Places.

9 **SEC. 806. DEVELOPMENT PLAN.**

10 (a) GRANTS AND COOPERATIVE AGREEMENTS.—The  
11 Secretary may make grants and enter into cooperative  
12 agreements with the State of New Jersey, local govern-  
13 ment, and private nonprofit entities under which the Sec-  
14 retary agrees to pay not more than 50 percent of the costs  
15 of—

16 (1) preparation of a plan for the development of  
17 historic, architectural, natural, cultural, and inter-  
18 pretive resources within the District; and

19 (2) implementation of projects approved by the  
20 Secretary under the development plan.

21 (b) CONTENTS OF PLAN.—The development plan  
22 shall include—

23 (1) an evaluation of—

24 (A) the physical condition of historic and  
25 architectural resources; and

1 (B) the environmental and flood hazard  
2 conditions within the District; and

3 (2) recommendations for—

4 (A) rehabilitating, reconstructing, and  
5 adaptively reusing the historic and architectural  
6 resources;

7 (B) preserving viewsheds, focal points and  
8 streetscapes;

9 (C) establishing gateways to the District;

10 (D) establishing and maintaining parks  
11 and public spaces;

12 (E) developing public parking areas;

13 (F) improving pedestrian and vehicular cir-  
14 culation within the District;

15 (G) improving security within the District,  
16 with an emphasis on preserving historically sig-  
17 nificant structures from arson; and

18 (H) establishing a visitors' center.

19 **SEC. 807. RESTORATION, PRESERVATION, AND INTERPRE-**  
20 **TATION OF PROPERTIES.**

21 (a) COOPERATIVE AGREEMENTS.—The Secretary  
22 may enter into cooperative agreements with the owners of  
23 properties within the District that the Secretary deter-  
24 mines to be of historical or cultural significance, under  
25 which the Secretary may—

1           (1) pay not more than 50 percent of the cost  
2 of restoring and improving the properties;

3           (2) provide technical assistance with respect to  
4 the preservation and interpretation of the properties;  
5 and

6           (3) mark and provide interpretation of the  
7 properties.

8           (b) PROVISIONS.—A cooperative agreement under  
9 subsection (a) shall provide that—

10           (1) the Secretary shall have the right of access  
11 at reasonable times to public portions of the prop-  
12 erty for interpretive and other purposes;

13           (2) no change or alteration may be made in the  
14 property except with the agreement of the property  
15 owner, the Secretary, and any Federal agency that  
16 may have regulatory jurisdiction over the property;  
17 and

18           (3) if at any time the property is converted,  
19 used, or disposed of in a manner that is contrary to  
20 the purposes of this title, as determined by the Sec-  
21 retary, the property owner shall be liable to the Sec-  
22 retary for the greater of—

23           (A) the amount of assistance provided by  
24 the Secretary for the property; or

1 (B) the portion of the increased value of  
2 the property that is attributable to that assist-  
3 ance, determined as of the date of the conver-  
4 sion, use, or disposal.

5 (c) APPLICATIONS.—

6 (1) IN GENERAL.—A property owner that de-  
7 sires to enter into a cooperative agreement under  
8 subsection (a) shall submit to the Secretary an ap-  
9 plication describing how the project proposed to be  
10 funded will further the purposes of the District.

11 (2) CONSIDERATION.—In making such funds  
12 available under this section, the Secretary shall give  
13 consideration to projects that provide a greater le-  
14 verage of Federal funds.

15 **SEC. 808. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to the Sec-  
17 retary to carry out this title—

18 (1) \$250,000 for grants and cooperative agree-  
19 ments for the development plan under section 806;  
20 and

21 (2) \$50,000 for the provision of technical as-  
22 sistance and \$3,000,000 for the provision of other  
23 assistance under cooperative agreements under sec-  
24 tion 807.

1     **TITLE IX—WOMEN’S RIGHTS NATIONAL**  
2                     **HISTORICAL PARK**

3     **SEC. 901. INCLUSION OF OTHER PROPERTIES.**

4             Section 1601(c) of Public Law 96–607 (16 U.S.C.  
5 410ll) is amended to read as follows: “To carry out the  
6 purposes of this section there is hereby established the  
7 Women’s Rights National Historical Park (hereinafter in  
8 this section referred to as the “park”). The park shall con-  
9 sist of the following designated sites in Seneca Falls and  
10 Waterloo, New York:

11             “(1) Stanton House, 32 Washington Street,  
12             Seneca Falls;

13             “(2) dwelling, 30 Washington Street, Seneca  
14             Falls;

15             “(3) dwelling, 34 Washington Street, Seneca  
16             Falls;

17             “(4) lot, 26–28 Washington Street, Seneca  
18             Falls;

19             “(5) former Wesleyan Chapel, 126 Fall Street,  
20             Seneca Falls;

21             “(6) theater, 128 Fall Street, Seneca Falls;

22             “(7) McClintock House, 16 East Williams  
23             Street, Waterloo;

24             “(8) Hunt House, 401 East Williams Street,  
25             Waterloo;

1           “(9) not to exceed 1 acre, plus improvements,  
2           as determined by the Secretary, in Seneca Falls for  
3           development of a maintenance facility;

4           “(10) dwelling, 1 Seneca Street, Seneca Falls;

5           “(11) dwelling, 10 Seneca Street, Seneca Falls;

6           “(12) parcels adjacent to Wesleyan Chapel  
7           Block, including Clinton Street, Fall Street, and  
8           Mynderse Street, Seneca Falls; and

9           “(13) dwelling, 12 East Williams Street, Water-  
10          loo”.

