# HOUSE JOINT RESOLUTION NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES MILLETT, Johnson, Costello**

**Introduced: 3/27/13**
**Referred: Resources**

## A RESOLUTION

**Supporting the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act.**

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**WHEREAS** Alaska Native land claims were settled differently in the state than in the rest of the nation when, in the Alaska Native Claims Settlement Act, instead of adopting a reservation system, the federal government established Alaska Native village and regional corporations and granted the corporations ownership and other rights to surface and subsurface land; and

**WHEREAS** Alaska Native corporations were created under the Alaska Native Claims Settlement Act to manage land and resources for the benefit of Native shareholders in settlement of certain aboriginal land claims; and

**WHEREAS**, under the Alaska Native Claims Settlement Act, the federal government conveyed to many Alaska Native corporations land that was contaminated by the federal government or by activities allowed or overseen by the federal government before the

conveyance of the land under the Act; and

**WHEREAS**, in 1995, the United States Congress acknowledged that contaminated land was being conveyed to Alaska Native corporations under the Alaska Native Claims Settlement Act and, in sec. 103, P.L. 104-42 (43 U.S.C. 1629f), required the United States Secretary of the Interior to provide a detailed report on contaminated land before conveying the land to Alaska Native corporations and organizations; and

**WHEREAS**, in December 1998, the United States Department of the Interior submitted a report to the United States Congress that located approximately 650 contaminated sites on land conveyed under the Alaska Native Claims Settlement Act; and

**WHEREAS** Alaska Native corporations, as landowners, are subject to liability under federal and state law for the contaminated condition of their land; and

**WHEREAS** several Alaska Native corporations have incurred considerable expense cleaning up contaminated sites, negotiating land exchanges, and battling with the federal and state governments to clean up sites on a case-by-case basis; and

**WHEREAS**, in recognition of this problem, United States Representative Don Young, on the floor of the United States House of Representatives on January 4, 1995, stated, "it was clearly not the intention of ANCSA to extinguish Native claims by conveying contaminated property to recipients";

**BE IT RESOLVED** that the Alaska State Legislature supports the introduction and enactment of federal legislation acknowledging that the federal government is financially responsible under the Alaska Native Claims Settlement Act for the remediation of contaminated land subject to conveyance under the Act.

**COPIES** of this resolution shall be sent to the Honorable Ken Salazar, United States Secretary of the Interior; the Honorable Ron Wyden, Chair of the Energy and Natural Resources Committee of the U.S. Senate; the Honorable Maria Cantwell, Chair of the Indian Affairs Committee of the U.S. Senate; the Honorable Doc Hastings, Chair of the Natural Resources Committee of the U.S. House of Representatives; Neil Kornze, Principal Deputy Director, Bureau of Land Management, United States Department of the Interior; the Honorable Kevin K. Washburn, Assistant Secretary of Indian Affairs, United States Department of the Interior; Kim Elton, Director, Alaska Affairs, United States Department of the Interior; and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S.

Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.