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SUMMARY OF AREAS ESTABLISHED BY THE ALASKA NATIONAL INTEREST LANDS ACT

	Approximate Acreage (Millions)
National Parks and Monuments	
Aniakchak-Caldera	.18
Cape Krusenstern	.19
Kobuk Sand Dunes	.10
Katmai (Additions)	.40
Gates of the Arctic	3.55
McKinley (Additions)	1.13
Wrangell-St. Elias	4.90
National Park Subtotal	10.45
National Wildlife Refuges	
Alaska Coastal	.15
Yukon Delta	3.60
Innoko	.60
Kaiyuh	.19
Kanuti	.43
Koyukuk	1.58
Selawik	.73
Shishmaref	.76
National Wildlife Refuge Subtotal	8.04
National Forests	
Porcupine	2.59
Yukon Flats	2.13
Chugach (Additions)	1.00
National Forests Subtotal	5.72
Wild Rivers	
Noatak	.40
Charley	.40
Birch Creek	.20
Wild Rivers Subtotal	1.00
Total Additions to Four Systems	25.21

Federal Cooperative Lands

Name	Manager	
Gates of the Arctic	National Park Service	3.55
Katmai	" " "	1.59
Mt. McKinley	" " "	1.96
Wrangell-St. Elias	" " "	8.74
Lake Clark	" " "	3.49

Approximate Acreage
(Millions)

Federal Cooperative Lands (Continuation)

Name	Manager	
Charley River	National Park Service	.99
Innoko	Fish & Wildlife Service	1.24
Illiamna	" " " "	2.80
Shishmaref-Imuruk	" " " "	1.84
Cape Newenham	" " " "	.24
Noatak	" " " "	11.47
Chandalar	" " " "	8.27
Yukon Delta	" " " "	1.50
Andreafsky	" " " "	3.50
Chugach-Copper River	U. S. Forest Service	1.77
Porcupine	" " "	3.40
Yukon River	" " "	.54
Federal Cooperative Lands Subtotal		56.89

Totals

Additions to Four Systems (including National Parks, National Wildlife Refuges, National Forests, and Wild Rivers	25.21
Federal Cooperative Lands	56.89
Total	82.10

INCREASE BY LEGISLATION ON PARK AND REFUGE SYSTEMS

*Present Acreage under National Park Service Administration	25,084,750 acres
National Park Areas Proposed under Alaska National Interest Lands Act	10,450,000 acres
Total Upon Enactment	35,534,750 acres
Percent Increase	40 percent
*Present Acreage under Fish and Wildlife Service Administration	30,281,190 acres
Wildlife Refuges Proposed under Alaska National Interest Lands Act	8,040,000 acres
Total Upon Enactment	38,321,190 acres
Percent Increase	26 percent

*Source: Public Land Statistics--1976
Bureau of Land Management

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THE PRESENT TEN LARGEST AREAS UNDER JURISDICTION OF THE NATIONAL PARK SERVICE

Name	Size (acres)
*Glacier Bay National Monument	2,805,296.49
*Katmai National Monument	2,792,137.00
Yellowstone National Park	2,219,822.70
Death Valley National Monument	2,067,966.93
*Mount McKinley National Park	1,939,492.80
Lake Mead National Recreation Area	1,486,139.87
Everglades National Park	1,400,533.00
Glenn Canyon National Recreational Area	1,234,180.00
Grand Canyon National Park	1,218,375.00
Glacier National Park	1,013,598.40

THE PRESENT TEN LARGEST AREAS UNDER JURISDICTION OF THE UNITED STATES FISH AND WILDLIFE SERVICE

Name	Size (acres)
*Arctic Wildlife Range	8,994,624
*Nunivak Wildlife Refuge	3,330,632
*Clarence Rhode Wildlife Refuge	2,887,026
*Aleutian Islands Wildlife Refuge	2,720,225
*Kodiak Wildlife Refuge	1,815,000
*Kenai Moose Range	1,730,000
Desert National Wildlife Range	1,588,000
Cabeza Prieta Wildlife Refuge	860,000
Charles Russell Wildlife Refuge	855,407
Kofu Game Range	660,000

(*) These areas are located in Alaska

THE TEN LARGEST AREAS UNDER JURISDICTION OF THE
NATIONAL PARK SERVICE
UPON ENACTMENT OF THE ALASKA NATIONAL INTEREST LANDS ACT

Name	Size (acres)
*Wrangell-St. Elias National Park	4,900,000.00
*Gates of the Arctic National Park	3,550,000.00
*Mount McKinley National Park	3,069,492.80
*Glacier Bay National Monument	2,805,269.49
*Katmai National Park	2,792,137.40
Yellowstone National Park	2,219,822.70
Death Valley National Monument	2,067,966.93
Lake Mead National Recreational Area	1,486,139.87
Everglades National Park	1,400,533.00
Grand Canyon National Park	1,218,375.00

THE TEN LARGEST AREAS UNDER JURISDICTION OF THE
UNITED STATES FISH AND WILDLIFE SERVICE
UPON ENACTMENT OF THE ALASKA NATIONAL INTEREST LANDS ACT

Name	Size (acres)
*Arctic Wildlife Range	8,994,624
*Yukon Delta Wildlife Refuge	3,600,000
*Nunivak Wildlife Refuge	3,330,632
*Clarence Rhode Wildlife Refuge	2,887,026
*Aleutian Islands Wildlife Refuge	2,720,225
*Kodiak National Moose Range	1,815,000
*Kenai Moose Range	1,730,000
*Koyukuk Wildlife Refuge	1,588,000
Desert National Wildlife Range	1,588,000
Charles Russell Wildlife Refuge	855,407

(*) These areas are located in Alaska

95th CONGRESS
1st SESSION

S. 1787

(NOTE.—Fill in all blank lines except those provided for the date, number, and reference of bill.)

IN THE SENATE OF THE UNITED STATES

Mr. STEVENS

introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

Relating to the classification of certain lands within the State of Alaska, and for other purposes.

(Insert title of bill here)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska National Interest Lands Act".

Sec. 2. Congressional Findings, Policy, and Purposes

(a) Findings - The Congress finds and declares the following:

(1) It is necessary to create a program of management for Alaska's national interest lands which protects significant natural, scenic, recreational, wildlife, and other values of national interest;

(2) It is in the national interest to continue to inventory resource values on lands designated by this Act;

(3) The promotion of cooperative management of Federal, State, and private lands in Alaska under sound and comprehensive land use plans is necessary to protect complete ecosystem and is in the national interest.

(b) Policy and Purposes - It is therefore declared to be the policy and purposes of the Congress under this Act to protect the national interest by establishing lands as new units or as additions to existing units of federal management systems and by establishing a program of cooperative management with state and private landowners to provide flexibility in land management not inherent in existing systems.

Sec. 3. Definitions as used in this Act, the term--

(1) "Commission" means the Alaska Land Classification Commission established by title XXXXII of this Act;

(2) "Classification" means a determination pursuant to regulations and a land use plan promulgated by the Commission that specific lands under its authority shall be used for a specific purpose or purposes;

(3) "exigent circumstances" means any event or occasional combination of circumstances which constitute an emergency calling for immediate action or remedy;

(4) "land use plan" means a plan respecting land, which the Commission develops through:

(a) use of its resource inventory;
(b) use of a systematic interdisciplinary approach involving an examination of physical, biological, ecological, economic, social, and other information;
(c) consideration of present and potential uses of the land;
(d) consideration of the relative scarcity of the resource values involved and the availability of alternative sources;
(e) the weighing of short and long-term benefits and costs to the public; and
(f) consultation and coordination with the general public and with government agencies and private landowners which have proprietary and/or regulatory responsibility for affected areas;

(5) "resource inventory" means the quantitative and qualitative study and compilation of the characteristics of lands, their resources and values;

(6) "Secretary" means, unless specifically designated otherwise, the Secretary of the Interior;

(7) "Settlement Act" means the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601 et seq.); and

(8) "wilderness", as used in section 4306 (a) of this Act, shall have the same meaning as such term has in section 2 (e) of the Wilderness Act (16 U.S.C. 1131).

TITLE I ANIAKCHAK-CALDERA NATIONAL MONUMENT

ESTABLISHMENT

Sec. 101. (a) There is hereby established the Aniakchak-Caldera National Monument of approximately 0.18 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Monument, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 102 . Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 101 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE II CAPE KRUSENSTERN NATIONAL MONUMENT

ESTABLISHMENT

Sec. 201. (a) There is hereby established the Cape Krusenstern National Monument of approximately 0.19 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Monument, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 202 . Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 201 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE III KOBUK SAND DUNES NATIONAL MONUMENT

ESTABLISHMENT

Sec. 301. (a) There is hereby established the Kobuk Sand Dunes National Monument of approximately 0.10 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Monument, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 302 . Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 301 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE IV GATES OF THE ARCTIC NATIONAL PARK

ESTABLISHMENT

Sec. 401. (a) There is hereby established the Gates of the Arctic National Park of approximately 3.55 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Monument, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 402 . Subject to valid existing rights, lands, waters. and interests therein comprising the area established by section 401 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE V--KATMAI NATIONAL PARK

ESTABLISHMENT

Sec. 501. (a) There is hereby established the Katmai National Monument Addition of approximately 0.40 million acres. The monument, with the addition, is hereinafter designated as a National Park. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Park, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 502. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 501 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE VI MOUNT MCKINLEY NATIONAL PARK ADDITION

ESTABLISHMENT

Sec. 601. (a) There is hereby established the Mt. McKinley National Park Addition of approximately 1.13 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Park, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 602.(a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 601 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE VII WRANGELL-ST. ELIAS NATIONAL PARK

ESTABLISHMENT

Sec. 701. (a) There is hereby established the Wrangell-St. Elias National Park of approximately 4.90 million acres. This area shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Park, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and in the Office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 702. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 701 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Park System, including, but not limited to, the Act of August 23, 1916 (30 Stat. 535 et seq.), as amended and supplemented (16 U.S.C. 1 et seq.), and in accordance with the provisions of this Act.

TITLE VIII ALASKA COASTAL NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 801. (a) There is hereby established the Alaska Coastal National Wildlife Refuge of approximately 0.15 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 802. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 801 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE IX INNOKO NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 901. (a) There is hereby established the Innoko National Wildlife Refuge of approximately 0.60 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 902 . (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 901 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE X KAIYUH NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1001. (a) There is hereby established the Kaiyuh National Wildlife Refuge of approximately 0.19 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1002. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1001 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XI KANUTI NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1101. (a) There is hereby established the Kanuti National Wildlife Refuge of approximately 0.43 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1102.(a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1101 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XII KOYUKUK NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1201. (a) There is hereby established the Koyuk uk National Wildlife Refuge of approximately 1.58 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1202. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1201 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XIII SELAWIK NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1301. (a) There is hereby established the Selawik National Wildlife Refuge of approximately 0.73 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1302. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1301 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XIV SHISHMAREF NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1401. (a) There is hereby established the Shishmaref National Wildlife Refuge of approximately 0.76 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1402. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1401 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XV YUKON DELTA NATIONAL WILDLIFE REFUGE

ESTABLISHMENT

Sec. 1501. (a) There is hereby established the Yukon Delta National Wildlife Refuge of approximately 3.60 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Wildlife Refuge, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1502. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1501 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a unit of the National Wildlife Refuge System, and in accordance with the provisions of this Act.

TITLE XVI COLLEGE FJORD ADDITION TO THE CHUGACH NATIONAL FOREST

ESTABLISHMENT

Sec. 1601. (a) There is hereby established the College Fjord Addition to the Chugach National Forest of approximately 0.72 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Forest, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1602. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1601 of this title shall be administered by the Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

TITLE XVII NELLIE JUAN ADDITION TO THE CHUGACH NATIONAL FOREST

ESTABLISHMENT

Sec. 1701. (a) There is hereby established the Nellie Juan Addition to the Chugach National Forest of approximately 0.28 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Forest, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1702. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1701 of this title shall be administered by the Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

TITLE XVIII PORCUPINE NATIONAL FOREST

ESTABLISHMENT

Sec. 1801. (a) There is hereby established the Porcupine National Forest of approximately 2.59 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Forest, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1802. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1801 of this title shall be administered by the Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

TITLE XIX YUKON FLATS NATIONAL FOREST

ESTABLISHMENT

Sec. 1901. (a) There is hereby established the Yukon Flats National Forest of approximately 2.13 million acres. Those areas shall consist of the lands, waters, and interests therein generally depicted on the map entitled Boundary Map, National Forest, Alaska, dated _____,1977, which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary of Agriculture in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 1902. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 1901 of this title shall be administered by the Secretary of Agriculture under the laws of general applicability to other areas comprising a unit of the National Forest System, and in accordance with the provisions of this Act.

TITLE XX BIRCH CREEK NATIONAL WILD RIVER

ESTABLISHMENT

Sec. 2001. (a) There is hereby established the Birch Creek National Wild River of approximately 0.20 million acres. This area shall consist of the lands, waters, and the interests therein generally depicted on the map entitled Boundary Map, National Wild and Scenic Rivers, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and the office of the Secretary.

(b) As soon as practicable after the date of such enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2002. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 2001 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a Wild River of the National Wild and Scenic Rivers System, and in accordance with the provisions of this Act.

TITLE XXI CHARLEY NATIONAL WILD RIVER

ESTABLISHMENT

Sec. 2101. (a) There is hereby established the Charley National Wild River of approximately .40 million acres. This area shall consist of the lands, waters, and the interests therein generally depicted on the map entitled Boundary Map, National Wild and Scenic Rivers, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and the office of the Secretary.

(b) As soon as practicable after the date of such enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2102. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 2101 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a Wild River of the National Wild and Scenic Rivers System, and in accordance with the provisions of this Act.

TITLE XXII NOATAK NATIONAL WILD RIVER

ESTABLISHMENT

Sec. 2201. (a) There is hereby established the Noatak National Wild River of approximately .40 million acres. This area shall consist of the lands, waters, and the interests therein generally depicted on the map entitled Boundary Map, National Wild and Scenic Rivers, Alaska, dated _____, 1977, which shall be on file and available for public inspection in the principal office of the Commission and the office of the Secretary.

(b) As soon as practicable after the date of such enactment of this Act, a map and a legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2202. (a) Subject to valid existing rights, lands, waters, and interests therein comprising the area established by section 2201 of this title shall be administered by the Secretary under the laws of general applicability to other areas comprising a Wild River of the National Wild and Scenic Rivers System, and in accordance with the provisions of this Act.

TITLE XXIII KATMAI FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2301 . (a) There is hereby established the Katmai Federal Cooperative Lands of approximately 1.59 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2302. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Katmai Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXIV GATES OF THE ARCTIC FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2401 . (a) There is hereby established the Gates of the Arctic Federal Cooperative Lands of approximately 3.55 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2402. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Gates of the Arctic Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXV MT. MCKINLEY FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2501 . (a) There is hereby established the Mt. McKinley Federal Cooperative Lands of approximately 1.96 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2502. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Mt. McKinley Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXVI WRANGELL-ST. ELIAS FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2601 . (a) There is hereby established the Wrangell-St. Elias Federal Cooperative Lands of approximately 8.74 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2602. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Wrangell-St. Elias Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXVII LAKE CLARK FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2701 . (a) There is hereby established the Lake Clark Federal Cooperative Lands of approximately 3.49 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2702. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service,.or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Lake Clark Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXVIII CHARLEY RIVER FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2801 . (a) There is hereby established the Charley River Federal Cooperative Lands of approximately .99 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2802. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The National Park Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the National Park Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Charley River Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXIX INNOKO FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 2901 . (a) There is hereby established the Innoko Federal Cooperative Lands of approximately 1.24 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 2902. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Innoko Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXX CHANDALAR FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3001 . (a) There is hereby established the Chandalar Federal Cooperative Lands of approximately 8.27 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3002. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Chandalar Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXI SHISHMAREF-IMURUK FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3101 . (a) There is hereby established the Shishmaref-Imuruk Federal Cooperative Lands of approximately 1.84 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3102. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Shishmaref-Imuruk Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXII CAPE NEWENHAM FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3201 . (a) There is hereby established the Cape Newenham Federal Cooperative Lands of approximately 0.24 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3202. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Cape Newenham Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXIII NOATAK FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3301 . (a) There is hereby established the Noatak Federal Cooperative Lands of approximately 11.47 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3302. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Noatak Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXIV YUKON DELTA FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3401 . (a) There is hereby established the Yukon Delta Federal Cooperative Lands of approximately 1.50 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3402. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Yukon Delta Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such ue is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXV ANDREAFSKY FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3501 . (a) There is hereby established the Andreafsky Federal Cooperative Lands of approximately 3.50 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3502. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Andreafsky Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXVI ILLIAMNA FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3601 . (a) There is hereby established the Illiamna Federal Cooperative Lands of approximately 2.30 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3702. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Fish and Wildlife Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the director of the United States Fish and Wildlife Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Illiamna Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXVII CHUGACH FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3701 . (a) There is hereby established the Chugach Federal Cooperative Lands of approximately 1.77 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3702. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Forest Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the Chief of the United States Forest Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Chugach Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXVIII PORCUPINE FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3801 . (a) There is hereby established the Porcupine Federal Cooperative Lands of approximately 3.40 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3802. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Forest Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the Chief of the United States Forest Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Porcupine Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXIX YUKON RIVER FEDERAL COOPERATIVE LANDS

ESTABLISHMENT

Sec. 3901 . (a) There is hereby established the Yukon River Federal Cooperative Lands of approximately 0.54 million acres. This area shall consist of the lands, waters, and interests therein, generally depicted on the map entitled Boundary Map Federal Cooperative Lands, Alaska, dated _____, 1977 which shall be on file and available for public inspection in the principal office of the Secretary of Agriculture.