11 **SEC. 902. MISCELLANEOUS AMENDMENTS.**

12          Section 1601 of Public Law 96–607 (16 U.S.C.  
13 4011l) is amended by redesignating subsection (i) as  
14 “(i)(1)” and inserting at the end thereof the following new  
15 paragraph:

16          “(2) In addition to those sums appropriated prior to  
17 the date of enactment of this paragraph for land acqui-  
18 sition and development, there is hereby authorized to be ap-  
19 propriated an additional \$2,000,000.”.

20 **TITLE X—STERLING FOREST PROTECTION**

21 **SEC. 1001. SHORT TITLE.**

22          This title may be cited as the “Sterling Forest Pro-  
23 tection Act of 1995”.

24 **SEC. 1002. FINDINGS.**

25          The Congress finds that—

1           (1) the Palisades Interstate Park Commission  
2           was established pursuant to a joint resolution of the  
3           75th Congress approved in 1937 (Public Resolution  
4           No. 65; ch. 706; 50 Stat. 719), and chapter 170 of  
5           the Laws of 1937 of the State of New York and  
6           chapter 148 of the Laws of 1937 of the State of  
7           New Jersey;

8           (2) the Palisades Interstate Park Commission  
9           is responsible for the management of 23 parks and  
10          historic sites in New York and New Jersey, compris-  
11          ing over 82,000 acres;

12          (3) over 8,000,000 visitors annually seek out-  
13          door recreational opportunities within the Palisades  
14          Park System;

15          (4) Sterling Forest is a biologically diverse open  
16          space on the New Jersey border comprising  
17          approximatley 17,500 acres, and is a highly signifi-  
18          cant watershed area for the State of New Jersey,  
19          providing the source for clean drinking water for 25  
20          percent of the State;

21          (5) Sterling Forest is an important outdoor rec-  
22          reational asset in the northeastern United States,  
23          within the most densely populated metropolitan re-  
24          gion in the Nation;

1           (6) Sterling Forest supports a mixture of hard-  
2 wood forests, wetlands, lakes, glaciated valleys, is  
3 strategically located on a wildlife migratory route,  
4 and provides important habitat for 27 rare or en-  
5 dangered species;

6           (7) the protection of Sterling Forest would  
7 greatly enhance the Appalachian National Scenic  
8 Trail, a portion of which passes through Sterling  
9 Forest, and would provide for enhanced recreational  
10 opportunities through the protection of lands which  
11 are an integral element of the trail and which would  
12 protect important trail viewsheds;

13           (8) stewardship and management costs for  
14 units of the Palisades Park System are paid for by  
15 the States of New York and New Jersey; thus, the  
16 protection of Sterling Forest through the Palisades  
17 Interstate Park Commission will involve a minimum  
18 of Federal funds;

19           (9) given the nationally significant watershed,  
20 outdoor recreational, and wildlife qualities of Ster-  
21 ling Forest, the demand for open space in the north-  
22 eastern United States, and the lack of open space in  
23 the densely populated tri-state region, there is a  
24 clear Federal interest in acquiring the Sterling For-  
25 est for permanent protection of the watershed, out-

1 door recreational resources, flora and fauna, and  
2 open space; and

3 (10) such an acquisition would represent a cost  
4 effective investment, as compared with the costs that  
5 would be incurred to protect drinking water for the  
6 region should the Sterling Forest be developed.

7 **SEC. 1003. PURPOSES.**

8 The purposes of this title are—

9 (1) to establish the Sterling Forest Reserve in  
10 the State of New York to protect the significant wa-  
11 tershed, wildlife, and recreational resources within  
12 the New York-New Jersey highlands region;

13 (2) to authorize Federal funding, through the  
14 Department of the Interior, for a portion of the ac-  
15 quisition costs for the Sterling Forest Reserve;

16 (3) to direct the Palisades Interstate Park  
17 Commission to convey to the Secretary of the Inte-  
18 rior certain interests in lands acquired within the  
19 Reserve; and

20 (4) to provide for the management of the Ster-  
21 ling Forest Reserve by the Palisades Interstate Park  
22 Commission.

23 **SEC. 1004. DEFINITIONS.**

24 As used in this title:

1           (1) COMMISSION.—The term “Commission”  
2 means the Palisades Interstate Park Commission es-  
3 tablished pursuant to Public Resolution No. 65 ap-  
4 proved August 19, 1937 (ch. 707; 50 Stat. 719).

