

We've also added a new provision to require a review of bluefin tuna regulations.

Minor changes have been made in title IV relating to the source of funds to be used to reimburse United States fishermen who paid Canada's transit fee in 1994.

A new provision has been added to title IV to reimburse the legal and travel costs—not to exceed a total of \$25,000—of owners of scallop vessels seized by Canada in 1994, who were fishing for sedentary species outside of Canada's exclusive economic zone.

We've deleted a Governing International Fisheries Agreement [GIFA] with Estonia, which already went into effect since the time we introduced S. 267.

We've added a new section—section 801—which amends the South Pacific Tuna Act of 1988 to authorize vessels documented under the laws of the United States to fish for tuna in all waters of the treaty area, including the U.S. exclusive economic zone of that area.

This new section also lifts certain restrictions for fishing for tuna in the treaty area so long as purse seines are not used to encircle any dolphin or other marine mammal.

Finally, we've added a new section—section 802—at Senator SNOWE's request and with Senator KERRY's assistance, to prohibit a foreign allocation in any fishery within the U.S. exclusive economic zone unless a fishery management plan is in place for the fishery.

The new section 802 prohibits the Secretary of Commerce from approving fishing under a permit application by a foreign vessel for Atlantic herring or mackerel unless the appropriate regional fishery management council has approved the fishing—and unless the Secretary of Commerce has included in the permit any restrictions recommended by the council.

I want to thank Senator KERRY and his staff, Penny Dalton, Lila Helms and Steve Metruck for their work on this package. I also want to thank the staff who assisted me with this: Trevor McCabe, Tom Melius and Rebecca Metzner.

We urge the Senate to pass S. 267. We've worked in recent weeks with House members and staff on the House Resources Committee, and believe the package we are presenting today will be acceptable in the House, so that quick action may be possible in getting this passed into law.

Below is a brief summary of the bill:

SUMMARY

Title I (The High Seas Fishing Compliance Act of 1995) provides for the domestic implementation of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, which was adopted by the U.N. Food and Agriculture Organization in 1993. It would establish a system of permitting, reporting, and regulation for U.S. vessels fishing on the high seas.

Title II (The Northwest Atlantic Fisheries Convention Act) would implement the Con-

vention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries. The Treaty calls for establishment of the Northwest Atlantic Fisheries Organization (NAFO) to assess and conserve high seas fishery resources off the coasts of Canada and New England. Among other provisions, this title would provide for: 1) U.S. representation in NAFO; 2) coordination between NAFO and appropriate Regional Fishery Management Councils; and 3) authorization for the Secretaries of Commerce and State to carry out U.S. responsibilities under the Convention.

Title III (Atlantic Tunas Convention Act) extends the authorization of appropriations for the Atlantic Tunas Convention Act through fiscal year 1998; provides for the development of a research and monitoring program for bluefin tuna and other wide-ranging Atlantic fish stocks; establishes operating procedures for the International Commission for the Conservation of Atlantic Tunas (ICCAT) Advisory Committee; calls for an annual report to be made and addresses actions to be taken with nations that fail to comply with ICCAT recommendations.

Title IV (Fishermen's Protective Act) reauthorizes and amends the Fishermen's Protective Act of 1967 to allow the Secretary of State to reimburse U.S. fishermen forced to pay transit passage fees by a foreign country regarded by the U.S. to be inconsistent with international law. The amendment responds to the \$1,500 (Canadian \$) transit fee charged to U.S. fishermen last year for passage off British Columbia.

Title V (Sea of Okhotsk) would prohibit U.S. fishermen from fishing in the Central Sea of Okhotsk (known as the "Peanut Hole") except where such fishing is conducted in accordance with a fishery agreement to which both the U.S. and Russia are parties.

Title VI (Relating to U.N. Driftnet Ban) would prohibit the U.S. from entering into any international agreement with respect to fisheries, marine resources, the use of the high seas, or trade in fish or fish products that would prevent full implementation of the United Nations global moratorium on large-scale driftnet fishing on the high seas.