(b) As soon as practicable after the date of the enactment of this Act, a map and a legal description of the area established by this title shall be published in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

ADMINISTRATION

Sec. 3902. (a) Classification of this area shall be the responsibility of the Commission in accordance with Title XXXXII and the other provisions of this Act. The United States Forest Service shall manage and regulate uses within this unit in accordance with Commission classifications and the provisions of Titles XXXXII and XXXXIII of this Act. Except to the extent that they would be inconsistent with a Commission classification or the provisions of this Act, land use and management decisions made by the Chief of the United States Forest Service, or his designee, shall be in accordance with the laws and regulations which generally govern the functions of such agency.

(b) The Yukon River Federal Cooperative Lands shall be open to all uses authorized under the public land laws except disposal under those laws authorizing the conveyance of title from Federal ownership: Provided, however That, subject to valid existing rights, the Commission may close lands to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201 or upon finding that exigent circumstances exist.

TITLE XXXX--ALASKA COOPERATIVE LANDS

STATE LANDS

Sec. 4001. (a) Following designation under Alaska state law and upon a finding by the Secretary of compliance with the substantiality requirement of section 4201(a), there shall be established Alaska Cooperative Lands. The location and boundaries of such lands shall be determined by mutual agreement of the Secretary and the State of Alaska. Prior to such agreement, the Secretary shall consult as necessary with other federal officials, including but not limited to the Secretaries of Agriculture, Defense, Transportation and State. Upon designation, Alaska Cooperative Lands shall be classified and managed in accordance with Titles XXXXII and XXXXIII of this Act and applicable laws of the State of Alaska. Following consultation with the Commission, the State of Alaska may substitute other lands for lands initially designated pursuant to this section provided that the Secretary finds continuing compliance with the requirement of substantiality under section 4201 (a) of this Act.

(b) As soon as practicable after the date of designation pursuant to subsection (a) of this title, a map and legal description of the area established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act: Provided, however, That correction of clerical and typographical errors in such legal description may be made. Whenever possible, cadastral surveys and boundaries shall follow or approximate hydrographic divides or embrace other physiographic features.

TITLE XXXXI--PRIVATE COOPERATIVE LANDS

PRIVATE LANDS

Sec. 4101. (a) With the approval of the Commission, and subject to valid existing rights, private landowners may dedicate their lands for periods of not less than ten years as Private Cooperative Lands. Upon dedication, such lands shall be classified by the Commission and managed by the landowner in accordance with such classification and other provisions of this Act.

(b) With the concurrence of the State of Alaska, privately owned lands designated as Private Cooperative Lands under this title shall be exempt from State and local real property taxation and assessment so long as such lands are not developed or leased to third parties. For purposes of this subsection, development shall mean any disturbance of the land which results in the production of revenue. The Commission shall promulgate regulations to supplement the meaning of development for purposes of this section.

(c) Private Cooperative Lands shall be open to all uses, except that the Commission may close areas to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 4201, or upon a finding that exigent circumstances exist: Provided, however, That lands dedicated pursuant

to this title may, upon notification to the Commission, be removed from the designation of Private Cooperative Lands, and effective upon such removal, the provisions of this title shall no longer be applicable to such land so removed: Provided further, That if such lands are removed from the designation of Private Cooperative Lands prior to the expiration of each ten-year period, such landowner shall be liable for accrued local and State property taxes and assessments which would have been owing on such lands but for their designation as Private Cooperative Lands, together with interest thereon in an amount to be determined at the rate charged by the appropriate taxing agency for delinquent property taxes.

TITLE XXXXII--ALASKA LAND CLASSIFICATION COMMISSION

COMMISSION

Sec. 4201. (a) Upon a finding by the Secretary that the State of Alaska has designated a substantial amount of State land as Alaska Cooperative Lands pursuant to Title XXXX, there shall be established the Alaska Land Classification Commission, whose members shall be selected as follows:

(1) four members appointed by the President, with the advice and consent of the Senate, one of whom shall be designated by the President, at the time of appointment, as Co-Chairman, and one of whom shall be a Native as that term is defined in section 3 (b) of the Settlement Act; and

(2) four members appointed by the Governor of the State of Alaska, one of whom shall be designated by the Governor, at the time of appointment, as Co-Chairman.

(b) Members shall serve at the pleasure of the appointing authority. A vacancy in the membership of the Commission shall be filled in the same manner as the original appointment was made.

(c) (1) The Federal Co-Chairman shall be compensated at a rate to be determined by the President but not to exceed the rate provided for GS-18 of the General Schedule under section 5332 of title 5, United States Code.

(2) The other Federal members of the Commission shall be compensated at a rate to be determined by the President, but not to exceed the rate provided for GS-16 of the General Schedule under section 5332 of title 5, United States Code;

(3) The State Co-Chairman and the State members of the Commission shall be compensated in accordance with applicable State law.

(d) Five members of the Commission shall constitute a quorum.

(e) With respect to all Federal lands subject to this Act, the Secretary or Secretary of Agriculture, with respect to lands managed by the United States Forest Service, may veto a decision of the Commission. With respect to all State lands subject to this Act, the Governor of the State of Alaska may veto a decision of the Commission.

(f) The Co-Chairmen, acting jointly, shall have the power, in accordance with regulations prescribed by the Commission, to create and abolish employments and positions, including temporary and intermittent employments as they deem necessary for the purposes of the Commission; to fix and provide for the qualification, appointment, removal, compensation, pension and retirement rights of employees; and to procure needed office space, supplies and equipment.

(g) The Commission is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement. Each department and agency of the Federal Government may cooperate fully with the Commission in making the services, equipment, personnel, and facilities of such department or agency available to the Commission.

(h) The Commission is authorized to accept donations, gifts, grants, and other contributions and to utilize the same in carrying out its functions under this Act.

(i) The Commission shall keep and maintain complete accounts and records of its activities and transactions, and such accounts and records shall be available for public inspection.

(j) The Federal Government shall pay 50 per centum of the costs and other expenses incurred by the Commission in any one fiscal year.

(k) The principal office of the Commission shall be located within the State of Alaska.

(l) All Commission meetings shall be public and shall be duly noticed at least fifteen days prior to the date when the meeting is to take place.

(m) It shall be the function of the Commission--

(1) to provide for the inventory of lands under its jurisdiction using, where appropriate, information obtained from other agencies including, but not limited to, the United States Geological Survey, Bureau of Mines and Alaska State Department of Natural Resources;

(2) to develop comprehensive land use plans with respect to lands under its jurisdiction of the Commission;

(3) to make land classifications pursuant to such plans;

(4) to provide advice and other assistance, upon request, in the development and review of land-use plans for lands selected by Native Corporations under the Settlement Act and by the State under the Alaska Statehood Act;

(5) to review existing withdrawals of Federal and State lands and to recommend to appropriate officers of the government of the United States and the State of Alaska such modifications of such withdrawals as the Commission deems necessary;

(6) to make recommendations to appropriate officers of the governments of the United States and the States of Alaska as to necessary changes in laws, policies, budgets, and programs relating to the public lands of Alaska;

(7) to make recommendations to appropriate officers of the governments of the United States and the State of Alaska to insure that economic growth and development are orderly, planned, and compatible with State and national environmental objectives, with the public interest in the parks, forests, wildlife refuges, wild and scenic rivers, and other public lands in Alaska, and the economic and social well-being of the residents of the State of Alaska; and

(8) to make recommendations to appropriate officers of the governments of the United States and the State of Alaska to improve coordination and consultation between said governments in making resource allocation and land use decisions.

(n) Notwithstanding any other provision of law, the Joint Federal-State Land Use Planning Commission for Alaska shall cease to exist upon the expiration of the one-hundred-and-twenty-day period following the establishment of the Commission pursuant to this Act. Immediately upon the expiration of such period, all property of the Joint Commission and all unexpended funds appropriated to that Commission are hereby transferred to the Commission established by this Act.

(o) In the event that the State of Alaska fails to comply with subsection (a) of this title, the agencies designated to manage Federal Cooperative Lands established by this Act shall inventory, classify, plan, and manage those lands in accordance with subsections (m) (1), (2), and (3) of this title, Title XXXXIII, and other provisions of this Act. In addition, the appropriate agency shall carry out any other responsibility assigned to the Commission by this Act, including but not limited to the guarantee of necessary public access as provided in section 4301.

TITLE XXXXIII--MANAGEMENT AND ADMINISTRATION

ACCESS

Sec. 4301. The Commission shall take such action as may be necessary to guarantee needed public access across lands designated pursuant to this Act. The location and mode of such access shall be in accordance with land use plans developed pursuant to section 4201. The Commission is authorized to acquire by donation, purchase with donated or appropriated funds, condemnation, or exchange, lands, waters, and any interest therein, of the State of Alaska, its political subdivisions, or of any private landowner, as the Commission determines necessary to carry out its functions under this section.

MINERAL DEVELOPMENT

Sec. 4302. Mineral exploration and development shall be permitted in accordance with the provisions of this Act. With respect to such activities, the provisions of the Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.) and the Act of July 31, 1947 (30 U.S.C. 101 et seq.) shall apply to lands open or classified for such purposes pursuant to the provisions of this Act. With respect to said lands, exploration and development of minerals currently subject to location under the General Mining Laws (30 U.S.C. 21 et seq.) shall be governed by the location-lease system provided for in Title XXXXV.

BOUNDARY ADJUSTMENTS, PROHIBITION OF CERTAIN ADMINISTRATIVE ACTS

Sec. 4303. (a) Following reasonable notice in writing to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and after publication of notice in the Federal Register, the appropriate Secretary may make minor revisions in the boundaries of the Federal units established by this Act.

(b) Except as provided in subsection (a) of this section, the Secretary, the Secretary of Agriculture, and the Commission are prohibited from administratively establishing in Alaska any new units or additions to units of the systems referred to in this Act.

WILDLIFE MANAGEMENT

Sec. 4304. The taking of fish and game on all lands subject to this Act shall be regulated by the State of Alaska in accordance with applicable State law, including, but not limited to, the regulation of seasons, bag limits, means and methods, the administrative structure for wildlife management and regulation, the determination of resource depletion, and the definition of subsistence use and local residency. Where there is a conflict caused by depletion, the taking of fish and game for subsistence purposes shall be given preference over the taking of fish and game for other purposes. Such preference shall be granted to the local residents of the area affected by a conflict between consumptive uses. Nothing in this section shall be construed to require that hunting or fishing be permitted where depletion of the resource would dictate a complete prohibition of such activities.

AGRICULTURAL DEVELOPMENT

Sec. 4305. Agricultural development, including but not limited to cultivation and grazing, shall be permitted in accordance with the provisions of this Act. Agricultural rights shall be allocated by means of a long-term leasing system developed jointly by the Secretary and Secretary of Agriculture, following consultation with the Commission.

WILDERNESS REVIEW

Sec. 4306. (a) Within five years of the date of the enactment of this Act, the President of the United States, after consultation with the Commission and the Secretary or the Secretary of Agriculture, as appropriate, shall make recommendations to Congress with respect to areas of National Parks, National Forests, National Wildlife Refuges, and National Wild Rivers established by this Act which are suitable for inclusion in the National Wilderness Preservation System. The criteria and procedure for such study shall be those specified in the Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)

(b) With respect to areas designated as part of the Federal Cooperative Lands by this Act, the Commission is authorized, but not required, to make recommendations to the President respecting areas which it determines should be included in the National Wilderness Preservation System under the criteria specified in the Wilderness Act of 1964. This subsection (b) shall relieve the appropriate managing agency of the necessity to undertake a wilderness review pursuant to existing authority.

TRUST FUND TO PURCHASE CERTAIN LANDS

Sec. 4307. With respect to the areas referred to in Titles I-XXXIX of this Act, the Federal share of proceeds derived during each fiscal year from Federal leases, contracts, permits, rights-of-way, easements, and other Federal interests in the State of Alaska, together with 50 per centum of the State of Alaska's share of the revenues derived from the Mineral Leasing Act of 1920, shall be paid into a trust fund to be maintained on the books of the United States Treasury. The trust fund shall be invested by the Secretary of the Treasury for use by the Secretary in conjunction with but separate from the Land and Water Conservation Fund, in purchasing privately owned lands in States of the United States, other than Alaska, for inclusion in units of the National Park, National Wildlife Refuge, or Wild and Scenic Rivers Systems. Moneys in the fund shall be available to the Secretary in such amounts as may be provided in appropriation acts.

EFFECT ON STATE SELECTIONS

Sec. 4308. (a) No provisions of this Act shall be construed to revoke or otherwise adversely affect any valid selection, tentative approval, or patent made or received by the State of Alaska pursuant to the Alaska Statehood Act or other authority prior to the effective date of this Act, nor shall any provisions of this Act be construed to prohibit the State from receiving tentative approval or patent to lands selected by it prior to the effective date of this Act but not yet tentatively approved or patented.

(b) Within 90 days following the enactment of this Act, and for a period of not less than two years thereafter, the Secretary shall make available to the State of Alaska for possible selection by it pursuant to the Alaska Statehood Act, all Federal lands in Alaska except:

(1) lands encompassed within existing or new units of the management systems established by this Act;

(2) lands reserved or withdrawn for a particular purpose other than existing or future classifications pursuant to section 17 (d) (1) of the Settlement Act, the Classification and Multiple Use Act of 1964 (43 U.S.C. 1411-18), the Federal Land Policy and Management Act of 1976 (90 Stat. 2743; 43 U.S.C. 1701 et seq.);

(3) lands segregated for possible conveyance to a Native corporation pursuant to the Settlement Act: Provided, however, That except as otherwise provided in this section, segregated land shall be made available for State selection upon the final relinquishment of Native selection rights, such availability to continue for a period of not less than one year from said relinquishment; and

(4) lands described in Public Land Order 5184, relating to an area of the Yukon-Kuskokwim Delta.

EFFECT ON NATIVE SELECTIONS

Sec. 4309. (a) No provision of this Act shall be construed to adversely affect any otherwise valid selection or patent made or received by a Native corporation or individual pursuant to the Settlement Act.

(b) Immediately upon the final relinquishment by a Native corporation of selection rights granted pursuant to the Settlement Act, any affected lands which are located within the boundaries of a unit referred to in this Act shall hereby be added to and incorporated within the appropriate unit to be administered under the provisions of this Act and the laws of general applicability to such unit.

COOPERATIVE AGREEMENTS

Sec. 4310. (a) The Secretary, the Secretary of Agriculture, and the Commission, after necessary consultation, are authorized to cooperate and seek agreements with the heads of other Federal agencies and the owners of lands and waters within, adjacent to, or related to areas described in this Act, including, without limitation, the State of Alaska or any political subdivision thereof, any Native corporation, village or group having traditional cultural or resource-based affinities for such areas, and, with the concurrence of the Secretary of State, the governments of foreign nations. Such agreements shall have as their purpose the assurance that resources will be used, managed, and developed in such a manner as to be consistent with the preservation of the environmental quality of such areas. The agreements may also provide for access by visitors to and across the lands which are the subject of the agreements.

(b) The heads of any Federal agency, other than agencies that are parties to cooperative agreements established in accordance with the provisions of subsection (a) of this section, having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the lands and waters within, adjacent to, or related to areas described in this Act, and the head of any Federal department or interdepartmental agency, other than parties to such agreements, having authority to license any undertaking in such lands and waters shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, afford the Secretary, the Secretary of Agriculture, or the Commission, as appropriate, a reasonable opportunity to comment with regard to such undertaking.

PROPERTY ACQUISITION

Sec. 4311 (a) Within the boundaries of the Federal areas established by this Act, and consistent with the laws of general applicability to such units, the Secretary and the Secretary of Agriculture, in the performance of their respective functions under this Act, are authorized to acquire lands, waters, or interests therein by donation, lease, purchased with donated or appropriated funds or exchange: Provided, however, That, except as provided in section 4301, property owned by the State of Alaska, including its political subdivisions, or by a private landowner may be acquired only with the concurrence of the appropriate owner.

(b) In exercising his authority to acquire property by exchange, the Secretary or the Secretary of Agriculture, as the case may be, may accept title to any non-Federal property located within the State of Alaska and may convey to the grantor of such property any federally owned property under the jurisdiction of that Secretary within said State. The property so exchanged shall be approximately equal in appraised fair market value: Provided, however, That the appropriate Secretary may accept cash from or pay cash to the grantor in order to equalize the value of the properties exchanged: Provided further, That where the properties to be exchanged are not equal in appraised fair market value or where such value cannot be ascertained with reasonable certainty, the appropriate Secretary may enter into an exchange if he finds that the appraised fair market value of the property to be received, together with the value of other public benefits, equals or exceeds the value of the property which the Federal Government will relinquish. To the extent authorized by Alaska State law, and notwithstanding the prohibition contained in section 6 (g) of the Alaska Statehood Act, the State may transfer mineral rights in a land exchange executed pursuant to this title.

