

(LIMITED RUN SHOWING ALL ADDITIONAL SPONSORSHIPS)

**SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 15(RES)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 2/28/14

Referred: Today's Calendar

Sponsor(s): REPRESENTATIVES MILLETT, Johnson, Costello, Feige, Hawker, Austerman, Olson, LeDoux, Saddler, Herron, Lynn, Gara, Pruitt, Gattis, Tammie Wilson, Keller, Hughes, Foster, Tarr, Muñoz, Higgins, Thompson, Reinbold, Seaton, Tuck, Gruenberg, Stoltze, Neuman, Isaacson, Josephson

SENATORS Wielechowski, French, Stevens, Olson, Dunleavy, Micciche, Dyson, Coghill, Gardner, Bishop, Egan, Giessel, Fairclough, Meyer, Stedman

**A RESOLUTION**

1 **Supporting the introduction and enactment of federal legislation acknowledging that the**  
 2 **federal government is financially responsible under the Alaska Native Claims Settlement**  
 3 **Act for the remediation of contaminated land subject to conveyance under the Act; and**  
 4 **urging the United States Department of the Interior to implement the six**  
 5 **recommendations to identify and clean up the Alaska Native Claims Settlement Act**  
 6 **lands in its 1998 report to the United States Congress.**

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

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

13 **WHEREAS** Alaska Native corporations were created under the Alaska Native Claims  
 14 Settlement Act to manage land and resources for the benefit of Native shareholders in

1 settlement of certain aboriginal land claims; and

2 **WHEREAS**, under the Alaska Native Claims Settlement Act, the federal government  
3 conveyed to many Alaska Native corporations land that was contaminated by the federal  
4 government or by activities allowed or overseen by the federal government before the  
5 conveyance of the land under the Act; and

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

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

14 **WHEREAS**, in that report, the United States Department of the Interior proposed six  
15 recommendations to "fully identify contaminated sites and clean-up needs of Alaska Native  
16 Claims Settlement Act lands"; and

17 **WHEREAS** the United States Department of the Interior has not fully implemented  
18 any of the six recommendations it proposed to the United States Congress; and

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

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

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

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

1           **FURTHER RESOLVED** that the Alaska State Legislature urges the United States  
2 Department of the Interior to fully implement the six recommendations to identify and clean  
3 up Alaska Native Claims Settlement Act lands in its 1998 report to the United States  
4 Congress.

5           **COPIES** of this resolution shall be sent to the Honorable Sally Jewell, United States  
6 Secretary of the Interior; the Honorable Mary Landrieu, Chair of the Energy and Natural  
7 Resources Committee of the U.S. Senate; the Honorable Maria Cantwell, Chair of the Indian  
8 Affairs Committee of the U.S. Senate; the Honorable Doc Hastings, Chair of the Natural  
9 Resources Committee of the U.S. House of Representatives; Neil Kornze, Principal Deputy  
10 Director, Bureau of Land Management, United States Department of the Interior; the  
11 Honorable Kevin K. Washburn, Assistant Secretary of Indian Affairs, United States  
12 Department of the Interior; Director, Alaska Affairs, United States Department of the Interior;  
13 and the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the  
14 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.