5           (2) RESERVE.—The term “Reserve” means the  
6 Sterling Forest Reserve.

7           (3) SECRETARY.—The term “Secretary” means  
8 the Secretary of the Interior.

9 **SEC. 1005. ESTABLISHMENT OF THE STERLING FOREST**  
10 **RESERVE.**

11           (a) ESTABLISHMENT.—Upon the certification by the  
12 Commission to the Secretary that the Commission has ac-  
13 quired sufficient lands or interests therein to constitute  
14 a manageable unit, there is established the Sterling Forest  
15 Reserve in the State of New York.

16           (b) MAP.—

17           (1) COMPOSITION.—The Reserve shall consist  
18 of lands and interests therein acquired by the Com-  
19 mission within the approximately 17,500 acres of  
20 lands as generally depicted on the map entitled  
21 “Boundary Map, Sterling Forest Reserve”, num-  
22 bered SFR-60,001 and dated July 1, 1994.

23           (2) AVAILABILITY FOR PUBLIC INSPECTION.—  
24 The map described in paragraph (1) shall be on file  
25 and available for public inspection in the offices of

1 the Commission and the appropriate offices of the  
2 National Park Service.

3 (c) TRANSFER OF FUNDS.—Subject to subsection  
4 (d), the Secretary shall transfer to the Commission such  
5 funds as are appropriated for the acquisition of lands and  
6 interests therein within the Reserve.

7 (d) CONDITIONS OF FUNDING.—

8 (1) AGREEMENT BY THE COMMISSION.—Prior  
9 to the receipt of any Federal funds authorized by  
10 this title, the Commission shall agree to the follow-  
11 ing:

12 (A) CONVEYANCE OF LANDS IN EVENT OF  
13 FAILURE TO MANAGE.—If the Commission fails  
14 to manage the lands acquired within the Re-  
15 serve in a manner that is consistent with this  
16 title, the Commission shall convey fee title to  
17 such lands to the United States, and the agree-  
18 ment stated in this subparagraph shall be re-  
19 corded at the time of purchase of all lands ac-  
20 quired within the Reserve.

21 (B) CONSENT OF OWNERS.—No lands or  
22 interest in land may be acquired with any Fed-  
23 eral funds authorized or transferred pursuant  
24 to this title except with the consent of the  
25 owner of the land or interest in land.

1           (C) INABILITY TO ACQUIRE LANDS.—If the  
2 Commission is unable to acquire all of the lands  
3 within the Reserve, to the extent Federal funds  
4 are utilized pursuant to this title, the Commis-  
5 sion shall acquire all or a portion of the lands  
6 identified as “National Park Service Wilderness  
7 Easement Lands” and “National Park Service  
8 Conservation Easement Lands” on the map de-  
9 scribed in section 1005(b) before proceeding  
10 with the acquisition of any other lands within  
11 the Reserve.

12           (D) CONVEYANCE OF EASEMENT.—Within  
13 30 days after acquiring any of the lands identi-  
14 fied as “National Park Service Wilderness  
15 Easement Lands” and “National Park Service  
16 Conservation Easement Lands” on the map de-  
17 scribed in section 1005(b), the Commission  
18 shall convey to the United States—

19           (i) conservation easements on the  
20 lands described as “National Park Service  
21 Wilderness Easement Lands” on the map  
22 described in section 1005(b), which ease-  
23 ments shall provide that the lands shall be  
24 managed to protect their wilderness char-  
25 acter; and

1 (ii) conservation easements on the  
2 lands described as “National Park Service  
3 Conservation Easement Lands” on the  
4 map described in section 1005(b), which  
5 easements shall restrict and limit develop-  
6 ment and use of the property to that devel-  
7 opment and use that is—

8 (I) compatible with the protection  
9 of the Appalachian National Scenic  
10 Trail; and

11 (II) consistent with the general  
12 management plan prepared pursuant  
13 to section 1006(b).

14 (2) MATCHING FUNDS.—Funds may be trans-  
15 ferred to the Commission only to the extent that  
16 they are matched from funds contributed by non-  
17 Federal sources.

18 **SEC. 1006. MANAGEMENT OF THE RESERVE.**

19 (a) IN GENERAL.—The Commission shall manage the  
20 lands acquired within the Reserve in a manner that is con-  
21 sistent with the Commission’s authorities and with the  
22 purposes of this title.

23 (b) GENERAL MANAGEMENT PLAN.—Within 3 years  
24 after the date of enactment of this title, the Commission

1 shall prepare a general management plan for the Reserve  
2 and submit the plan to the Secretary for approval.

3 **SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-  
5 priated such sums as are necessary to carry out this title,  
6 to remain available until expended.

7 (b) LAND ACQUISITION.—Of amounts appropriated  
8 pursuant to subsection (a), the Secretary may transfer to  
9 the Commission not more than \$17,500,000 for the acqui-  
10 sition of lands and interests in land within the Reserve.

S 719 PCS—2

S 719 PCS—3

S 719 PCS—4