(c) At least ninety days (not counting days on which the Senate and the House have adjourned for more than three consecutive days) prior to the consummation of an exchange for other than equal appraised fair market value, the Secretary involved shall notify the appropriate committees of Congress of such exchange, and he shall provide the committees with a report which contains relevant background information and the justification for the exchange. Such Secretary is authorized to execute the proposed exchange unless, within the ninety-day period provided in the preceding sentence, the Congress has adopted a concurrent resolution expressing disapproval.

TITLE XXXXIV--MISCELLANEOUS

REGULATIONS

Sec. 4401. The Secretary, Secretary of Agriculture, and the Commission are authorized to promulgate such regulations as may be necessary to carry out their functions under this Act.

SAVINGS CLAUSE

Sec. 4402. To the extent that there is a conflict not specifically provided for herein between any provision of this Act and any other Federal law, the provisions of this Act shall govern.

SEPARABILITY

Sec. 4403. If any provision of this Act or the applicability thereof is held invalid, the remainder of this Act shall not be affected thereby.

APPROPRIATIONS

Sec. 4404. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Such appropriations are deemed by the Congress as critical to the successful administration and management of the lands referred to herein.



ted stevens
united states senator for alaska

SUMMARY OF "THE ALASKA NATIONAL INTEREST LANDS ACT"
INTRODUCED BY SENATOR TED STEVENS
JUNE 30, 1977

This briefing paper outlines the details of legislation embodying principles of the d-2 position, agreed to and supported by Governor Jay Hammond, Senator Ted Stevens, and Congressman Don Young of Alaska. The position represents a consensus arrived at following a series of meetings held over the past six months, the announcement of a tentative position in March 1977, and review of comments on that position received over the past three months. The legislation was introduced in the Senate by Senator Stevens on June 30, 1977, pursuant to Section 17(d)(2) of the Alaska Native Claims Settlement Act which authorizes the Secretary of the Interior to withdraw up to 80 million acres of vacant, unreserved, and unappropriated Federal public lands for study as additions to the National Park, Forest, Wildlife Refuge, and Wild and Scenic River Systems. Congress reserved to itself the right to make final decisions on the lands withdrawn for study, and the legislation introduced by Senator Stevens proposes final disposition for those withdrawn lands. The proposed legislation is summarized below.

1. Additions to Existing Management Systems--Twenty-five (25) million acres of new national parks, wildlife refuges, national forests, and wild and scenic rivers are created in Alaska by this legislation. Included among these additions are two new park units, the Gates of the Arctic and Wrangell-St. Elias National Parks, located in the central Brooks Range and South Central Alaska, respectively. These two units are both substantially larger than any existing unit of the National Park System. Additionally, major additions to Mt. McKinley National Park and Katmai National Monument, which is designated as a park by this bill, and the establishment of three important national monuments are proposed by this legislation. In all, the National Park System is increased by 10.45 million acres, a nearly 40% increase in that system.

Eight wildlife refuges totalling 8.04 million acres would be created by this legislation. The refuge units are located throughout the State in prime areas of migratory waterfowl habitat to insure the continued protection and propagation of nationally and internationally significant bird populations which migrate from the Western Hemisphere and Asia to nest in Alaska. The addition of these refuges increases the acreage in the present refuge system by more than 25 percent.

The proposal also establishes two major national forests in Alaska's interior. The areas comprising the Porcupine and Yukon Flats National Forests have been identified as containing high potential for agricultural development and timber harvest, and the establishment of these areas as forests would allow this potential to be developed. Additionally, three wild rivers are proposed by this legislation, the Noatak, Charley, and Birch Creek Wild Rivers.

2. Federal Cooperative Lands--Approximately 58 million acres of other lands withdrawn under Section 17(d)(2) will be designated as Federal Cooperative Lands to be managed by existing Federal agencies, including the National Park Service, the United States Fish and Wildlife Service, and the United States Forest Service. These lands would be managed in conjunction with lands designated for cooperative management by the State of Alaska and private landowners under the classification authority of the Alaska Land Classification Commission which is also established by this legislation. The location of these lands generally conforms to the boundaries of d-2 recommendations submitted to Congress by former Secretary of the Interior, Rogers Morton, in 1973.

   The establishment of these lands as areas dedicated to cooperative management would be contingent upon a finding by the Secretary of the Interior that the State has designated a substantial amount of State acreage to cooperative management. Without this finding, these Federal lands would be managed by existing Federal agencies as designated by Congress.

3. Cooperative Management--The State of Alaska and private landowners may voluntarily dedicate all or part of their lands to a program of cooperative management with Federal lands designated by Congress. The management of these lands would be under the classification authority of the Alaska Land Classification Commission, but actual management of the lands

will be carried out by the respective landowner. In effect, the Classification Commission will function similarly to a planning and zoning commission for lands under its jurisdiction.

There is considerable incentive for the State of Alaska and private landowners to dedicate lands to cooperative management. Without the dedication of a substantial amount of State lands, the cooperative management program will not be created and lands would continue to be managed by the Federal Government without any Alaskan participation in management and classification decisions. Private landowners will be granted an exemption from State and local real property taxation and assessment so long as such land is dedicated to cooperative management and not developed or leased to third parties. Under this system, State and private landowners retain the ultimate decision on the use of their lands through voluntary dedication but are encouraged to dedicate appropriate lands to cooperative management through the incentives described above.

4. The Alaska Land Classification Commission--An eight-member commission will be established by this bill to classify lands dedicated to cooperative management. Four of the commissioners shall be appointed by the President and four by the Governor of the State of Alaska, and each commissioner shall serve on a full-time basis. The commission shall be directed by a Federal Co-Chairman and a State Co-Chairman, to be designated by the President and Governor, respectively.

As stated previously, the commission shall serve as a policy-making and classification body. Specific management on a daily basis will be carried out by existing line agencies of the Federal Government, the State of Alaska, or by the private landowners. The Governor and the Secretaries of Interior and Agriculture, as appropriate, retain an ultimate veto over commission decisions made concerning State and Federal lands, respectively.

5. Lower 48 Trust Fund--To insure that the national interest is served by the appropriate development of natural resources on lands dedicated to cooperative management, the funds derived from this development will be placed in a special trust fund to be used exclusively for the purchase of private lands in the other 49 States which have been or will be designated as part of the National Park, Wildlife Refuge or Wild and Scenic River Systems. There is a backlog of these lands and sufficient funds to purchase these lands are not anticipated to be appropriated by Congress in the near future.

All proceeds derived from Federal leases, contracts, rights-of-way, easements, and other Federal interests on d-2 lands, along with 50 percent of the State of Alaska's share of revenue derived from the Mineral Leasing Act of 1920 shall be paid into this trust fund which would be managed in conjunction with but separate from the Land and Water Conservation Fund. From these funds, Congress may authorize the purchase of these private lands in the other 49 States. This trust fund provides the means to purchase these lands and closely ties the national interest in the appropriate development of resources on Alaska's d-2 lands to the further enhancement of the National Park, Wildlife Refuge, and Wild and Scenic River Systems elsewhere in the United States.

6. Management and Administration--Specific provisions in the bill dealing with management and administration are summarized below:

A. Wildlife Management--Taking of fish and game will be regulated by the State of Alaska in accordance with applicable State laws. Pursuant to State laws and consistent with the Constitution of the State of Alaska, the legislation establishes taking of fish and game for subsistence purposes, as defined by State law, as the priority beneficial use of fish and game should a conflict occur because of depletion of the resource, also as determined by the State of Alaska.

B. Agricultural Development--The Secretaries of Interior and Agriculture are directed to consult and develop a long-term leasing system for the allocation of agricultural rights, including grazing and cultivation, on lands designated by this Act which are open or classified for such purposes.

C. Access--Public access across d-2 lands shall be guaranteed by law. The location and modes of such access shall be determined by the commission which is authorized to use the power of eminent domain to acquire land needed for access in accordance with its planning process. The guarantee of public access is an important legal distinction and differs from the discretionary authority which is normally vested in the Secretary of Interior or Agriculture under traditional management systems.

D. State Selections--Existing State selections, selected lands under tentative approval, and lands patented to the State shall not be affected by this proposal. Additionally, the legislation directs the Secretary to make specific lands available to the State for selection within 90 days following the enactment of this act. This will allow the State to complete its selection process within the remaining years authorized by the Alaska Statehood Act.

E. Wilderness Review--In five years, the commission shall make recommendations to Congress concerning the additions to the National Park, Forest, Wildlife Refuge, and Wild and Scenic River Systems which it feels are suitable for inclusion in the National Wilderness Preservation System. Criteria and procedure for study of these units and any recommendations shall conform to guidelines established by the Wilderness Act of 1964. The commission is also authorized, but not required to make recommendations for wilderness designation respecting Federal lands designated as Federal Cooperative Lands.

7. Effect on Native Selections--No portion of the legislation shall affect the selection process of Native corporations established under the Alaska Native Claims Settlement Act. Following the relinquishment of selections by Native corporations, those selections located within the boundaries of a unit of the four systems or the Federal Cooperative Lands shall become a part of that unit.

8. Changes from the Tentative Position--On March 26, 1977, Governor Hammond, Senator Stevens, and Congressman Young announced a tentative position from which this d-2 legislation was derived following considerable revision. The bill introduced today reflects major changes made in the tentative position based on comments received from Alaskans, members of Congress, the Secretary of the Interior, and other interested parties.

Originally, the additions to the existing four systems were designated to become part of those systems in the year 2000. However, it became clear that all parties felt the need for core areas to be dedicated to the four systems immediately. Consequently, the "for the future" concept has been eliminated.

Additionally, the establishment of a fifth system has been eliminated to insure that no Federal management agency would be created by this legislation. As stated previously, the

management of the lands will be carried out by existing line agencies, which will not require any creation or start-up. Other revisions made include individual boundary changes which have been modified pursuant to suggestions received following the announcement of the tentative position.



ted stevens
united states senator for alaska

STATEMENT BY SENATOR TED STEVENS

INTRODUCTION OF "THE ALASKA NATIONAL INTERESTS LANDS ACT"
JUNE 30, 1977

The most significant issue facing the State of Alaska in the 95th Congress is the so-called "d-2" lands issue which deals with final disposition by Congress of some 80 million acres of Federal public lands in Alaska withdrawn for study as potential additions to the National Park, Wildlife Refuge, Forest, and Wild and Scenic River Systems. The legislation I introduce today will establish 25 million acres of new parks, wildlife refuges, forests, and wild and scenic river units in Alaska, and, if enacted, will be the largest single piece of legislation ever introduced by an elected representative of a State dealing with the establishment of units of these systems within his own State.

Fifty-eight million acres of d-2 lands are designated as lands to be involved in a program of cooperative management with State and private lands to be designated under the provisions of the legislation. In total concept, the legislation provides for a unique program of management for Federal lands in Alaska which will serve the dual goals of protecting nationally significant natural, historic, and scenic values and providing a framework for the appropriate and reasonable development of Alaska's natural resources. The management of these Federal lands will be the responsibility of existing Federal agencies, including the National Park Service, United States Fish and Wildlife Service, and United States Forest Service, as designated by Congress, pursuant to a classification and planning process carried out by the Alaska Land Classification Commission created by this legislation.

This legislation will increase the area under the jurisdiction of the National Park Service by approximately 40 percent. 10.45 million acres will be added to the approximately 25 million

acres now under the administration of the National Park Service according to the Government publication, Public Land Statistics --1976. Following passage of this legislation, approximately half the land under the administration of the National Park Service will be located in Alaska, including the 5 largest areas in the National Park System.

The 6 largest existing units of the National Wildlife Refuge System are also located in Alaska, and following the enactment of the legislation I propose today, 8 new refuges comprising nearly 8 million acres will be added to the refuge system in Alaska, resulting in the location of the Nation's 8 largest wildlife refuges in my State. According to Public Land Statistics--1976, the addition of these refuge units will increase the National Wildlife Refuge System by over 25 percent to a total of 38 million acres, 30 million, or 75 percent, of which will be located in Alaska.

The bill further proposes the establishment of approximately 5 million acres of National Forest units in Alaska, the bulk of which are located in the interior of the State which has long been noted for its agricultural and timber potential. The establishment of these areas will provide a flexible management system for the development of a yet unrealized contribution of Alaska's interior to our Nation's agricultural and timber needs. With the establishment of the Yukon Flats and Porcupine National Forests and two additions to the Chugach National Forests by this bill, a balanced system of management by the United States Forest Service will at last be established in Alaska.

Three national wild rivers are also established by this legislation, the Noatak, Charley, and Birch Creek Wild River units.

The 25 million acres of additions to the existing four management systems make this bill, to my knowledge, the single most significant piece of legislation ever introduced by an elected representative of a State regarding the establishment of units of these systems in his State. Alaskans have always been conscious of the need to protect the lands located within their State, and this bill reflects that realization. Alaskans are also conscious of the need to establish a flexible management system for the vast majority of lands designated for study under d-2 authority to insure that future generations will be able to make decisions based on information relating to the lands as it becomes available and on priorities for the use of the lands as these needs develop.

In response to this need for flexibility in management, the bill I introduce today provides the framework for a system of cooperative management among Federal, State, and private landowners. This program of cooperative management is essential to insure protection of complete ecosystems which are owned in part by Federal and State governments and private landowners. Under this program of cooperation, Federal, State, and private landowners may dedicate lands to management in coordination with one another. Management of the lands will be carried out by existing Federal and State management agencies and private landowners, respectively.

Providing direction to the land managers will be the Alaska Land Classification Commission, which will be created by this legislation upon a finding of the Secretary of the Interior that the State of Alaska has dedicated a substantial amount of State land to the cooperative management program. The commission will have the duty of classifying land dedicated to cooperative management for use or uses under a comprehensive program of land-use planning. In this way, the South 48 concept of delineating individual Federal, State and private landholdings to be managed without coordination will be replaced with a well-coordinated concept of cooperative management.

Nearly half of the Federal lands in America are located in Alaska. Therefore, it is appropriate that this unique concept of management be enacted for Alaska to provide well-reasoned land-use decisions for these Federal lands. Approximately 57 million acres of Federal lands are designated as potential cooperative management lands. These lands are the remainder of the lands withdrawn under Section 17(d)(2) for study, but which we have identified as lands not under immediate pressure for protection and inclusion in one of the four systems.

It should be emphasized that the cooperative management concept is not a fifth system. This bill does not create an additional Bureau of Land Management, National Park Service, or other fat Federal management agencies. The management of the Federal cooperative lands is left to existing line agencies as designated by Congress on a unit-by-unit basis in this bill. Management continuity by existing agencies is assured.

The State of Alaska shall designate lands for cooperative management under its own State laws. The cooperative management program will not become effective without a finding by the Secretary of the Interior that the State has designated a substantial amount of lands to the program of cooperative management. Private landowners may also participate in

cooperative management by dedicating their lands for periods of 10 years to cooperative management. Incentive for participation in cooperative management is provided to the private landowner through a tax exemption from State and local real property taxes so long as the lands dedicated are managed according to commission classifications and not developed or leased to third parties. Should the landowner remove his lands from cooperative management prior to the expiration of the 10-year period, he becomes liable for accrued local and State property taxes and assessments during the entire period.

The Alaska Land Classification Commission established to insure coordination of cooperative management by this legislation shall consist of four members appointed by the President, with the advice and consent of the Senate, one of whom shall be a Native as defined by the Alaska Native Claims Settlement Act, and four members appointed by the Governor of the State of Alaska. All commissioners shall serve full time and the commission shall be directed by a Federal Co-Chairman and a State Co-Chairman designated by the President and the Governor, respectively. In essence, the commission will function as a zoning and planning commission for the cooperative lands by establishing classifications for the use of those lands which shall be implemented on a daily basis by Federal and State management agencies and by the private landowners.

This coordination of land planning at such a high level will enhance the cooperation between State and Federal land managers. The key to success of cooperative management rests with the assurance that State and Federal landowners, both of whom are sovereign entities, will abide by decisions made in consultation with one another. The Alaska Land Classification Commission will insure that cooperative management will work by creating a partnership between the two governments.

A number of specific principles of management and administration are dealt with directly by the legislation. A brief description of these principles is provided below:

1. Access--Necessary public access to, from, and across d-2 lands is essential to insure the use of these lands and those State and private lands which are located adjacent to d-2 lands. To insure this access, the commission is directed to guarantee access as needed and to determine the location and mode of such access across d-2 lands.

2. Mineral Development--Alaska remains America's largest storehouse of mineral resources. According to the Bureau of Mines, 28 of 37 mineral commodities imported into the United States are found in Alaska. Eighteen of these have been mined in the past, or are known to be present in potentially minable deposits. Additionally, 16 of 18 minerals listed on the strategic commodities list by the Federal Government are found in sufficient quantities to justify commercial mineral extraction. In an age of escalating shortage and dwindling sources of supply, Alaska holds the possibility of easing America's burden for the supply of needed mineral resources.