Title VII (Yukon River Salmon Act) would provide domestic implementing legislation for the agreement reached between the United States and Canada on February 3, 1995 to conserve and manage Yukon River salmon stocks. It provides for U.S. representation on the Yukon River Panel; establishes voting procedures for the U.S. section of the panel; and authorizes appropriations for the \$400,000 annual contribution required by the United States under the agreement for Yukon River salmon restoration and enhancement, as well as other costs associated with salmon conservation on the Yukon River.

Title VIII (Miscellaneous) includes two sections. Section 801 amends the South Pacific Tuna Act of 1988 to authorize vessels documented under the laws of the United States to fish for tuna in all waters of the Treaty Area, including the U.S. Exclusive Economic Zone of that area. It also lifts certain restrictions for fishing for tuna in the Treaty area so long as purse seines are not used to encircle any dolphin or other marine mammal.

Section 802 prohibits a foreign allocation in any fishery within the U.S. exclusive economic zone unless a fishery management plan is in place for the fishery. Section 802 also prohibits the Secretary of Commerce from approving fishing under permit application by a foreign vessel for Atlantic herring or mackerel unless the appropriate regional fishery management council has approved the fishing; and unless the Secretary of Commerce has included in the permit any restrictions recommended by the Council.

ADOPTION OF S. 267

Mr. PRESSLER. Mr. President, S. 267 the Fisheries Act of 1995, is a bill I am pleased to bring to the floor for consideration today. It is comprised of a number of measures that would strengthen international fishery conservation and management.

I would like to recognize the efforts of Senator STEVENS, our Oceans and Fisheries Subcommittee chairman, who along with Senators KERRY, GORTON, MURRAY, and MURKOWSKI introduced the bill. The bill also was cosponsored by Senator BREAU and Senator PACKWOOD.

Many of the titles in S. 267, were bills introduced in the 103d Congress but not enacted. The Committee on Commerce, Science, and Transportation held a hearing on these matters on July 21, 1994, indicating a strong bipartisan support for these fishery conservation measures.

The Committee on Commerce, Science, and Transportation reported the bill by unanimous vote on March 23, 1995. While only technical amendments were adopted, it was noted that Senator SNOWE was considering an amendment to restrict directed foreign fishing within the EEZ for Atlantic herring and Atlantic mackerel. We have worked with Senator SNOWE to incorporate her concerns into the committee substitute before us and we appreciate her efforts in reaching this compromise.

We also have incorporated provisions addressing conservation of salmon stocks of the Yukon River and regulations and enforcement actions for migratory species managed under the Atlantic Tunas Convention and the South Pacific Tuna Act.

I also want to note that the committee has worked with Senator PACKWOOD, chairman of the Finance Committee and an active member of the Commerce Committee, to address a provision of the bill that deals with amendments to the Atlantic Tunas Convention Act. We appreciate the cooperation that he and his staff have given us on this provision.

I strongly believe that through the proper conservation and management of our Nation's living marine resources, we will enhance economic opportunities for future generations. The bill before us contains a number of provisions important to the conservation of fishery resources in our oceans. It is a noncontroversial bill with bipartisan support.

Mr. President, I strongly support S. 267 and ask my colleagues to join me in its adoption.

Ms. SNOWE. Mr. President, I am a cosponsor of the substitute to S. 267 offered by Senator STEVENS, and I rise to express support for the amendment.

Before proceeding to discuss the substitute, I want to offer my sincere thanks to the chairman of the Commerce Committee, Senator PRESSLER, and the chairman of the Oceans and

Fisheries Subcommittee, Senator STEVENS, for their assistance to me throughout the process of considering S. 267. Early on, I expressed an interest in offering an amendment to the bill, and the two chairmen and their staffs always showed a willingness to help me as a freshman member of the committee. S. 267 is the first fisheries bill considered by the Commerce Committee in the 104th Congress, and the leadership and skillfulness that the Senators demonstrated in this effort deserves to be commended.

