

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

# H. R. 400

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## AN ACT

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

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

3        **SECTION 1. SHORT TITLE.**

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

6        **SEC. 2. FINDINGS.**

7        The Congress makes the following findings:

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

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

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

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

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

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

15       (a) RATIFICATION.—

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

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

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

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

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

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

4 (a) GATES OF THE ARCTIC WILDERNESS.—

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

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

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

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

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

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

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

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

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

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

Passed the House of Representatives February 1,  
1995.

Attest:

*Clerk.*

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