   It is recognized that d-2 lands are different from public domain lands. Consequently, this legislation proposes that the exploration and development of hard rock minerals be governed by a modified location-lease system which is currently being developed. This system is intended to apply only on the d-2 lands and is not to be confused with efforts to amend the Mining Law of 1872 for use on public domain. The exploration and extraction of leasable minerals, such as oil and gas, and mineral commodities, such as sand and gravel, will continue to be governed by the Mineral Leasing Act of 1920 and the Act of July 31, 1947, often referred to as the Mineral Materials Act.

3. Wildlife Management--The bill retains the traditional relationship between State and Federal agencies in which the State of Alaska shall regulate the taking of fish and game in accordance with applicable State law and the Federal Government retains its right to insure the protection of habitat on Federal lands. Additionally, under applicable State law and consistent with the State Constitution, the taking of fish and game for subsistence purposes is identified in the legislation as the priority beneficial use of fish and game where depletion of the resource creates a conflict between consumptive uses. Specific details of determining depletion, local residency, and other matters related to the implementation of the preference are reserved for State administration.

4. Effect on State Selections--The legislation provides that land selected, under tentative approval, or patented to the State pursuant to the Alaska Statehood Act shall not be affected by the establishment

of d-2 lands. Additionally, a system to make lands available to the State of Alaska so that it may complete its selections under the Alaska Statehood Act is set up by the legislation.

5. Wilderness Review--A 5-year program of wilderness review with respect to areas of the National Park, Wildlife Refuge, and Wild and Scenic River Systems, which are established by this bill, is provided for in the legislation. The criteria and procedure for recommendations shall be similar to those specified in the Wilderness Act of 1964.

6. Effect on Native Selections--The legislation will not affect the Native selection process under the Alaska Native Claims Settlement Act.

7. Agricultural Development--Alaska contains lands which have been identified as having high potential for agricultural development. Such agricultural development shall be allocated by means of a long-term leasing system to be developed jointly by the Secretary of Agriculture and Secretary of the Interior.

8. D-2 Trust Fund--To insure that the appropriate and necessary development of resources on d-2 lands is directly tied to the enhancement of the National Park, Wildlife Refuge, and Wild and Scenic River Systems, Federal proceeds from such development and 50 percent of the State's share of Mineral Leasing Act revenues on Federal lands in Alaska shall be placed in a trust fund to be established for the purchase of privately owned land which has been authorized to be included in the National Park, Wildlife Refuge, and Wild and Scenic River Systems in States other than Alaska. There is a backlog of these lands throughout the country, and adequate Federal appropriations to purchase these lands are not anticipated in the near future. Consequently, the funds obtained from the development of these lands will directly enhance the existing management systems by providing the means to purchase these backlogged lands.

The consideration of d-2 lands is one of the most crucial resource decisions that Congress will ever make. The future of Alaska's d-2 lands is tied directly to the future of the Nation. The legislation I introduce today provides for the largest increase in National Park, Wildlife Refuge, Forest, and Wild

and Scenic River Systems ever enacted in one piece of legislation. The Nation's environmental goals will be well-served by the enactment of this legislation. Additionally, a program of management to insure that Federal, State, and private lands are managed in coordination will allow the protection of complete ecosystems, which has been identified as a major environmental goal during the d-2 debate. The key to a congressional decision is striking a balance which will serve the dual goals of environmental protection and providing for flexibility in management for future decisions. My legislation does that, and I am hopeful that Congress will share my view and enact its provisions.



ted stevens
united states senator for alaska

STATEMENT BY U. S. SENATOR TED STEVENS
UNITED STATES SENATE
WASHINGTON, D.C.

June 30, 1977

Mr. President, today I introduce legislation which could well be the most important legislation introduced on behalf of my state, since Alaska's days as a territory. My bill, "The Alaska National Interest Lands Act," will establish twenty-five (25) million acres of new national parks, wildlife refuges, forests, and wild rivers within Alaska. Additionally, the legislation I introduce today provides the framework for a program of cooperative management between Federal, State, and private landowners to provide protection for complete ecosystems. Land ownership patterns in Alaska are in a process of continuous evolution, and Congress is in a unique position to involve itself as a partner with state and private landowners in a program of land management which will allow sound and rational land management to occur throughout the 49th State, which as you will recall, is one-fifth the size of the rest of the nation.

This bill which embodies the position supported by Alaska's Governor, Jay Hammond, Representative Don Young, Alaska's sole Congressman, and me, represents a true concensus of the vast majority of Alaskans who want to see a rational and well reasoned Congressional decision on what has come to be called the "d-2 Lands" issue. As you know, Section 17 (d) (2) of the Alaska Native Claims Settlement Act, authorized the Secretary of the Interior to withdraw up to 80 million acres of vacant, unreserved, and unappropriated Federal public lands for study as potential additions to the National Park, Wildlife Refuge, Forests, and Wild and Scenic Rivers Systems. Congress authorized these withdrawals to continue through 1978, at which time they will terminate by operation of law. Thus, unless this time frame is extended, Congress has approximately 18 months to make a "final" decision on the disposition of these lands.

I use the word "final" advisedly. For only now are we realizing the immensity of the decision which we created for ourselves in the passage of Section 17 (d) (2). As we approach consideration of this decision in earnest, Members of Congress on both sides of the Hill are beginning to realize the tremendous burden that has been placed on us by an artificial deadline. While there may be a need to provide immediate protection for some d-2 Lands, it is becoming obvious that it is neither necessary nor wise to make a final decision for all time on all d-2 lands in Alaska.

This is the heart of the d-2 question. Congress is called upon to pass final judgement on an area which exceeds the combined size of the states of California and Washington and is over five times the size of the acreage presently under the administration of the National Park System which Congress has created by individual acts or legislation over the past one hundred years. The question is whether Congress, in five years, will make a well reasoned decision on five times the amount of acreage it has taken over one hundred years to deal with in the past.

At the opening of my remarks today, I stated that this legislation may be the most important for Alaska since the passage of the Alaska Statehood Act. This is true because the Congressional decision on d-2 lands will affect far more than the Federal lands which Congress deals with directly in the legislation. The indirect impacts of d-2 legislation are tremendous, and the birthright of the State of Alaska and Alaska's Natives, as established in the Statehood and Settlement Acts, can be realized only if d-2 legislation is drafted with such impacts in mind. Therefore, we deal not only with Federal lands, but also state and private lands, and we must watch carefully to insure that our final decision properly safeguards the decisions we have made in the past.

What Congress must seek in d-2 legislation is balance which adequately achieves the dual goals of environmental protection and providing for appropriate and necessary development of Alaska's resources. Without this balance, Congress will have done a disservice to the Nation. This balance must be struck with the knowledge that Congress can never hope to have all the information it needs to make a final decision in perpetuity. What we are looking for is a system which will allow decisions to be made, yet still provide flexibility so that future generations can deal with their problems and priorities without the stigma of dismantling our most treasured systems of protection for natural, scenic, and historic areas.

Alaska is at the same time the Nation's final storehouse of wilderness and resource values. Natural wonders abound and scores of species of wildlife flourish in unparalleled numbers throughout the state. Natural resources also are found in quantities not available elsewhere in the nation. Thus, Alaska is called upon to be America's principal source of supply for natural resources, and also its primary showcase for wilderness and wildlife values. These demands cannot be met to everyone's satisfaction, but this does not mean that a reasonable balance between both goals cannot be struck. That balance can be found, and it is up to Congress to find it.

Not surprisingly, Alaskans have long realized the need for this balance. The nature of the Alaskan lifestyle is one in which utilization and protection of Alaska's land and resources go hand in hand. Consequently, the Alaska Congressional delegation and the Governor first looked to other Alaskans for guidance in the development of a balanced position on d-2 lands.

Over a six month period, members of the delegation and the Governor have met with every Alaskan group or individual who to our knowledge, has expressed a desire to be heard on the d-2 lands issue. Our initial meeting occurred late last year prior to the announcement of a tentative position by the Governor, Congressman Young and myself. In a series of meetings in Alaska, we met with virtually all Alaskan groups with an interest in d-2 lands, including representatives of Alaska's Natives, business and tourist interests, recreational groups, resource development interests, and preservation groups.

What emerged from our meetings was a broad concensus that certain d-2 lands in Alaska which are presently under pressure should be protected, but for the vast majority of Alaska's d-2 lands, a balanced system providing flexibility in management should be developed to allow future decisions to be made as further information becomes available and as circumstances not foreseeable today develop. It is this system which Governor Hammond, Congressman Young, and I present today in my introduction of this legislation.

Observers of the continuing process of this legislation's development will note significant changes from our tentative position announced three months ago. These changes were made following exhaustive analysis of comments received from Alaskans and other interested parties on the tentative position we announced in March. Let me now detail the specifics of the proposal.

THE ALASKA NATIONAL INTEREST LANDS ACT

Additions to Existing Management Systems

The legislation will establish approximately 25 million acres of new national park, wildlife refuge, forest, and wild river units in Alaska. Within the National Park System, two national parks, in the Gates of the Arctic and Wrangell-St. Elias Mountains areas will be created, each of which, is far larger than the largest areas now administered by the National Park Service. It is interesting to note that three of those five largest existing areas, Glacier Bay National Monument, Katmai National Monument, and Mt. McKinley National Park, are also located in Alaska.

The bill also creates substantial additions to Mt. McKinley National Park and Katmai National Monument, which is further designated as a National Park, in addition to creating three national monuments in nationally significant historic and natural areas: (1) Aniakchak-Caldera National Monument which protects one of the finest examples of volcanic activity located on the Alaska Peninsula; (2) Cape Krusenstern National Monument which preserves an area long recognized as a principal portion of the Bering Land Bridge over which the migration to North America of early man occurred thousands of years ago; and (3) Kobuk Sand Dunes National Monument which protects a truly significant natural feature, sand dunes located, surprisingly enough, above the Arctic Circle.

Following the passage of this legislation, approximately half of the land under the administration of the National Park Service would be located in Alaska, including the five largest areas in the National Park System. While acreage figures cannot quantify the contribution of a given piece of legislation to a management system such as the National Park System, nevertheless, let it be noted that this legislation proposes a truly significant increase in the size of the National Park System.

The same can be said for the areas proposed for inclusion in the National Wildlife Refuge System. Alaska is famous for its abundance of wildlife, particularly its migratory waterfowl population. Already, the six largest units of the wildlife refuge system are located in Alaska, including the Arctic National Wildlife Range, which comprises almost nine million acres, or nearly a third of the total refuge system.

Most of these refuges were established at the suggestion or behest of Alaskans. For example, the Arctic National Wildlife Range was originally a suggestion of the Fairbanks Women's Garden Club. The Clarence Rhode National Wildlife Refuge, the refuge system's third largest unit, was named for a distinguished Alaskan most responsible for its establishment. I can address this matter with first hand knowledge because I served as Solicitor of the Department of Interior and helped draft the Executive Orders which established a number of these refuges.

Nearly three-quarters of the Nation's Wildlife Refuges are already located in Alaska. Alaska certainly does its part in the protection and propagation of America's wildlife. Still, our bill establishes eight new refuges comprising nearly eight million acres, including the Yukon Delta and Koyukuk units of 3.60 and 1.58 million acres, respectively. The addition of the two aforementioned units will result in the location of the Nation's eight largest refuge units in Alaska. Additionally, the enactment of this legislation will increase the wildlife refuge system over 25% and result in the location of nearly 80% of the Nation's wildlife refuges in Alaska. The contribution of this bill to the protection of America's wildlife is apparent.

The bill further proposes the establishment of approximately 5 million acres of national forest lands in Alaska, the bulk of which are located in the interior of the State which has long been noted for its agricultural and timber potential. The establishment of these areas will provide a flexible management system for the development of a yet unrealized contribution of Alaska's interior to our Nation's agricultural and timber needs.

Forestry and related uses under the National Forest Management and Policy Act have long played a major role in Alaska. America's largest forest unit, the Tongass National Forest, is located in Southeastern Alaska, and another of the Nation's large forests, the Chugach National Forest, is located in the South-central part of the state. With the establishment of the Yukon Flats and Porcupine National Forests and two additions to the Chugach National Forest as proposed by this bill, a balanced system of management by the United States Forest Service will at long last be established in Alaska.

The d-2 debate in this Congress has revolved primarily around the establishment of park, wildlife refuge, and wilderness units in my state. However, Section 17 (d) (2) specifically charges the Congress with the responsibility of looking at the forestry needs of Alaska as well as park and refuge needs. This bill addresses those needs and establishes necessary units of the National Forest System.

Three National wild rivers are also established by this legislation. Pursuant to the Wild and Scenic Rivers Act, the Noatak National Wild River will be managed by the United States Fish and Wildlife Service which manages the Federal Cooperative Land unit within which the Noatak unit is located. The Charley River unit will be managed by the National Park Service, the designated manager of the Charley River Federal Cooperative Lands, and the Birch Creek National Wild River will be managed by the Bureau of Land Management.

LANDS DESIGNATED FOR COOPERATIVE MANAGEMENT

Federal Cooperative Lands

As stated previously, this bill provides the framework for a system of cooperative management among Federeral, State, and private landowners. The history of land management in Alaska has been one of allocating lands to specific owners. In 1867, following the transfer of sovereignty over Alaska from Russia to the United States, the Federal Government owned 100% of Alaska, subject to the final adjudication of rights to land by Alaska's Natives, as provided for in the Treaty of Cession.

During the ensuing 90 years, a small amount of individual tracts of land became available to private landowners under the Public Land Laws. These lands were primarily homesteads, trade and manufacturing sites, and headquarters sites. The amount of land conveyed to private individuals under the public land laws was minimal, less than one per cent of the 375 million acres comprised by Alaska's total land mass.

In 1958, Congress passed the Alaska Statehood Act which authorized the State of Alaska to select approximately 103.5 million acres of public lands to provide an economic base for the State's future development. Following nearly a century of struggle to achieve recognition of their claims, in 1971, Alaska's Natives received an entitlement of nearly 44 million acres under the Alaska Native Claims Settlement Act. Selection of lands by the state and Alaska's Natives has been ongoing since the passage of the Statehood and Settlement Acts, respectively.

Not surprisingly, the land management pattern in Alaska is both confusing and complicated. Consequently, the establishment of d-2 lands in Alaska defies the standard South 48 orientation of delineating federal management units separate and apart from the State and Private lands which are managed on an individual basis without coordination among the different land owners. Such coordination is essential to the successful management of lands in Alaska, and the protection of complete ecosystems. This bill provides the framework for a program of cooperative management.

Approximately 58 million acres of Federal lands are designated as potential cooperative management lands. These lands are the remainder of the lands withdrawn under Section 17 (d) (2) for study, but which we have identified as lands not under immediate pressure for protection and inclusion in one of the four systems. Instead, these lands will be managed by existing Federal management agencies in conjunction with state and private lands also dedicated to the program of cooperative management.

Let me emphasize that under my bill, these are and will remain, in perpetuity Federal lands to be managed by the federal government.

What the Cooperative Management concept does is to create a program of linkage with related State and private lands to allow the protection of complete ecosystems regardless of the ownership within which the ecosystems are located. If the goal of Congress is to provide for rational management of not only d-2 lands, but land in Alaska in general, then this is the mechanism to achieve that goal. Without the establishment of this cooperative management approach, the existing land management pattern of the South 48 may well be continued in the State of Alaska.

Nearly half of the Federal lands in America are located in Alaska. Therefore, it is appropriate that this unique concept of management be enacted for Alaska to provide well reasoned land use decisions for these Federal lands. It should be emphasized that the cooperative management concept is not a fifth system. This bill does not create an additional Bureau of Land Management, National Park Service, or other Federal Management Agencies. The management of the Federal Cooperative lands is left to existing line agencies as designated by Congress on a unit by unit basis in this bill. Thus, management continuity by existing agencies is assured.

Alaska Cooperative Lands

The State of Alaska is a sovereign entity under the Constitution of the United States. Therefore, it is the responsibility of the State of Alaska to designate its cooperative lands under its own state laws. The State Administration and the State Legislature have shown themselves to be well reasoned and enlightened in the area of land management and I am confident that this concept of cooperative management will appeal to Alaska State Legislators, as I hope it will appeal to Members of the Senate.

As cooperative management has been discussed in the past few months, concerns have been raised as to the specific amount of lands which the State must contribute in order to participate as a partner in cooperative management. Rather than set arbitrary figures, this bill leaves it to the Secretary of Interior to find that a substantial amount of state lands has been dedicated to cooperative management by the State of Alaska. Facts and circumstances will determine precisely what this amount will be, but the bill provides guarantees and protection to both the United States and the State of Alaska, by leaving the details of designation of Alaska Cooperative Lands to the State of Alaska and preserving the right of the Secretary of Interior to find that the State's designation is adequate to justify initiation of the program of cooperative management. In this way, the initial designation will begin the partnership that must be formed to insure that the cooperative management system will work and provide a well reasoned system of land management throughout the State of Alaska.