Mr. President, the substitute includes an amendment that I sponsored which is designed to protect two of the few remaining healthy fish stocks in U.S. waters—Atlantic herring and Atlantic mackerel—from foreign fishing pressures. I consider this amendment and the issues that it addresses to be very important for the health of our domestic fishing industry as well as our domestic fish stocks.

As media stories over the last year have reported, the New England groundfish fishery is now experiencing the most serious crisis in its long history. Groundfish stocks in the region have dwindled to record lows, threatening the future viability of this essential resource. Stringent conservation regulations have been implemented in response to the stock decline in an attempt to prevent a collapse of the fishery. In combination, these two factors have drastically reduced fishing opportunities, threatening a centuries-old industry and the livelihoods of thousands of people in coastal communities across the region who depend on it.

And the regulations approved to date are not the end of it. The New England Fishery Management Council is now developing a public hearing document for new fishing effort reduction measures that are even more draconian than the existing regulations.

To survive in the face of such adversity, many fishermen who want to remain on the water will have to catch species besides groundfish. But unfortunately, given present rates of fishing effort, few species offer much opportunity for new harvesting capacity. Two that do are Atlantic herring and Atlantic mackerel. The National Marine Fisheries Service has determined that these stocks are healthy, and that they can withstand higher rates of harvest without endangering the resource.

Utilization of these species by Northeast fishermen has been limited to date because they generate less value in the market than groundfish. Maine has a viable sardine industry that uses a modest portion of the herring resource, and herring are harvested for bait to supply other fisheries like lobster and bluefin tuna. With regard to mackerel, several processors in the Northeast have established markets serving Canada and the Caribbean.

But significant potential for expansion of these domestic industries exists. The mackerel industry hopes to increase market share in the Caribbean

and gain a foothold in West Africa, the Middle East, and Eastern Europe. The Maine sardine industry has been trying to expand its markets in Mexico and the Caribbean. As groundfish landings decline, new players are actively pursuing new opportunities in the sustainable development of herring and mackerel. Resource Trading Company of Portland, Maine, has negotiated a deal to sell 25,000 tons of Atlantic herring to China—a market of enormous potential for New England fishermen.

New England fishing interests are not the only ones pursuing our herring and mackerel, however. Foreign countries like Russia and the Netherlands have shown a keen interest in obtaining fishing rights for these species in U.S. waters. In 1993, the Russians and their domestic partner came close in persuading the Administrator of the National Marine Fisheries Service to approve an application to harvest 10,000 tons of Atlantic mackerel—despite the fact that the Mid-Atlantic Fishery Management Council had specified that no foreign fishing rights for mackerel be granted. Since that time, the Dutch, acting through the European Union, have aggressively pursued foreign fishing rights for mackerel, and the Russians have continued to push for a portion of the stock.

Mr. President, it would be unconscionable for the U.S. Government to allow foreign countries to begin harvesting two of the only healthy stocks left in U.S. waters while New England fishermen lose their jobs as a result of the groundfish crisis. Since the process of developing strict fishing regulations for groundfish began four years ago, Federal fisheries managers and policymakers have encouraged groundfishermen to pursue alternatives or “underutilized” species like herring and mackerel. They have cited this option as an important way to help some fishermen stay in business during the recovery period for groundfish. To give away our fish to foreign fishermen at this critical time, after all of the rhetoric about developing underutilized species, would be a slap in the face to our fishermen. We should instead help fishermen and processors develop these resources in a sustainable manner, and the best way that we can do that is to provide assurances that sufficient quantities of fish will be available to meet the needs of our industry. We need to give entrepreneurs and fishermen the time to develop new products and markets so that they can compete all over the world with the same countries who seek the last of our healthy fish stocks.