Private Cooperative Lands

Private cooperative lands are also provided for by this legislation. Private landowners may dedicate their lands to cooperative management for periods of not less than 10 years. These lands, will continue to be managed by private landowners, just as state and federal lands will continue to be managed by state and federal management agencies. But, the private landowner must agree to manage his lands in conjunction with federal and state lands or his lands may not be dedicated as private cooperative lands. If the private landowner dedicates his land to cooperative management, with the concurrence of the State of Alaska, the lands shall be exempt from state and local real property taxation and assessment so long as such lands are not developed or leased to third parties.

This tax exemption is the incentive for private landowners to become involved in the cooperative management system. In fact, this land bank concept was presented to us by the representative of the largest group of private landowners in Alaska, Alaska's Natives. In our meeting with the Alaska Federation of Natives, the fear that the enactment of state and local real property taxes on the tremendous acreage the Natives receive title to under the Settlement Act will require the sale of some lands to pay taxes was expressed. The AFN proposed that a system be created in which landowners, the bulk of whom would be Native Corporations, but not exclusively so, would be able to designate lands that would be tax exempt so long as they were not revenue producing. This seemed to be a reasonable idea to us, and we have incorporated it in our proposal.

In all instances, private landowners would be liable for taxes on lands that are revenue producing, but they could dedicate lands to cooperative management for periods of 10 years and receive a tax exemption. If the landowner were to withdraw his lands prior to the expiration of the 10 year period, he would become liable for accrued local and state property taxes and assessments during the entire period. This is a substantial incentive for private landowners to become involved in cooperative management, and I am confident that many landowners will do so.

The Alaska Land Classification Commission

To insure the coordination of the cooperative management concept an Alaska Land Classification Commission is created by this legislation, but only upon a finding by the Secretary of Interior that the State of Alaska has designated a substantial amount of state lands as Alaska cooperative lands. This Classification Commission shall be charged with the development of land classifications for federal, state, and private lands dedicated to cooperative management. The Commission shall consist of four members appointed by the President, with the advise and consent of the Senate, one of whom shall be a Native, as defined by the Settlement Act, and four members appointed by the Governor of the State of Alaska, one of whom, we assume, will be a Native. All Commissioners shall serve full time and the Commission shall be directed by a Federal Co-Chairman and a State Co-Chairman, designated by the President and Governor, respectively.

In essence, the Commission becomes a planning and zoning commission for the cooperative lands. Management shall continue by existing line agencies of federal and state governments and by the private landowners, but shall be pursuant to classifications for the land established by the Commission. In this way, the coordination of cooperative management is assured without the creation of a new bureaucracy to manage the lands themselves.

To some, the Alaska Land Classification Commission will seem akin to the presently existing joint Federal-State Land Use Planning Commission for Alaska. Some functions are similar, but the major difference between the two commissions is found in their authority. The present land use planning commission is purely advisory. The land classification commission contemplated by this legislation would have the power to classify lands dedicated to cooperative management for the best use or uses, subject to a veto on federal lands by the Secretary of Interior or the Secretary of Agriculture as appropriate and on State lands by the Governor. Thus, the new Commission really will decide what uses should take place on the lands.

This coordination of land planning at such a high level will enhance the cooperation between state and federal land managers. The key to success of cooperative management rests with the assurance that state and federal landowners, both of whom are sovereign entities, will abide by decisions made in consultation with one another. The Alaska Land Classification Commission will insure that cooperative management will work by creating a partnership between the two governments.

Cooperative lands dedicated under this Act shall be open to diversified uses subject to classifications of the Commission and applicable federal and state laws. The Classification Commission will have the power to decide the best use or uses for specific areas of land, pursuant to land use plans developed under this legislation. It is our judgement that the 25 million acres of d-2 lands designated as immediate additions to the four systems are those lands which shall be protected under the traditional management systems. Those other lands are under no specific pressure and should be available for diversified uses, except as determined otherwise by the Commission, pursuant to this legislation.

Management and Administration

A number of specific management principles are addressed by the legislation. It is here that the difference between this legislation and other d-2 legislation pending before Congress becomes most apparent. My discussion of the management principles provided for in this bill will also touch on certain inadequacies incumbent in that other legislation.

(1) Access - the Commission is charged with providing for necessary access. This may be the most important issue involved in d-2 lands legislation. Without a provision for access, there is no guarantee that necessary public access will be provided. Alaska is a land containing numerous mountain ranges, lakes, and rivers. Not surprisingly, key mountain passes, river crossings, and other access routes have been, and will continue to be identified as a transportation system as Alaska develops. The location of d-2 lands often overlap these all important access routes, and d-2 legislation must contain a guarantee of access through them.

The appropriate development of federal, state, and private lands in Alaska is dependent upon access. Resource development on these lands will continue if there is a way to get the resources to market. Take a look at any map of Alaska and note the location of d-2 land withdrawals. They are adjacent to and between State and Native selections. Without this guarantee of access, Congress will be taking away with the left hand what it gave with the right hand.

Congress passed the Statehood and Settlement Acts to guarantee the State of Alaska and Alaska's Native Corporations the right to develop as economically viable entities. Without access, the entitlements guaranteed by these two Acts are meaningless. We must have access or we will be landowners who are unable to use our lands.

I cannot emphasize strongly enough the importance of assuring access in d-2 legislation. It cannot be discretionary; it must be guaranteed. The future of the State of Alaska and Alaska's Natives will be determined by the access provision contained in d-2 legislation. The provision in this bill will guarantee that future.

On the other hand, the establishment of tremendous wilderness areas, as proposed by other legislation pending in the Senate, will prohibit access and destroy the entitlements of the State of Alaska and Alaska's Natives. There is no access in a wilderness area. A wilderness area is defined in the Wilderness Act of 1964 as an area in which "Man is a visitor and does not remain." Access, by its very nature, is anathema to wilderness.

I say to you that wilderness designation of d-2 lands on a massive scale will result in a de facto wilderness designation for all lands in Alaska. This was not the intent of Congress in the Section 17 (d) (2) of the Settlement Act which did not even mention wilderness. The tremendous implications of wilderness on access is brought to your attention to insure that all Members of the Senate understand the alternative to the system proposed by this legislation. The alternative, quite simply, is no access at all.

(2) Mineral development - Alaska remains America's final storehouse of mineral resources. According to the Bureau of Mines, 28 out of 37 mineral commodities imported into the United States are found in Alaska. Eighteen of these have been mined in the past, or are known to be present in potentially mineable deposits. Additionally, 16 of 18 minerals listed on the strategic commodity list by the Federal government, are found in sufficient quantities to justify commercial mineral extraction. In an age of escalating shortage and dwindling sources of supply, Alaska holds out the possibility of easing America's burden for the supply of needed mineral resources.

There are problems with mineral development in Alaska, and the major problem is lack of information. The United States Geological Survey, the federal agency charged with supplying the Federal government with information regarding mineral location on it lands, conducts a four-level study to determine the availability of minerals on federal lands. To date, some level 2 studies for d-2 land withdrawals have yet to be completed. This level of study is very basic and is designed only to develop quantitative estimates of mineral resource potential on a general basis.

It is not until level 3 studies are completed that any sense of real knowledge is available. Even then, the level 3 studies map quadrangle areas as identified by the USGS on a scale of one (1) inch to 4 miles. At that rate, a township of 36 square miles is represented by a square of 1½ inches on a side. I submit to you that this is less than the most desirable information needed to make a truly sound decision as to whether a specific area of land should be precluded from mineral development. Presently, only 50 percent of the d-2 withdrawals have been mapped at level 3. Even more distressing is the fact that only 5 percent of the USGS quadrangles have been mapped at the level 4 stage, which provides the information needed to make substantive decisions on mineral development.

The U.S. Geological Survey estimates that it will finish this mapping program, known as the Alaska Mineral Resource Assessment Program or AMRAP, for the d-2 land withdrawals in 1990. Unfortunately, this is twelve years after the statutory deadline for the Congressional decision on d-2 lands expires. It is here that a flexible management program, such as the cooperative concept proposed by my legislation, can be of assistance. The Commission can classify lands for mineral exploration and development based on USGS data as it becomes available. Additionally, private mineral exploration can continue while the USGS compiles this information.

While the exploration and extraction of leasable minerals, such as sand and gravel, will continue to be governed by the Mineral Leasing Act of 1920 and the Act of July 31, 1947, often referred to as the Mineral Materials Act, a change in the development of hard rock minerals is recommended by this legislation. Cognizant of the efforts by many to amend the mining law of 1872, we propose that within these specific Alaska lands only, the exploration and development of minerals currently subject to location under the mining law of 1872, shall be governed by a modified location-lease system which is currently being developed. This is a superior approach to burdening the Secretary with the duty to develop a permit and lease system as proposed in other d-2 legislation.

There is no desire on our part to fight the battle of amending the mining law of 1872 within the d-2 context. It is realized that d-2 lands are different from public domain land, and it is not inconsistent to establish a specific system for hard rock mineral development that differs from the mining law of 1872, so long as it is understood that this system is endorsed only for development on the lands designated by this Act.

The most important issue is to insure that mineral exploration and development can resume on d-2 lands. For almost 10 years, these lands have been closed to private exploration and development except for valid existing rights. It is time once again to allow the miners of America to develop Alaska's minerals for the good of the country. This new system, quite similar to the Alaska State laws, governing hardrock mineral development, will provide the ability for such development and still insure the protection of the land demanded by its special status as d-2 lands.

It should be noted that other proposals pending before Congress would preclude mineral development on over 145 million acres of federal lands in Alaska. These include the 80 million acres withdrawn under d-2 authority and an additional 65 million acres. It is argued that wilderness only preserves options for a later date, but I must point out that the definition of wilderness prohibits, for all practical purposes, any conclusive exploration or development of mineral resources. The Wilderness Act of 1964 does provide for mineral exploration until 1983, but practical experience shows that private mineral exploration companies will not spend money to explore an area that will be closed in a matter of years.

The exploration and development of mineral resources takes time, commitment, and money. Congress must state plainly that it desires mineral resource development to continue in Alaska. A wilderness designation states just the opposite. The establishment of large areas of parks and refuges also deals with mineral development in a prohibitive fashion. Mineral development is precluded by statute in national parks. Practical experience with wildlife refuge management has shown that refuge managers are unwilling to allow compatible mineral exploration, particularly for hardrock minerals, on refuges.

Congress must guarantee that, mineral exploration will continue on the bulk of d-2 lands which are under no immediate pressure. The system established by this bill will provide that guarantee.

(3) Wildlife Management - One of the most controversial issues involved in the consideration of d-2 lands relates to wildlife management. Under this bill, the traditional relationship between state and federal agencies is reaffirmed. The taking of fish and game would be regulated by the State of Alaska in accordance with applicable state law. The federal government would retain its right to insure the protection of habitat on federal lands and would not be involved in the day-to-day management of fish and game resources.

This dichotomy is of paramount importance and affects all 50 states. This is one area where all states agree. The right of the state to regulate the taking of fish and game must not be altered in d-2 legislation. If it is, the regulation of the taking of fish and game on other federal lands, in Alaska and the other states, is placed in jeopardy. The language in this legislation is similar to that found in the Sikes Act. This separation of federal and state responsibilities has worked well and must be retained.

Other legislation pending in the Senate would take from the state the right to manage the taking of fish and game and place this with the Secretary. Under the guise of providing for subsistence hunting in rural Alaska, the Secretary is granted the right to manage the day-to-day taking of fish and game on d-2 lands. This is a mistake, and I totally oppose such a provision. Federal land management agencies are not equipped to assume the daily management of fish and game. Shortly following the assumption of such responsibilities the agencies will be hard pressed by their constituencies to halt the taking of fish and game entirely. To those who think subsistence would be best protected by federal land managers, I say that you are making a grave mistake. Instead, you will find that subsistence hunting will be eliminated entirely.

My proposal does provide for a subsistence preference in the taking of fish and game which is consistent with the Alaska State Constitution. If there is a conflict between some consumptive uses of fish and game caused by depletion of the resource, as determined by the State of Alaska, preference shall be granted to local residents of the area affected. The specific details of determining depletion, local residency, and other matters relating to the preference are reserved for state administration. It must be emphasized that this is not any type of mandate for the federal land management agencies to become involved in taking of fish and game. The Sikes Act distinction remains and is reaffirmed by this legislation.

(4) Effect on State Selections - A result of the d-2 study process has been to delay the availability of federal lands for selection by the State of Alaska under the Alaska Statehood Act. Congress spoke to this problem by authorizing the State of Alaska to identify potential selections within d-1 withdrawal areas should those lands not be ultimately included as additions to the existing systems. D-2 lands are not the only lands which are unavailable for state selection. Other lands in Alaska, including those withdrawn under Section 17 (d) (1) of the Settlement Act and the Classification and Multiple Use Act of 1964, are also unavailable at this time for state selection.

This legislation proposes to solve the problem of lands being unavailable for state selection by requiring that within 90 days following the enactment of this legislation, the Secretary shall make available to the State of Alaska for selection all federal lands in Alaska except those established as d-2 areas, including the Federal Cooperative Lands, existing federal reserves, such as military reservations, native selections pursuant to the Settlement Act, and specific lands in the area of the Yukon-Kuskokwim Delta described in public land order 5184 which were agreed to in an out of court settlement relating to state selection by the Department of Interior and the State of Alaska. This legislation can provide great assistance in the resolution of land allocation problems in Alaska by making available sufficient lands to this state so that it can finish its entitlement.

Of even greater importance is the need to insure that existing state selections will not be jeopardized by the d-2 legislation. Incredible as it may seem, d-2 legislation pending before Congress actually revokes existing state selections. State selections are valid existing rights established by Congress for the purpose of insuring a State's economic viability. To revoke state selections is to reject the federal system itself and say that in all aspects, the federal government is paramount. Much of Alaska's lands remain unsurveyed, and tentative approval under the Settlement Act, status has been recognized by courts as the passing of equitable title pending patent following a survey. Therefore, the revocation of tentative approval is in violation of the Fifth Amendment of the Federal Constitution. The federal government cannot revoke a selection over which it has no legal title.

(5) Wilderness Review - The bill I propose requires that the Secretary of Interior and Agriculture make recommendations with respect to areas of the National Park, Wildlife Refuge, and Wild and Scenic Rivers Systems which are suitable for inclusion in the National Wilderness Preservation System within five years of the date of enactment of this Act. The criteria and procedure for recommendation, shall be similar to those specified in the Wilderness Act of 1964.

This is a reasonable approach to the designation of wilderness areas in Alaska. Section 17 (d) (2) did not deal with wilderness and was not intended as a springboard for the designation of massive amounts of wilderness in Alaska. Yet, some d-2 legislation designates over 145 million acres as "instant wilderness" without adequate study of the areas to justify the designation. The Wilderness Preservation System was established by Congress to provide a means to place special lands throughout the country in a completely protected status in which no man-made intrusion of any kind may take place. It was not the intent of the Wilderness Act to set aside as wilderness almost 1/3 of any state, much less in the state of Alaska where 1/3 of the state is as large as the combined areas of California and Washington.

Let me describe to you what the designation of wilderness in such a proposal would mean. In the Gates of the Arctic National Park proposed by other legislation, 13,600,000 acres are designated as wilderness. That means in an area twice the size of Maryland, there will be no roads, no visitor facilities, no airstrips, no means of access across, to, or from the area except by aircraft. To get to the Gates of the Arctic National Wilderness Park, you would have to fly hours in a twin engine float plane and land on a specially designated lake or river. To get anywhere within the park, you would have to walk or canoe, and you would have to have lots of time to do that. How many Americans would be able to afford the luxury of time and money it would take to visit this area?

The draft environmental impact statement for the Gates of the Arctic National Park, prepared by the Department of the Interior, dealt with only a 10-million-acre park and estimated that the park would host approximately 4,000 visitors per year. That works out to about one person per 1 million acres per day. I do not think that the impact of other uses within the 10 to 13 million acres proposed by other legislation for this park would create such adverse impact as to destroy the park's values.

What my proposal does is establish a 5-million-acre park, which would still be the largest park in the National Park System by over 1 million acres, and dedicate the remaining acreage to federal cooperative land status. In this way, the Commission would be able to make ongoing decisions as to the best uses of the surrounding lands. If it needs to protect certain lands to insure the park's values, it could. Bu, if other uses are more necessary, those uses would also be allowed. When you compare the different proposals, I think mine makes a lot more sense.

(6) Agricultural Development -Alaska contains lands which have been identified as having high potential for agricultural development. One of these areas is the Yukon Flats region of the upper Yukon River. It has been estimated that proper development of this region could provide wheat and related grains to feed up to 10 million people. This region has been designated as a national forest to insure that such potential can be realized. Agricultural development, including cultivation and grazing, would be allocated by means of a long-term leasing system. The ownership of federal or other lands upon which agricultural development takes place would not change. On cooperative lands, the Commission could determine what lands should be used for agricultural development.

(7) Effect on Native Selections - Quite simply, there would be no effect on Native selections. The Native selection conveyan process would continue and any lands within a specific unit which are selected by a Native corporation but not conveyed would be added to the unit upon final relinquishment.

D-2 TRUST FUND

One of the questions asked in the d-2 process is what stake do citizens of the other 49 states have in the development of Alaska Federal lands? One answer, of course, is that to a large extent the resources developed on these lands will benefit them directly or indirectly through the manufacture and delivery of goods and services of which these resources are a part. Many believe that this in itself provides a justification for a reasonable and appropriate development of Federal lands in Alaska.

To insure that there is no question regarding the stake of the other 49 states in the appropriate development of Federal lands in Alaska, this bill proposes that a trust fund be established which will provide for the purchase of privately owned lands which have been authroized to be included in the National Park, Wildlife Refuge, and Wild and Scenic River Systems in States other than Alaska, but which cannot be purchased because of lack of Federal appropriations. There is a backlog of these lands throughout the country. The backlog is so great that it cannot be reasonably expected that these lands will soon be purchased solely through federal appropriations. Therefore, to the extent that certain environmental goods are balanced by reasonable and appropriate development on Federal lands in Alaska, the federal share of proceeds derived from such development and 50% of the State of Alaska's share of the revenues derived from mineral leasing activity on Federal lands will be placed in a special fund reserved solely for the purchase of these backlogged lands.

I say to you quite frankly, if there is an environmental loss from this development, it is regained through the purchase of lands in the other 49 States. I suspect there is no loss, and the Nation gains two ways; first, through reasonable and appropriate development of Federal lands in Alaska, and, secondly, through the purchase of backlogged lands in the other 49 States.

CONCLUDING REMARKS

The consideration of d-2 lands is one of the most crucial resouce decisions that Congress will ever make. Thus far, it has been billed as a wilderness decision. But it is much more than that. It is a resource decision, with all its accompanying implications. Alaska remains America's last storehouse of natural resources. Fifteen sedimentary basins, all of which are potential oil-producing areas, have been identified in Alaska. Only one, the area in which Prudhoe Bay, America's largest proven reserve, is located, has been adequately explored. Additionally, development of timber resources, agricultural potential, hardrock mineral resources, and other appropriate development of Federal lands in Alaska must be given a chance.

The answer to the d-2 decision is not to "save all of Alaska's land now because this is our last chance." It is interesting that this clarion call is being heard so loudly throughout Washington, D.C., but not in the State of Alaska. Alaskans know that most land in Alaska is under no direct pressure. Alaskans will join with Congress in proposing protection for those lands which really do need to be preserved, but we will not rush headlong into a precipitous decision which Congress will only have to undo later.

There will come a time when resources which have been identified in Alaska will be available to the United States only in those deposits. An example is chromite, which can only be obtained from the Soviet Union, following the repeal of the Byrd Amendment. I implore you not to put the chromite discovered near Mt. McKinley Park into the Park as an addition. The day will come when we have to get to that chromite and to do so, an Act of Congress removing the deposit from the National Park will have to be passed.

The danger to the National Park System is apparent. By unwisely placing resources we will need later in a National Park now, we run the risk of dismantling the Park System, not only in Alaska, but throughout the United States at a future point in time. The National Park System is not a land and resource bank. It is a system established by Congress to protect those lands which we have determined should never be invaded for other uses. Such a statement requires that Congress exercise great responsibility in establishing units of the National Park System. The same analogy applies for the Wilderness System and other existing units of the management systems. What Congress must do now is make only those decisions which must be made in this Congress and create a framework to allow an ongoing decision-making process.

Mr. President, before I conclude my remarks, let me ask that a statement I delivered before the House Committee on Interior and Insular Affairs, which describes the history of Section 17 (d) (2), be included in the RECORD as part of my statement.

In conclusion, I would point out two matters of interest to Congress. Eight years ago, my good friend, former Secretary of the Interior, Stewart Udall, proposed to President Johnson that certain lands in Alaska be added to the National Park and Wildlife Refuge Systems by Executive Order. Of the 8 million acres proposed by Secretary Udall to be created as additions to those two systems, President Johnson declined to act on all but 94,500 acres.

At that time, Secretary Udall urged the President to create a 3½ million acre Gates of the Arctic National Monument and a 1.2 million acre extension of Mt. McKinley Park, because in his words, "it is the last chance to preserve the land for park purposes...." Eight years later, the same argument is used to argue for creation of not 8 million acres of park and refuge land in Alaska, but 115 million acres.

What has changed? President Johnson refused to sign these proclamations because the additions were too large. Have circumstances changed so greatly that where 8 million acres was too large 8 years ago, 115 million acres is now the right figure? The answer is unquestionably no! Congress must act wisely and rationally as President Johnson did and not rush to judgement on the future of these lands. My proposal includes the bulk of Secretary Udall's proposals and more. It is an environmentally sound proposal which will still provide for appropriate and reasonable development of Alaska's lands. This is the goal we all are attempting to reach.

Finally, let me comment on the attitude that Alaskans should have no say in what happens to these lands because they are federal lands. There is no argument that the lands withdrawn under Section 17 (d) (2) are federal lands. But that does not mean that Alaskans should not be listened to regarding their final disposition. I remember the statehood fight of 25 years ago and more and more the d-2 debate takes on the tenor of the statehood debate.

At that time, it was said that Alaskans should not be listened to because Alaska was only a Territory. Well, Alaska is now a State and Alaskans hope that they will be listened to regarding the future of federal lands in their State, just as Washingtonians expect to be listened to regarding the future of federal lands in Washington, as Californians expect to be listened to regarding the future of Federal lands in California, and other State citizens expect to be listened to regarding the future of federal lands in their state. It is true these are federal lands, but we Alaskans are the ones who will be most directly affected by Congressional action. We do not say that Congress should not listen to the rest of the Nation, but we do say that Congress should also listen to us.

Please do not treat Alaska as a Territory again. We fought hard for statehood and we treasure its benefits. The most important benefit of all is to be treated on an equal basis with the other 49 States.

Mr. President, this concludes my introductory statement for the bill I introduced today. I ask unanimous consent that this statement, the proposed legislation, and attached documents relating to the legislation be printed in the RECORD.

acres now under the administration of the National Park Service according to the Government publication, Public Land Statistics --1976. Following passage of this legislation, approximately half the land under the administration of the National Park Service will be located in Alaska, including the 5 largest areas in the National Park System.

The 6 largest existing units of the National Wildlife Refuge System are also located in Alaska, and following the enactment of the legislation I propose today, 8 new refuges comprising nearly 8 million acres will be added to the refuge system in Alaska, resulting in the location of the Nation's 8 largest wildlife refuges in my State. According to Public Land Statistics--1976, the addition of these refuge units will increase the National Wildlife Refuge System by over 25 percent to a total of 38 million acres, 30 million, or 75 percent, of which will be located in Alaska.

The bill further proposes the establishment of approximately 5 million acres of National Forest units in Alaska, the bulk of which are located in the interior of the State which has long been noted for its agricultural and timber potential. The establishment of these areas will provide a flexible management system for the development of a yet unrealized contribution of Alaska's interior to our Nation's agricultural and timber needs. With the establishment of the Yukon Flats and Porcupine National Forests and two additions to the Chugach National Forests by this bill, a balanced system of management by the United States Forest Service will at last be established in Alaska.

Three national wild rivers are also established by this legislation, the Noatak, Charley, and Birch Creek Wild River units.

The 25 million acres of additions to the existing four management systems make this bill, to my knowledge, the single most significant piece of legislation ever introduced by an elected representative of a State regarding the establishment of units of these systems in his State. Alaskans have always been conscious of the need to protect the lands located within their State, and this bill reflects that realization. Alaskans are also conscious of the need to establish a flexible management system for the vast majority of lands designated for study under d-2 authority to insure that future generations will be able to make decisions based on information relating to the lands as it becomes available and on priorities for the use of the lands as these needs develop.

In response to this need for flexibility in management, the bill I introduce today provides the framework for a system of cooperative management among Federal, State, and private landowners. This program of cooperative management is essential to insure protection of complete ecosystems which are owned in part by Federal and State governments and private landowners. Under this program of cooperation, Federal, State, and private landowners may dedicate lands to management in coordination with one another. Management of the lands will be carried out by existing Federal and State management agencies and private landowners, respectively.

Providing direction to the land managers will be the Alaska Land Classification Commission, which will be created by this legislation upon a finding of the Secretary of the Interior that the State of Alaska has dedicated a substantial amount of State land to the cooperative management program. The commission will have the duty of classifying land dedicated to cooperative management for use or uses under a comprehensive program of land-use planning. In this way, the South 48 concept of delineating individual Federal, State and private landholdings to be managed without coordination will be replaced with a well-coordinated concept of cooperative management.

Nearly half of the Federal lands in America are located in Alaska. Therefore, it is appropriate that this unique concept of management be enacted for Alaska to provide well-reasoned land-use decisions for these Federal lands. Approximately 57 million acres of Federal lands are designated as potential cooperative management lands. These lands are the remainder of the lands withdrawn under Section 17(d)(2) for study, but which we have identified as lands not under immediate pressure for protection and inclusion in one of the four systems.

It should be emphasized that the cooperative management concept is not a fifth system. This bill does not create an additional Bureau of Land Management, National Park Service, or other fat Federal management agencies. The management of the Federal cooperative lands is left to existing line agencies as designated by Congress on a unit-by-unit basis in this bill. Management continuity by existing agencies is assured.

The State of Alaska shall designate lands for cooperative management under its own State laws. The cooperative management program will not become effective without a finding by the Secretary of the Interior that the State has designated a substantial amount of lands to the program of cooperative management. Private landowners may also participate in

cooperative management by dedicating their lands for periods of 10 years to cooperative management. Incentive for participation in cooperative management is provided to the private landowner through a tax exemption from State and local real property taxes so long as the lands dedicated are managed according to commission classifications and not developed or leased to third parties. Should the landowner remove his lands from cooperative management prior to the expiration of the 10-year period, he becomes liable for accrued local and State property taxes and assessments during the entire period.

The Alaska Land Classification Commission established to insure coordination of cooperative management by this legislation shall consist of four members appointed by the President, with the advice and consent of the Senate, one of whom shall be a Native as defined by the Alaska Native Claims Settlement Act, and four members appointed by the Governor of the State of Alaska. All commissioners shall serve full time and the commission shall be directed by a Federal Co-Chairman and a State Co-Chairman designated by the President and the Governor, respectively. In essence, the commission will function as a zoning and planning commission for the cooperative lands by establishing classifications for the use of those lands which shall be implemented on a daily basis by Federal and State management agencies and by the private landowners.

This coordination of land planning at such a high level will enhance the cooperation between State and Federal land managers. The key to success of cooperative management rests with the assurance that State and Federal landowners, both of whom are sovereign entities, will abide by decisions made in consultation with one another. The Alaska Land Classification Commission will insure that cooperative management will work by creating a partnership between the two governments.

A number of specific principles of management and administration are dealt with directly by the legislation. A brief description of these principles is provided below:

1. Access--Necessary public access to, from, and across d-2 lands is essential to insure the use of these lands and those State and private lands which are located adjacent to d-2 lands. To insure this access, the commission is directed to guarantee access as needed and to determine the location and mode of such access across d-2 lands.

2. Mineral Development--Alaska remains America's largest storehouse of mineral resources. According to the Bureau of Mines, 28 of 37 mineral commodities imported into the United States are found in Alaska. Eighteen of these have been mined in the past, or are known to be present in potentially minable deposits. Additionally, 16 of 18 minerals listed on the strategic commodities list by the Federal Government are found in sufficient quantities to justify commercial mineral extraction. In an age of escalating shortage and dwindling sources of supply, Alaska holds the possibility of easing America's burden for the supply of needed mineral resources.

   It is recognized that d-2 lands are different from public domain lands. Consequently, this legislation proposes that the exploration and development of hard rock minerals be governed by a modified location-lease system which is currently being developed. This system is intended to apply only on the d-2 lands and is not to be confused with efforts to amend the Mining Law of 1872 for use on public domain. The exploration and extraction of leasable minerals, such as oil and gas, and mineral commodities, such as sand and gravel, will continue to be governed by the Mineral Leasing Act of 1920 and the Act of July 31, 1947, often referred to as the Mineral Materials Act.

3. Wildlife Management--The bill retains the traditional relationship between State and Federal agencies in which the State of Alaska shall regulate the taking of fish and game in accordance with applicable State law and the Federal Government retains its right to insure the protection of habitat on Federal lands. Additionally, under applicable State law and consistent with the State Constitution, the taking of fish and game for subsistence purposes is identified in the legislation as the priority beneficial use of fish and game where depletion of the resource creates a conflict between consumptive uses. Specific details of determining depletion, local residency, and other matters related to the implementation of the preference are reserved for State administration.

4. Effect on State Selections--The legislation provides that land selected, under tentative approval, or patented to the State pursuant to the Alaska Statehood Act shall not be affected by the establishment

of d-2 lands. Additionally, a system to make lands available to the State of Alaska so that it may complete its selections under the Alaska Statehood Act is set up by the legislation.

5. Wilderness Review--A 5-year program of wilderness review with respect to areas of the National Park, Wildlife Refuge, and Wild and Scenic River Systems, which are established by this bill, is provided for in the legislation. The criteria and procedure for recommendations shall be similar to those specified in the Wilderness Act of 1964.

6. Effect on Native Selections--The legislation will not affect the Native selection process under the Alaska Native Claims Settlement Act.

7. Agricultural Development--Alaska contains lands which have been identified as having high potential for agricultural development. Such agricultural development shall be allocated by means of a long-term leasing system to be developed jointly by the Secretary of Agriculture and Secretary of the Interior.

8. D-2 Trust Fund--To insure that the appropriate and necessary development of resources on d-2 lands is directly tied to the enhancement of the National Park, Wildlife Refuge, and Wild and Scenic River Systems, Federal proceeds from such development and 50 percent of the State's share of Mineral Leasing Act revenues on Federal lands in Alaska shall be placed in a trust fund to be established for the purchase of privately owned land which has been authorized to be included in the National Park, Wildlife Refuge, and Wild and Scenic River Systems in States other than Alaska. There is a backlog of these lands throughout the country, and adequate Federal appropriations to purchase these lands are not anticipated in the near future. Consequently, the funds obtained from the development of these lands will directly enhance the existing management systems by providing the means to purchase these backlogged lands.

The consideration of d-2 lands is one of the most crucial resource decisions that Congress will ever make. The future of Alaska's d-2 lands is tied directly to the future of the Nation. The legislation I introduce today provides for the largest increase in National Park, Wildlife Refuge, Forest, and Wild

and Scenic River Systems ever enacted in one piece of legislation. The Nation's environmental goals will be well-served by the enactment of this legislation. Additionally, a program of management to insure that Federal, State, and private lands are managed in coordination will allow the protection of complete ecosystems, which has been identified as a major environmental goal during the d-2 debate. The key to a congressional decision is striking a balance which will serve the dual goals of environmental protection and providing for flexibility in management for future decisions. My legislation does that, and I am hopeful that Congress will share my view and enact its provisions.



ted stevens
united states senator for alaska

STATEMENT BY U. S. SENATOR TED STEVENS
UNITED STATES SENATE
WASHINGTON, D.C.

June 30, 1977

Mr. President, today I introduce legislation which could well be the most important legislation introduced on behalf of my state, since Alaska's days as a territory. My bill, "The Alaska National Interest Lands Act," will establish twenty-five (25) million acres of new national parks, wildlife refuges, forests, and wild rivers within Alaska. Additionally, the legislation I introduce today provides the framework for a program of cooperative management between Federal, State, and private landowners to provide protection for complete ecosystems. Land ownership patterns in Alaska are in a process of continuous evolution, and Congress is in a unique position to involve itself as a partner with state and private landowners in a program of land management which will allow sound and rational land management to occur throughout the 49th State, which as you will recall, is one-fifth the size of the rest of the nation.

This bill which embodies the position supported by Alaska's Governor, Jay Hammond, Representative Don Young, Alaska's sole Congressman, and me, represents a true concensus of the vast majority of Alaskans who want to see a rational and well reasoned Congressional decision on what has come to be called the "d-2 Lands" issue. As you know, Section 17 (d) (2) of the Alaska Native Claims Settlement Act, authorized the Secretary of the Interior to withdraw up to 80 million acres of vacant, unreserved, and unappropriated Federal public lands for study as potential additions to the National Park, Wildlife Refuge, Forests, and Wild and Scenic Rivers Systems. Congress authorized these withdrawals to continue through 1978, at which time they will terminate by operation of law. Thus, unless this time frame is extended, Congress has approximately 18 months to make a "final" decision on the disposition of these lands.

I use the word "final" advisedly. For only now are we realizing the immensity of the decision which we created for ourselves in the passage of Section 17 (d) (2). As we approach consideration of this decision in earnest, Members of Congress on both sides of the Hill are beginning to realize the tremendous burden that has been placed on us by an artificial deadline. While there may be a need to provide immediate protection for some d-2 Lands, it is becoming obvious that it is neither necessary nor wise to make a final decision for all time on all d-2 lands in Alaska.

This is the heart of the d-2 question. Congress is called upon to pass final judgement on an area which exceeds the combined size of the states of California and Washington and is over five times the size of the acreage presently under the administration of the National Park System which Congress has created by individual acts or legislation over the past one hundred years. The question is whether Congress, in five years, will make a well reasoned decision on five times the amount of acreage it has taken over one hundred years to deal with in the past.