Out of my great concern for the future of the fishing industry in Maine and New England, and out of my strong desire to see American fishermen sustainably utilize Atlantic herring and mackerel, I offered an amendment during committee consideration of S. 267 which would have imposed a 4-year moratorium on the granting of foreign harvesting rights for these two species.

This moratorium would have given our industry adequate time to create new products, markets, and associated infrastructure in herring and mackerel. It would have preserved valuable jobs in the New England fishing industry, and it would have done so without strengthening the position of our foreign competitors. The Resource Trading Company deal that I mentioned earlier, which involves only U.S. fishermen, shows clearly the great potential that exists.

In committee, however, Senator GORTON expressed reservations about my amendment. A company based in Washington State that has operated in Russian waters and that is pursuing new markets in Russia was concerned that such a strong statement from the United States on fisheries could negatively affect some of its ongoing business. I agreed to work with Senator GORTON, as well as Senators KERRY, STEVENS, and PRESSLER, to work out a compromise acceptable to all parties.

Fortunately, we were able to reach an agreement on a new amendment that I sponsored and that Senator Kerry agreed to cosponsor. The amendment is contained in the Stevens Substitute under consideration today. It has two provisions.

First, the amendment prohibits the awarding of any foreign harvesting rights for any fishery that is not subject to a fishery management plan under the Magnuson Act. At a bare minimum, no foreign harvesting should be allowed unless a strict regime for managing the harvest is in place. Atlantic herring does not have a council-approved fishery management plan at the present time, so this provision will protect the herring resource from foreign fishing pressure until the New England Fishery Management Council approves a plan.

Second, the amendment adds a new layer of scrutiny to any applications submitted by foreign countries for the harvest of Atlantic herring and mackerel in U.S. waters. Under the current procedures in the Magnuson Act, the regional fishery management council of jurisdiction is required to specify whether foreign harvesting of a particular species should be allowed. The Secretary of Commerce is encouraged to follow the Council's guidance on foreign fishing, but he is not bound by it. In effect, the Secretary can disagree with the Council, and approve a foreign fishing application despite the Council's reservations.

My amendment prohibits the Secretary from approving a foreign fishing application for herring and mackerel unless the council of jurisdiction recommends approval of it. In the absence of explicit Council agreement, the Secretary will no longer be able to grant foreign fishing rights. A foreign applicant will therefore have to convince not only the Commerce and State departments, but the regional council that was established to conserve the

marine fisheries resources of the region, and whose membership is drawn in part from the regional fishing industry. While I would have preferred a moratorium, this new provision will make it more difficult for foreign countries to gain access to our important herring and mackerel resources.

Mr. President, I also wanted to mention a couple of additional amendments contained in the substitute that I cosponsored. Both amendments relate to the management and conservation of Atlantic bluefin tuna and other highly migratory species in the Atlantic.

Last year, pursuant to a request from the Maine and Massachusetts congressional delegations, a scientific peer review panel convened under the auspices of the National Research Council issued an important report that criticized NOAA's scientific work on Atlantic bluefin tuna. The report contained a number of significant findings, but perhaps most significant was the panel's finding that NOAA scientists had erroneously estimated Western Atlantic bluefin population trends since 1988. Rather than a continuing decline during that period, the NRC panel concluded that the stock had remained stable.

Because the International Commission for the Conservation of Atlantic Tunas, to which the United States belongs, relies heavily on NOAA's bluefin science, the NRC peer review report had a profound impact on Atlantic bluefin management. Whereas ICCAT and NOAA had been advocating a 40 percent cut in the Western Atlantic bluefin quota before the report was issued, ICCAT actually approved a slight increase in the existing quota after the report's findings were published. Tuna fishermen in New England, where most of the commercial fishery for the species in the United States exists, had long criticized the quality of NOAA's bluefin science. The NRC report reinforced those criticisms.