At the opening of my remarks today, I stated that this legislation may be the most important for Alaska since the passage of the Alaska Statehood Act. This is true because the Congressional decision on d-2 lands will affect far more than the Federal lands which Congress deals with directly in the legislation. The indirect impacts of d-2 legislation are tremendous, and the birthright of the State of Alaska and Alaska's Natives, as established in the Statehood and Settlement Acts, can be realized only if d-2 legislation is drafted with such impacts in mind. Therefore, we deal not only with Federal lands, but also state and private lands, and we must watch carefully to insure that our final decision properly safeguards the decisions we have made in the past.

What Congress must seek in d-2 legislation is balance which adequately achieves the dual goals of environmental protection and providing for appropriate and necessary development of Alaska's resources. Without this balance, Congress will have done a disservice to the Nation. This balance must be struck with the knowledge that Congress can never hope to have all the information it needs to make a final decision in perpetuity. What we are looking for is a system which will allow decisions to be made, yet still provide flexibility so that future generations can deal with their problems and priorities without the stigma of dismantling our most treasured systems of protection for natural, scenic, and historic areas.

Alaska is at the same time the Nation's final storehouse of wilderness and resource values. Natural wonders abound and scores of species of wildlife flourish in unparalleled numbers throughout the state. Natural resources also are found in quantities not available elsewhere in the nation. Thus, Alaska is called upon to be America's principal source of supply for natural resources, and also its primary showcase for wilderness and wildlife values. These demands cannot be met to everyone's satisfaction, but this does not mean that a reasonable balance between both goals cannot be struck. That balance can be found, and it is up to Congress to find it.

Not surprisingly, Alaskans have long realized the need for this balance. The nature of the Alaskan lifestyle is one in which utilization and protection of Alaska's land and resources go hand in hand. Consequently, the Alaska Congressional delegation and the Governor first looked to other Alaskans for guidance in the development of a balanced position on d-2 lands.

Over a six month period, members of the delegation and the Governor have met with every Alaskan group or individual who to our knowledge, has expressed a desire to be heard on the d-2 lands issue. Our initial meeting occurred late last year prior to the announcement of a tentative position by the Governor, Congressman Young and myself. In a series of meetings in Alaska, we met with virtually all Alaskan groups with an interest in d-2 lands, including representatives of Alaska's Natives, business and tourist interests, recreational groups, resource development interests, and preservation groups.

What emerged from our meetings was a broad concensus that certain d-2 lands in Alaska which are presently under pressure should be protected, but for the vast majority of Alaska's d-2 lands, a balanced system providing flexibility in management should be developed to allow future decisions to be made as further information becomes available and as circumstances not foreseeable today develop. It is this system which Governor Hammond, Congressman Young, and I present today in my introduction of this legislation.

Observers of the continuing process of this legislation's development will note significant changes from our tentative position announced three months ago. These changes were made following exhaustive analysis of comments received from Alaskans and other interested parties on the tentative position we announced in March. Let me now detail the specifics of the proposal.

THE ALASKA NATIONAL INTEREST LANDS ACT

Additions to Existing Management Systems

The legislation will establish approximately 25 million acres of new national park, wildlife refuge, forest, and wild river units in Alaska. Within the National Park System, two national parks, in the Gates of the Arctic and Wrangell-St. Elias Mountains areas will be created, each of which, is far larger than the largest areas now administered by the National Park Service. It is interesting to note that three of those five largest existing areas, Glacier Bay National Monument, Katmai National Monument, and Mt. McKinley National Park, are also located in Alaska.

The bill also creates substantial additions to Mt. McKinley National Park and Katmai National Monument, which is further designated as a National Park, in addition to creating three national monuments in nationally significant historic and natural areas: (1) Aniakchak-Caldera National Monument which protects one of the finest examples of volcanic activity located on the Alaska Peninsula; (2) Cape Krusenstern National Monument which preserves an area long recognized as a principal portion of the Bering Land Bridge over which the migration to North America of early man occurred thousands of years ago; and (3) Kobuk Sand Dunes National Monument which protects a truly significant natural feature, sand dunes located, surprisingly enough, above the Arctic Circle.

Following the passage of this legislation, approximately half of the land under the administration of the National Park Service would be located in Alaska, including the five largest areas in the National Park System. While acreage figures cannot quantify the contribution of a given piece of legislation to a management system such as the National Park System, nevertheless, let it be noted that this legislation proposes a truly significant increase in the size of the National Park System.

The same can be said for the areas proposed for inclusion in the National Wildlife Refuge System. Alaska is famous for its abundance of wildlife, particularly its migratory waterfowl population. Already, the six largest units of the wildlife refuge system are located in Alaska, including the Arctic National Wildlife Range, which comprises almost nine million acres, or nearly a third of the total refuge system.

Most of these refuges were established at the suggestion or behest of Alaskans. For example, the Arctic National Wildlife Range was originally a suggestion of the Fairbanks Women's Garden Club. The Clarence Rhode National Wildlife Refuge, the refuge system's third largest unit, was named for a distinguished Alaskan most responsible for its establishment. I can address this matter with first hand knowledge because I served as Solicitor of the Department of Interior and helped draft the Executive Orders which established a number of these refuges.

Nearly three-quarters of the Nation's Wildlife Refuges are already located in Alaska. Alaska certainly does its part in the protection and propagation of America's wildlife. Still, our bill establishes eight new refuges comprising nearly eight million acres, including the Yukon Delta and Koyukuk units of 3.60 and 1.58 million acres, respectively. The addition of the two aforementioned units will result in the location of the Nation's eight largest refuge units in Alaska. Additionally, the enactment of this legislation will increase the wildlife refuge system over 25% and result in the location of nearly 80% of the Nation's wildlife refuges in Alaska. The contribution of this bill to the protection of America's wildlife is apparent.

The bill further proposes the establishment of approximately 5 million acres of national forest lands in Alaska, the bulk of which are located in the interior of the State which has long been noted for its agricultural and timber potential. The establishment of these areas will provide a flexible management system for the development of a yet unrealized contribution of Alaska's interior to our Nation's agricultural and timber needs.

Forestry and related uses under the National Forest Management and Policy Act have long played a major role in Alaska. America's largest forest unit, the Tongass National Forest, is located in Southeastern Alaska, and another of the Nation's large forests, the Chugach National Forest, is located in the South-central part of the state. With the establishment of the Yukon Flats and Porcupine National Forests and two additions to the Chugach National Forest as proposed by this bill, a balanced system of management by the United States Forest Service will at long last be established in Alaska.

The d-2 debate in this Congress has revolved primarily around the establishment of park, wildlife refuge, and wilderness units in my state. However, Section 17 (d) (2) specifically charges the Congress with the responsibility of looking at the forestry needs of Alaska as well as park and refuge needs. This bill addresses those needs and establishes necessary units of the National Forest System.

Three National wild rivers are also established by this legislation. Pursuant to the Wild and Scenic Rivers Act, the Noatak National Wild River will be managed by the United States Fish and Wildlife Service which manages the Federal Cooperative Land unit within which the Noatak unit is located. The Charley River unit will be managed by the National Park Service, the designated manager of the Charley River Federal Cooperative Lands, and the Birch Creek National Wild River will be managed by the Bureau of Land Management.

LANDS DESIGNATED FOR COOPERATIVE MANAGEMENT

Federal Cooperative Lands

As stated previously, this bill provides the framework for a system of cooperative management among Federereal, State, and private landowners. The history of land management in Alaska has been one of allocating lands to specific owners. In 1867, following the transfer of sovereignty over Alaska from Russia to the United States, the Federal Government owned 100% of Alaska, subject to the final adjudication of rights to land by Alaska's Natives, as provided for in the Treaty of Cession.

During the ensuing 90 years, a small amount of individual tracts of land became available to private landowners under the Public Land Laws. These lands were primarily homesteads, trade and manufacturing sites, and headquarters sites. The amount of land conveyed to private individuals under the public land laws was minimal, less than one per cent of the 375 million acres comprised by Alaska's total land mass.

In 1958, Congress passed the Alaska Statehood Act which authorized the State of Alaska to select approximately 103.5 million acres of public lands to provide an economic base for the State's future development. Following nearly a century of struggle to achieve recognition of their claims, in 1971, Alaska's Natives received an entitlement of nearly 44 million acres under the Alaska Native Claims Settlement Act. Selection of lands by the state and Alaska's Natives has been ongoing since the passage of the Statehood and Settlement Acts, respectively.

Not surprisingly, the land management pattern in Alaska is both confusing and complicated. Consequently, the establishment of d-2 lands in Alaska defies the standard South 48 orientation of delineating federal management units separate and apart from the State and Private lands which are managed on an individual basis without coordination among the different land owners. Such coordination is essential to the successful management of lands in Alaska, and the protection of complete ecosystems. This bill provides the framework for a program of cooperative management.

Approximately 58 million acres of Federal lands are designated as potential cooperative management lands. These lands are the remainder of the lands withdrawn under Section 17 (d) (2) for study, but which we have identified as lands not under immediate pressure for protection and inclusion in one of the four systems. Instead, these lands will be managed by existing Federal management agencies in conjunction with state and private lands also dedicated to the program of cooperative management.

Let me emphasize that under my bill, these are and will remain, in perpetuity Federal lands to be managed by the federal government.

What the Cooperative Management concept does is to create a program of linkage with related State and private lands to allow the protection of complete ecosystems regardless of the ownership within which the ecosystems are located. If the goal of Congress is to provide for rational management of not only d-2 lands, but land in Alaska in general, then this is the mechanism to achieve that goal. Without the establishment of this cooperative management approach, the existing land management pattern of the South 48 may well be continued in the State of Alaska.

Nearly half of the Federal lands in America are located in Alaska. Therefore, it is appropriate that this unique concept of management be enacted for Alaska to provide well reasoned land use decisions for these Federal lands. It should be emphasized that the cooperative management concept is not a fifth system. This bill does not create an additional Bureau of Land Management, National Park Service, or other Federal Management Agencies. The management of the Federal Cooperative lands is left to existing line agencies as designated by Congress on a unit by unit basis in this bill. Thus, management continuity by existing agencies is assured.

Alaska Cooperative Lands

The State of Alaska is a sovereign entity under the Constitution of the United States. Therefore, it is the responsibility of the State of Alaska to designate its cooperative lands under its own state laws. The State Administration and the State Legislature have shown themselves to be well reasoned and enlightened in the area of land management and I am confident that this concept of cooperative management will appeal to Alaska State Legislators, as I hope it will appeal to Members of the Senate.

As cooperative management has been discussed in the past few months, concerns have been raised as to the specific amount of lands which the State must contribute in order to participate as a partner in cooperative management. Rather than set arbitrary figures, this bill leaves it to the Secretary of Interior to find that a substantial amount of state lands has been dedicated to cooperative management by the State of Alaska. Facts and circumstances will determine precisely what this amount will be, but the bill provides guarantees and protection to both the United States and the State of Alaska, by leaving the details of designation of Alaska Cooperative Lands to the State of Alaska and preserving the right of the Secretary of Interior to find that the State's designation is adequate to justify initiation of the program of cooperative management. In this way, the initial designation will begin the partnership that must be formed to insure that the cooperative management system will work and provide a well reasoned system of land management throughout the State of Alaska.

Private Cooperative Lands

Private cooperative lands are also provided for by this legislation. Private landowners may dedicate their lands to cooperative management for periods of not less than 10 years. These lands, will continue to be managed by private landowners, just as state and federal lands will continue to be managed by state and federal management agencies. But, the private landowner must agree to manage his lands in conjunction with federal and state lands or his lands may not be dedicated as private cooperative lands. If the private landowner dedicates his land to cooperative management, with the concurrence of the State of Alaska, the lands shall be exempt from state and local real property taxation and assessment so long as such lands are not developed or leased to third parties.

This tax exemption is the incentive for private landowner to become involved in the cooperative management system. In fact, this land bank concept was presented to us by the representative of the largest group of private landowners in Alaska, Alaska's Natives. In our meeting with the Alaska Federation of Natives, the fear that the enactment of state and local real property taxes on the tremendous acreage the Natives receive title to under the Settlement Act will require the sale of some lands to pay taxes was expressed. The AFN proposed that a system be created in which landowners, the bulk of whom would be Native Corporations, but not exclusively so, would be able to designate lands that would be tax exempt so long as they were not revenue producing. This seemed to be a reasonable idea to us, and we have incorporated it in our proposal.

In all instances, private landowners would be liable for taxes on lands that are revenue producing, but they could dedicate lands to cooperative management for periods of 10 years and receive a tax exemption. If the landowner were to withdraw his lands prior to the expiration of the 10 year period, he would become liable for accrued local and state property taxes and assessments during the entire period. This is a substantial incentive for private landowners to become involved in cooperative management, and I am confident that many landowners will do so.

The Alaska Land Classification Commission

To insure the coordination of the cooperative management concept an Alaska Land Classification Commission is created by this legislation, but only upon a finding by the Secretary of Interior that the State of Alaska has designated a substantial amount of state lands as Alaska cooperative lands. This Classification Commission shall be charged with the development of land classifications for federal, state, and private lands dedicated to cooperative management. The Commission shall consist of four members appointed by the President, with the advise and consent of the Senate, one of whom shall be a Native, as defined by the Settlement Act, and four members appointed by the Governor of the State of Alaska, one of whom, we assume, will be a Native. All Commissioners shall serve full time and the Commission shall be directed by a Federal Co-Chairman and a State Co-Chairman, designated by the President and Governor, respectively.

In essence, the Commission becomes a planning and zoning commission for the cooperative lands. Management shall continue by existing line agencies of federal and state governments and by the private landowners, but shall be pursuant to classifications for the land established by the Commission. In this way, the coordination of cooperative management is assured without the creation of a new bureaucracy to manage the lands themselves.

To some, the Alaska Land Classification Commission will seem akin to the presently existing joint Federal-State Land Use Planning Commission for Alaska. Some functions are similar, but the major difference between the two commissions is found in their authority. The present land use planning commission is purely advisory. The land classification commission contemplated by this legislation would have the power to classify lands dedicated to cooperative management for the best use or uses, subject to a veto on federal lands by the Secretary of Interior or the Secretary of Agriculture as appropriate and on State lands by the Governor. Thus, the new Commission really will decide what uses should take place on the lands.

This coordination of land planning at such a high level will enhance the cooperation between state and federal land managers. The key to success of cooperative management rests with the assurance that state and federal landowners, both of whom are sovereign entities, will abide by decisions made in consultation with one another. The Alaska Land Classification Commission will insure that cooperative management will work by creating a partnership between the two governments.

Cooperative lands dedicated under this Act shall be open to diversified uses subject to classifications of the Commission and applicable federal and state laws. The Classification Commission will have the power to decide the best use or uses for specific areas of land, pursuant to land use plans developed under this legislation. It is our judgement that the 25 million acres of d-2 lands designated as immediate additions to the four systems are those lands which shall be protected under the traditional management systems. Those other lands are under no specific pressure and should be available for diversified uses, except as determined otherwise by the Commission, pursuant to this legislation.

Management and Administration

A number of specific management principles are addressed by the legislation. It is here that the difference between this legislation and other d-2 legislation pending before Congress becomes most apparent. My discussion of the management principles provided for in this bill will also touch on certain inadequacies incumbent in that other legislation.

(1) Access - the Commission is charged with providing for necessary access. This may be the most important issue involved in d-2 lands legislation. Without a provision for access, there is no guarantee that necessary public access will be provided. Alaska is a land containing numerous mountain ranges, lakes, and rivers. Not surprisingly, key mountain passes, river crossings, and other access routes have been, and will continue to be identified as a transportation system as Alaska develops. The location of d-2 lands often overlap these all important access routes, and d-2 legislation must contain a guarantee of access through them.

The appropriate development of federal, state, and private lands in Alaska is dependent upon access. Resource development on these lands will continue if there is a way to get the resources to market. Take a look at any map of Alaska and note the location of d-2 land withdrawals. They are adjacent to and between State and Native selections. Without this guarantee of access, Congress will be taking away with the left hand what it gave with the right hand.

Congress passed the Statehood and Settlement Acts to guarantee the State of Alaska and Alaska's Native Corporations the right to develop as economically viable entities. Without access, the entitlements guaranteed by these two Acts are meaningless. We must have access or we will be landowners who are unable to use our lands.

I cannot emphasize strongly enough the importance of assuring access in d-2 legislation. It cannot be discretionary; it must be guaranteed. The future of the State of Alaska and Alaska's Natives will be determined by the access provision contained in d-2 legislation. The provision in this bill will guarantee that future.

On the other hand, the establishment of tremendous wilderness areas, as proposed by other legislation pending in the Senate, will prohibit access and destroy the entitlements of the State of Alaska and Alaska's Natives. There is no access in a wilderness area. A wilderness area is defined in the Wilderness Act of 1964 as an area in which "Man is a visitor and does not remain." Access, by its very nature, is anathema to wilderness.