This episode points out the need for improved fisheries science in general, and improved research on highly migratory species like Atlantic bluefin tuna, in particular. One way that we can improve research on bluefin and other highly migratory species is to ensure that the scientists who conduct stock assessments and monitoring programs are wholly familiar with the conditions of the primary fisheries for the species. In the case of Atlantic bluefin tuna, most of the scientific activity is conducted at NOAA's Southeast Fisheries Science Center in Miami, even though the overwhelming majority of the commercial fishing activity for the species takes place in the Northeast, and much of the data used by scientists is collected from this fishery.

Senator KERRY sponsored an amendment, which I cosponsored, that requires NOAA to ensure that the personnel and resources of each regional fisheries research center participate

substantially in the stock assessments and monitoring of highly migratory species that occur in the region. Hopefully, this provision will bring scientists closer to the fishery, stimulate fresh thinking about fisheries science, and lead to improvements in NOAA's scientific program. Senator KERRY and I have also asked for administrative action on this matter, and we will continue our efforts in that regard after S. 267 is enacted.

I had also cosponsored another amendment offered by Senator BREAUX pertaining to the enforcement of ICCAT conservation measures. Western Atlantic fishermen, particularly American fishermen, have abided by ICCAT's rules since the first stringent quotas were implemented in the early 1980's. Unfortunately, some fishermen from other countries don't appreciate the need for conservation or international agreements the way that our fishermen do, and they harvest highly migratory species in the Atlantic in a reckless and unsustainable manner.

To give ICCAT conservation recommendations greater force, Senator BREAUX drafted an amendment which would have required the Secretary of Commerce to certify that ICCAT has adopted an effective multilateral process providing for restrictive trade measures against countries that fail to address reckless and damaging fishing practices by their citizens. If ICCAT failed to adopt such a process, the Breaux/Snowe amendment would have required the administration to initiate bilateral consultations with problem nations. And in the event that consultations proved unsuccessful and the country in question failed to address unsustainable fishing practices by its nationals, the amendment would have required the Secretary of the Treasury to impose a ban on the imports of certain fish and fish products from that country.

Unfortunately, due to jurisdictional problems in the House that threatened to derail this entire bill, it was decided that the sanctions language in the original Breaux-Snowe amendment would not be included in the substitute. We did, however, include language similar to the other provisions of the amendment which require the Secretary to identify problem nations, and which authorize the President to initiate consultations on conservation-related issues with the governments of these problem nations. I would have preferred the original language, but this was the best that we could do without risking the entire bill.

Let me state, Mr. President, that I do not think the issue of foreign compliance with ICCAT recommendations ends here. I intend to continue monitoring this issue, and if no more progress is made, I think that the Commerce Committee should be prepared to revisit it. We owe it to American fishermen who play by the rules, and to our highly migratory fisheries resources, to ensure that foreign coun-

tries are doing their part to conserve these important natural resources.

Mr. President, the amendments that I have described will significantly improve S. 267, and improve U.S. efforts to manage its marine fisheries. I urge my colleagues to support the substitute, and to support S. 267 as amended.

Mr. KERRY. Mr. President, I am pleased to express my pleasure as the Senate prepares to pass the Fisheries Act of 1995. This legislation addresses an issue of great importance to the people of Massachusetts, the Nation, and, indeed, the world—the promotion of sustainable fisheries on a worldwide basis.

One of the world's primary sources of dietary protein, marine fish stocks were once thought to be an inexhaustible resource. However, after peaking in 1989 at a record 100 million metric tons, world fish landings now have begun to decline. The current state of the world's fisheries has both environmental and political implications. Last year, the United Nations Food and Agriculture Organization [FAO] estimated that 13 of 17 major ocean fisheries may be in trouble. Competition among nations for dwindling resources has become all too familiar in many locations around the world.