I say to you that wilderness designation of d-2 lands on a massive scale will result in a de facto wilderness designation for all lands in Alaska. This was not the intent of Congress in the Section 17 (d) (2) of the Settlement Act which did not even mention wilderness. The tremendous implications of wilderness on access is brought to your attention to insure that all Members of the Senate understand the alternative to the system proposed by this legislation. The alternative, quite simply, is no access at all.

(2) Mineral development - Alaska remains America's final storehouse of mineral resources. According to the Bureau of Mines, 28 out of 37 mineral commodities imported into the United States are found in Alaska. Eighteen of these have been mined in the past, or are known to be present in potentially mineable deposits. Additionally, 16 of 18 minerals listed on the strategic commodity list by the Federal government, are found in sufficient quantities to justify commercial mineral extraction. In an age of escalating shortage and dwindling sources of supply, Alaska holds out the possibility of easing America's burden for the supply of needed mineral resources.

There are problems with mineral development in Alaska, and the major problem is lack of information. The United States Geological Survey, the federal agency charged with supplying the Federal government with information regarding mineral location on it lands, conducts a four-level study to determine the availability of minerals on federal lands. To date, some level 2 studies for d-2 land withdrawals have yet to be completed. This level of study is very basic and is designed only to develop quantitative estimates of mineral resource potential on a general basis.

It is not until level 3 studies are completed that any sense of real knowledge is available. Even then, the level 3 studies map quadrangle areas as identified by the USGS on a scale of one (1) inch to 4 miles. At that rate, a township of 36 square miles is represented by a square of 1½ inches on a side. I submit to you that this is less than the most desirable information needed to make a truly sound decision as to whether a specific area of land should be precluded from mineral development. Presently, only 50 percent of the d-2 withdrawals have been mapped at level 3. Even more distressing is the fact that only 5 percent of the USGS quadrangles have been mapped at the level 4 stage, which provides the information needed to make substantive decisions on mineral development.

The U.S. Geological Survey estimates that it will finish this mapping program, known as the Alaska Mineral Resource Assessment Program or AMRAP, for the d-2 land withdrawals in 1990. Unfortunately, this is twelve years after the statutory deadline for the Congressional decision on d-2 lands expires. It is here that a flexible management program, such as the cooperative concept proposed by my legislation, can be of assistance. The Commission can classify lands for mineral exploration and development based on USGS data as it becomes available. Additionally, private mineral exploration can continue while the USGS compiles this information.

While the exploration and extraction of leasable minerals, such as sand and gravel, will continue to be governed by the Mineral Leasing Act of 1920 and the Act of July 31, 1947, often referred to as the Mineral Materials Act, a change in the development of hard rock minerals is recommended by this legislation. Cognizant of the efforts by many to amend the mining law of 1872, we propose that within these specific Alaska lands only, the exploration and development of minerals currently subject to location under the mining law of 1872, shall be governed by a modified location-lease system which is currently being developed. This is a superior approach to burdening the Secretary with the duty to develop a permit and lease system as proposed in other d-2 legislation.

There is no desire on our part to fight the battle of amending the mining law of 1872 within the d-2 context. It is realized that d-2 lands are different from public domain land, and it is not inconsistent to establish a specific system for hard rock mineral development that differs from the mining law of 1872, so long as it is understood that this system is endorsed only for development on the lands designated by this Act.

The most important issue is to insure that mineral exploration and development can resume on d-2 lands. For almost 10 years, these lands have been closed to private exploration and development except for valid existing rights. It is time once again to allow the miners of America to develop Alaska's minerals for the good of the country. This new system, quite similar to the Alaska State laws, governing hardrock mineral development, will provide the ability for such development and still insure the protection of the land demanded by its special status as d-2 lands.

It should be noted that other proposals pending before Congress would preclude mineral development on over 145 million acres of federal lands in Alaska. These include the 80 million acres withdrawn under d-2 authority and an additional 65 million acres. It is argued that wilderness only preserves options for a later date, but I must point out that the definition of wilderness prohibits, for all practical purposes, any conclusive exploration or development of mineral resources. The Wilderness Act of 1964 does provide for mineral exploration until 1983, but practical experience shows that private mineral exploration companies will not spend money to explore an area that will be closed in a matter of years.

The exploration and development of mineral resources takes time, commitment, and money. Congress must state plainly that it desires mineral resource development to continue in Alaska. A wilderness designation states just the opposite. The establishment of large areas of parks and refuges also deals with mineral development in a prohibitive fashion. Mineral development is precluded by statute in national parks. Practical experience with wildlife refuge management has shown that refuge managers are unwilling to allow compatible mineral exploration, particularly for hardrock minerals, on refuges.

Congress must guarantee that, mineral exploration will continue on the bulk of d-2 lands which are under no immediate pressure. The system established by this bill will provide that guarantee.

(3) Wildlife Management - One of the most controversial issues involved in the consideration of d-2 lands relates to wildlife management. Under this bill, the traditional relationship between state and federal agencies is reaffirmed. The taking of fish and game would be regulated by the State of Alaska in accordance with applicable state law. The federal government would retain its right to insure the protection of habitat on federal lands and would not be involved in the day-to-day management of fish and game resources.

This dichotomy is of paramount importance and affects all 50 states. This is one area where all states agree. The right of the state to regulate the taking of fish and game must not be altered in d-2 legislation. If it is, the regulation of the taking of fish and game on other federal lands, in Alaska and the other states, is placed in jeopardy. The language in this legislation is similar to that found in the Sikes Act. This separation of federal and state responsibilities has worked well and must be retained.

Other legislation pending in the Senate would take from the state the right to manage the taking of fish and game and place this with the Secretary. Under the guise of providing for subsistence hunting in rural Alaska, the Secretary is granted the right to manage the day-to-day taking of fish and game on d-2 lands. This is a mistake, and I totally oppose such a provision. Federal land management agencies are not equipped to assume the daily management of fish and game. Shortly following the assumption of such responsibilities the agencies will be hard pressed by their constituencies to halt the taking of fish and game entirely. To those who think subsistence would be best protected by federal land managers, I say that you are making a grave mistake. Instead, you will find that subsistence hunting will be eliminated entirely.

My proposal does provide for a subsistence preference in the taking of fish and game which is consistent with the Alaska State Constitution. If there is a conflict between some consumptive uses of fish and game caused by depletion of the resource, as determined by the State of Alaska, preference shall be granted to local residents of the area affected. The specific details of determining depletion, local residency, and other matters relating to the preference are reserved for state administration. It must be emphasized that this is not any type of mandate for the federal land management agencies to become involved in taking of fish and game. The Sikes Act distinction remains and is reaffirmed by this legislation.

(4) Effect on State Selections - A result of the d-2 study process has been to delay the availability of federal lands for selection by the State of Alaska under the Alaska Statehood Act. Congress spoke to this problem by authorizing the State of Alaska to identify potential selections within d-1 withdrawal areas should those lands not be ultimately included as additions to the existing systems. D-2 lands are not the only lands which are unavailable for state selection. Other lands in Alaska, including those withdrawn under Section 17 (d) (1) of the Settlement Act and the Classification and Multiple Use Act of 1964, are also unavailable at this time for state selection.

This legislation proposes to solve the problem of lands being unavailable for state selection by requiring that within 90 days following the enactment of this legislation, the Secretary shall make available to the State of Alaska for selection all federal lands in Alaska except those established as d-2 areas, including the Federal Cooperative Lands, existing federal reserves, such as military reservations, native selections pursuant to the Settlement Act, and specific lands in the area of the Yukon-Kuskokwim Delta described in public land order 5184 which were agreed to in an out of court settlement relating to state selection by the Department of Interior and the State of Alaska. This legislation can provide great assistance in the resolution of land allocation problems in Alaska by making available sufficient lands to this state so that it can finish its entitlement.

Of even greater importance is the need to insure that existing state selections will not be jeopardized by the d-2 legislation. Incredible as it may seem, d-2 legislation pending before Congress actually revokes existing state selections. State selections are valid existing rights established by Congress for the purpose of insuring a State's economic viability. To revoke state selections is to reject the federal system itself and say that in all aspects, the federal government is paramount. Much of Alaska's lands remain unsurveyed, and tentative approval under the Settlement Act, status has been recognized by courts as the passing of equitable title pending patent following a survey. Therefore, the revocation of tentative approval is in violation of the Fifth Amendment of the Federal Constitution. The federal government cannot revoke a selection over which it has no legal title.

(5) Wilderness Review - The bill I propose requires that the Secretary of Interior and Agriculture make recommendations with respect to areas of the National Park, Wildlife Refuge, and Wild and Scenic Rivers Systems which are suitable for inclusion in the National Wilderness Preservation System within five years of the date of enactment of this Act. The criteria and procedure for recommendation, shall be similar to those specified in the Wilderness Act of 1964.

This is a reasonable approach to the designation of wilderness areas in Alaska. Section 17 (d) (2) did not deal with wilderness and was not intended as a springboard for the designation of massive amounts of wilderness in Alaska. Yet, some d-2 legislation designates over 145 million acres as "instant wilderness" without adequate study of the areas to justify the designation. The Wilderness Preservation System was established by Congress to provide a means to place special lands throughout the country in a completely protected status in which no man-made intrusion of any kind may take place. It was not the intent of the Wilderness Act to set aside as wilderness almost 1/3 of any state, much less in the state of Alaska where 1/3 of the state is as large as the combined areas of California and Washington.

Let me describe to you what the designation of wilderness in such a proposal would mean. In the Gates of the Arctic National Park proposed by other legislation, 13,600,000 acres are designated as wilderness. That means in an area twice the size of Maryland, there will be no roads, no visitor facilities, no airstrips, no means of access across, to, or from the area except by aircraft. To get to the Gates of the Arctic National Wilderness Park, you would have to fly hours in a twin engine float plane and land on a specially designated lake or river. To get anywhere within the park, you would have to walk or canoe, and you would have to have lots of time to do that. How many Americans would be able to afford the luxury of time and money it would take to visit this area?

The draft environmental impact statement for the Gates of the Arctic National Park, prepared by the Department of the Interior, dealt with only a 10-million-acre park and estimated that the park would host approximately 4,000 visitors per year. That works out to about one person per 1 million acres per day. I do not think that the impact of other uses within the 10 to 13 million acres proposed by other legislation for this park would create such adverse impact as to destroy the park's values.

What my proposal does is establish a 5-million-acre park, which would still be the largest park in the National Park System by over 1 million acres, and dedicate the remaining acreage to federal cooperative land status. In this way, the Commission would be able to make ongoing decisions as to the best uses of the surrounding lands. If it needs to protect certain lands to insure the park's values, it could. Bu, if other uses are more necessary, those uses would also be allowed. When you compare the different proposals, I think mine makes a lot more sense.

(6) Agricultural Development -Alaska contains lands which have been identified as having high potential for agricultural development. One of these areas is the Yukon Flats region of the upper Yukon River. It has been estimated that proper development of this region could provide wheat and related grains to feed up to 10 million people. This region has been designated as a national forest to insure that such potential can be realized. Agricultural development, including cultivation and grazing, would be allocated by means of a long-term leasing system. The ownership of federal or other lands upon which agricultural development takes place would not change. On cooperative lands, the Commission could determine what lands should be used for agricultural development.

(7) Effect on Native Selections - Quite simply, there would be no effect on Native selections. The Native selection conveyan process would continue and any lands within a specific unit which are selected by a Native corporation but not conveyed would be added to the unit upon final relinquishment.

D-2 TRUST FUND

One of the questions asked in the d-2 process is what stake do citizens of the other 49 states have in the development of Alaska Federal lands? One answer, of course, is that to a large extent the resources developed on these lands will benefit them directly or indirectly through the manufacture and delivery of goods and services of which these resources are a part. Many believe that this in itself provides a justification for a reasonable and appropriate development of Federal lands in Alaska.

To insure that there is no question regarding the stake of the other 49 states in the appropriate development of Federal lands in Alaska, this bill proposes that a trust fund be established which will provide for the purchase of privately owned lands which have been authroized to be included in the National Park, Wildlife Refuge, and Wild and Scenic River Systems in States other than Alaska, but which cannot be purchased because of lack of Federal appropriations. There is a backlog of these lands throughout the country. The backlog is so great that it cannot be reasonably expected that these lands will soon be purchased solely through federal appropriations. Therefore, to the extent that certain environmental goods are balanced by reasonable and appropriate development on Federal lands in Alaska, the federal share of proceeds derived from such development and 50% of the State of Alaska's share of the revenues derived from mineral leasing activity on Federal lands will be placed in a special fund reserved solely for the purchase of these backlogged lands.

I say to you quite frankly, if there is an environmental loss from this development, it is regained through the purchase of lands in the other 49 States. I suspect there is no loss, and the Nation gains two ways; first, through reasonable and appropriate development of Federal lands in Alaska, and, secondly, through the purchase of backlogged lands in the other 49 States.

CONCLUDING REMARKS

The consideration of d-2 lands is one of the most crucial resouce decisions that Congress will ever make. Thus far, it has been billed as a wilderness decision. But it is much more than that. It is a resource decision, with all its accompanying implications. Alaska remains America's last storehouse of natural resources. Fifteen sedimentary basins, all of which are potential oil-producing areas, have been identified in Alaska. Only one, the area in which Prudhoe Bay, America's largest proven reserve, is located, has been adequately explored. Additionally, development of timber resources, agricultural potential, hardrock mineral resources, and other appropriate development of Federal lands in Alaska must be given a chance.

The answer to the d-2 decision is not to "save all of Alaska's land now because this is our last chance." It is interesting that this clarion call is being heard so loudly throughout Washington, D.C., but not in the State of Alaska. Alaskans know that most land in Alaska is under no direct pressure. Alaskans will join with Congress in proposing protection for those lands which really do need to be preserved, but we will not rush headlong into a precipitous decision which Congress will only have to undo later.

There will come a time when resources which have been identified in Alaska will be available to the United States only in those deposits. An example is chromite, which can only be obtained from the Soviet Union, following the repeal of the Byrd Amendment. I implore you not to put the chromite discovered near Mt. McKinley Park into the Park as an addition. The day will come when we have to get to that chromite and to do so, an Act of Congress removing the deposit from the National Park will have to be passed.

The danger to the National Park System is apparent. By unwisely placing resources we will need later in a National Park now, we run the risk of dismantling the Park System, not only in Alaska, but throughout the United States at a future point in time. The National Park System is not a land and resource bank. It is a system established by Congress to protect those lands which we have determined should never be invaded for other uses. Such a statement requires that Congress exercise great responsibility in establishing units of the National Park System. The same analogy applies for the Wilderness System and other existing units of the management systems. What Congress must do now is make only those decisions which must be made in this Congress and create a framework to allow an ongoing decision-making process.

Mr. President, before I conclude my remarks, let me ask that a statement I delivered before the House Committee on Interior and Insular Affairs, which describes the history of Section 17 (d) (2), be included in the RECORD as part of my statement.

In conclusion, I would point out two matters of interest to Congress. Eight years ago, my good friend, former Secretary of the Interior, Stewart Udall, proposed to President Johnson that certain lands in Alaska be added to the National Park and Wildlife Refuge Systems by Executive Order. Of the 8 million acres proposed by Secretary Udall to be created as additions to those two systems, President Johnson declined to act on all but 94,900 acres.

At that time, Secretary Udall urged the President to create a 3½ million acre Gates of the Arctic National Monument and a 2.2 million acre extension of Mt. McKinley Park, because in his words, "it is the last chance to preserve the land for park purposes...." Eight years later, the same argument is used to argue for creation of not 8 million acres of park and refuge land in Alaska, but 115 million acres.

What has changed? President Johnson refused to sign these proclamations because the additions were too large. Have circumstances changed so greatly that where 8 million acres was too large 8 years ago, 115 million acres is now the right figure? The answer is unquestionably no! Congress must act wisely and rationally as President Johnson did and not rush to judgement on the future of these lands. My proposal includes the bulk of Secretary Udall's proposals and more. It is an environmentally sound proposal which will still provide for appropriate and reasonable development of Alaska's lands. This is the goal we all are attempting to reach.

Finally, let me comment on the attitude that Alaskans should have no say in what happens to these lands because they are federal lands. There is no argument that the lands withdrawn under Section 17 (d) (2) are federal lands. But that does not mean that Alaskans should not be listened to regarding their final disposition. I remember the statehood fight of 25 years ago and more and more the d-2 debate takes on the tenor of the statehood debate.

At that time, it was said that Alaskans should not be listened to because Alaska was only a Territory. Well, Alaska is now a State and Alaskans hope that they will be listened to regarding the future of federal lands in their State, just as Washingtonians expect to be listened to regarding the future of federal lands in Washington, as Californians expect to be listened to regarding the future of Federal lands in California, as my state citizens expect to be listened to regarding the future of federal lands in their state. It is true these are federal lands, but we Alaskans are the ones who will be most directly affected by Congressional action. We do not say that Congress should not listen to the rest of the Nation, but we do say that Congress should also listen to us.

Please do not treat Alaska as a Territory again. We fought hard for statehood and we treasure its benefits. The most important benefit of all is to be treated on an equal basis with the other 49 States.

Mr. President, this concludes my introductory statement for the bill I introduced today. I ask unanimous consent that this statement, the proposed legislation, and attached documents relating to the legislation be printed in the RECORD.