The bill we are passing today will strengthen international fisheries management. Among the provisions reinforcing U.S. commitments to conserve and manage global fisheries, are the following: First, implementation of the FAO Agreement to Promote Compliance with International Convention and Management Measures by Fishing Vessels on the High Seas that would establish a system regulating U.S. vessels fishing on the high seas; second, implementation of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries that would provide for U.S. representation in the Northwest Atlantic Fisheries Organization [NAFO] and coordination between NAFO and appropriate Regional Fishery Management Councils; third, improved research and international cooperation with respect to Atlantic bluefin tuna and other valuable highly migratory species; fourth, reimbursement of U.S. fishermen for illegal transit fees charged by the Canadian Government and for legal fees and costs incurred by the owners of vessels that were seized by the Canadian Government in a jurisdictional dispute that were necessary and related to securing the prompt release of the vessel; fifth, a ban on U.S. fishing activities in the central Sea of Okhotsk except where such fishing is conducted in accordance with a fishery agreement to which both the United States and Russia are parties; sixth, a prohibition on U.S. participation in international agreements on fisheries, marine resources, the use of the high seas, or trade in fish or fish products which undermine the United Nations moratorium on large-scale driftnet fishing on

the high seas; seventh, implementation of an interim agreement between the United States and Canada for the conservation of salmon stocks originating from the Yukon River in Canada; eighth, permission for U.S. documented vessels to fish for tuna in waters of the South Pacific Tuna Act of 1988 Area; and ninth, prohibition of a foreign allocation in any fishery within the United States exclusive economic zone unless a fishery management plan is in place for the fishery and the appropriate regional fishing council recommends the allocation.

This bill will make a substantial contribution to U.S. leadership in the conservation and management of international fisheries. I want to acknowledge the leadership on this issue of the chairman of the Oceans and Fisheries Subcommittee, my friend the senior Senator from Alaska. It has been a pleasure working with him. I also want to thank the committee's distinguished ranking member, Senator HOLLINGS, for his support on this bill. I also would like to recognize the staffs of the Commerce Committee for their diligence and their truly bipartisan efforts to bring this bill to the floor, specifically Penny Dalton and Lila Helms from the Democratic Staff and Tom Melius and Trevor Maccabe on the Republican side.

Mr. DOLE. I ask unanimous consent the substitute amendment be agreed to, the bill be deemed read a third time; further that the Commerce Committee be immediately discharged from further consideration of H.R. 716 and the Senate proceed to its immediate consideration, that all after the enacting clause be stricken and the text of S. 267, as amended, be inserted in lieu thereof, further that H.R. 716 be considered read a third time, passed as amended, the motion to reconsider be laid upon the table, and any statements related to the bill appear at appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 716), as amended, was considered read the third time and passed.

Mr. DOLE. Mr. President, I now ask unanimous consent S. 267 be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANAKTUVUK PASS LAND EXCHANGE AND WILDERNESS REDESIGNATION ACT

Mr. DOLE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of calendar 67, H.R. 400.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 400) to provide for the exchange of lands within Gates of the Arctic National Park and Preserve.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources with an amendment to strike out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Anaktuvuk Pass Land Exchange and Wilderness Redesignation Act of 1995".

TITLE I—ANAKTUVUK PASS LAND EXCHANGE AND WILDERNESS REDESIGNATION

SEC. 101. FINDINGS.

The Congress makes the following findings:

(1) The Alaska National Interest Lands Conservation Act (94 Stat. 2371), enacted on December 2, 1980, established Gates of the Arctic National Park and Preserve and Gates of the Arctic Wilderness. The village of Anaktuvuk Pass, located in the highlands of the central Brooks Range, is virtually surrounded by these national park and wilderness lands and is the only Native village located within the boundary of a National Park System unit in Alaska.

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

(3) In a 1983 land exchange agreement, linear easements were reserved by the Inupiat Eskimo people for use of all-terrain vehicles across certain national park lands, mostly along stream and river banks. These linear easements proved unsatisfactory, because they provided inadequate access to subsistence resources while causing excessive environmental impact from concentrated use.

(4) The National Park Service and the Nunamiut Corporation initiated discussions in 1985 to address concerns over the use of all-terrain vehicles on park and wilderness land. These discussions resulted in an agreement, originally executed in 1992 and thereafter amended in 1993 and 1994, among the National Park Service, Nunamiut Corporation, the City of Anaktuvuk Pass, and Arctic Slope Regional Corporation. Full effectuation of this agreement, as amended, by its terms requires ratification by the Congress.

SEC. 102. RATIFICATION OF AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—The terms, conditions, procedures, covenants, reservations and other provisions set forth in the document entitled "Donation, Exchange of Lands and Interests in Lands and Wilderness Redesignation Agreement Among Arctic Slope Regional Corporation, Nunamiut Corporation, City of Anaktuvuk Pass and the United States of America" (hereinafter referred to in this Act as "the Agreement"), executed by the parties on December 17, 1992, as amended, are hereby incorporated in this Act, are ratified and confirmed, and set forth the obligations and commitments of the United States, Arctic Slope Regional Corporation, Nunamiut Corporation and the City of Anaktuvuk Pass, as a matter of Federal law.

(2) LAND ACQUISITION.—Lands acquired by the United States pursuant to the Agreement shall be administered by the Secretary of the Interior (hereinafter referred to as the "Secretary") as part of Gates of the Arctic National Park and Preserve, subject to the laws and regulations applicable thereto.

(b) MAPS.—The maps set forth as Exhibits C1, C2, and D through I to the Agreement depict the lands subject to the conveyances, retention of surface access rights, access easements and all-terrain vehicle easements. These lands are de-

picted in greater detail on a map entitled "Land Exchange Actions, Proposed Anaktuvuk Pass Land Exchange and Wilderness Redesignation, Gates of the Arctic National Park and Preserve", Map No. 185/80,039, dated April 1994, and on file at the Alaska Regional Office of the National Park Service and the offices of Gates of the Arctic National Park and Preserve in Fairbanks, Alaska. Written legal descriptions of these lands shall be prepared and made available in the above offices. In case of any discrepancies, Map No. 185/80,039 shall be controlling.

SEC. 103. NATIONAL PARK SYSTEM WILDERNESS.

(a) GATES OF THE ARCTIC WILDERNESS.—

(1) REDESIGNATION.—Section 701(2) of the Alaska National Interest Lands Conservation Act (94 Stat. 2371, 2417) establishing the Gates of the Arctic Wilderness is hereby amended with the addition of approximately 56,825 acres as wilderness and the rescission of approximately 73,993 acres as wilderness, thus revising the Gates of the Arctic Wilderness to approximately 7,034,832 acres.

(2) MAP.—The lands redesignated by paragraph (1) are depicted on a map entitled "Wilderness Actions, Proposed Anaktuvuk Pass Land Exchange and Wilderness Redesignation, Gates of the Arctic National Park and Preserve", Map No. 185/80,040, dated April 1994, and on file at the Alaska Regional Office of the National Park Service and the office of Gates of the Arctic National Park and Preserve in Fairbanks, Alaska.

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

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

(2) inserting "and the map entitled 'Noatak National Preserve and Noatak Wilderness Addition' dated September 1994" after "July 1980".

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

SEC. 104. CONFORMANCE WITH OTHER LAW.

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

(b) ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT.—Except to the extent specifically set forth in this Act or the Agreement, nothing in this Act or in the Agreement shall be construed to enlarge or diminish the rights, privileges, or obligations of any person, including specifically the preference for subsistence uses and access to subsistence resources provided under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

TITLE II—ALASKA PENINSULA SUBSURFACE CONSOLIDATION

SEC. 201. DEFINITIONS.

As used in this Act:

(1) AGENCY.—The term agency—

(A) means—

(i) any instrumentality of the United States; and

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

(B) includes any element of an agency.

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