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#### TO AMEND THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

Mr. LOTT. I ask unanimous consent that the Chair lay before the Senate a message from the House to accompany S. 430.

There being no objection, the Presiding Officer (Mr. DOMENICI) laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 430) entitled “An Act to amend the Alaska Native Claims Settlement Act to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes,” do pass the following amendment:

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Kake Tribal Corporation Land Transfer Act”.*

##### SEC. 2. DECLARATION OF PURPOSE.

*The purpose of this Act is to authorize the reallocation of lands and selection rights between the State of Alaska, Kake Tribal Corporation, and the City of Kake, Alaska, in order to provide for the protection and management of the municipal watershed.*

Mr. LOTT. I ask unanimous consent that the Senate agree to the amendment of the House.

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

#### KENAI MOUNTAINS-TURNAGAIN ARM NATIONAL HERITAGE AREA ACT OF 2000

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 667, S. 2511.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2511) to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

(Omit the parts in black brackets and insert the parts printed in italic.)

S. 2511

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Kenai Mountains-Turnagain Arm National Heritage [Corridor] Area Act of 2000”.

##### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Kenai Mountains-Turnagain Arm transportation corridor is a major gateway to Alaska and includes a range of transportation routes used first by indigenous people who were followed by pioneers who settled the Nation’s last frontier;

(2) the natural history and scenic splendor of the region are equally outstanding; vistas of nature’s power include evidence of earthquake subsidence, recent avalanches, retreating glaciers, and tidal action along Turnagain Arm, which has the world’s second greatest tidal range;

(3) the cultural landscape formed by indigenous people and then by settlement, transportation, and modern resource development in this rugged and often treacherous natural setting stands as powerful testimony to the human fortitude, perseverance, and resourcefulness that is America’s proudest heritage from the people who settled the frontier;

(4) there is a national interest in recognizing, preserving, promoting, and interpreting these resources;

(5) the Kenai Mountains-Turnagain Arm region is geographically and culturally cohesive because it is defined by a corridor of historical routes—trail, water, railroad, and roadways through a distinct landscape of mountains, lakes, and fjords;

(6) national significance of separate elements of the region include, but are not limited to, the Iditarod National Historic Trail, the Seward Highway National Scenic Byway, and the Alaska Railroad National Scenic Railroad;

(7) national heritage area designation provides for the interpretation of these routes, as well as the national historic districts and numerous historic routes in the region as part of the whole picture of human history in the wider transportation corridor including early Native trade routes, connections by waterway, mining trail, and other routes;

(8) national heritage area designation also provides communities within the region with the motivation and means for “grassroots” regional coordination and partnerships with each other and with borough, State, and Federal agencies; and

(9) [Resolution and letters of support have been received from] *national heritage area designation is supported by* the Kenai Peninsula Historical Association, the Seward Historical Commission, the Seward City Council, the Hope and Sunrise Historical Society, the Hope Chamber of Commerce, the Alaska Association for Historic Preservation, the Cooper Landing Community Club, the Alaska Wilderness Recreation and Tourism Association, Anchorage Historic Properties, the Anchorage Convention and Visitors Bureau, the Cook Inlet Historical Society, the Moose Pass Sportsman’s Club, the Alaska Historical Commission, the Gridwood Board of Supervisors, the Kenai River Special Management Area Advisory Board, the Bird/Indian Community Council, the Kenai Peninsula Borough Trails Commission, the Alaska Division of Parks and Recreation, the Kenai Peninsula Borough, the Kenai Peninsula Tourism Marketing Council, and the Anchorage Municipal Assembly.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize, preserve, and interpret the historic and modern resource development and cultural landscapes of the Kenai Mountains-Turnagain Arm historic transportation corridor, and to promote and facilitate the public enjoyment of these resources; and

(2) to foster, through financial and technical assistance, the development of cooperative planning and partnerships among the

communities and borough, State, and Federal Government entities.

##### SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term “Heritage Area” means the Kenai Mountains-Turnagain Arm National Heritage Area [established] *established* by section 4(a) of this Act.

(2) MANAGEMENT ENTITY.—The term “management entity” means [the 11 member Board of Directors of the Kenai Mountains-Turnagain Arm National Heritage Area Commission.] *the management entity established by section 5.*

(3) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

##### SEC. 4. KENAI MOUNTAINS-TURNAGAIN ARM NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Kenai Mountains-Turnagain Arm National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall comprise the lands in the Kenai Mountains and upper Turnagain Arm region generally depicted on the map entitled “Kenai Peninsula/Turnagain Arm National Heritage Corridor”, numbered “Map #KMTA-1”, and dated “August 1999”. The map shall be on file and available for public inspection in the offices of the Alaska Regional Office of the National Park Service and in the offices of the Alaska State Heritage Preservation Officer.

##### SEC. 5. MANAGEMENT ENTITY.

(a) The management entity shall consist of 7 representatives, appointed by [the Secretary from a list of recommendations submitted by] the Governor of Alaska, from the communities of Seward, Lawing, Moose Pass, Cooper Landing, Hope, Gridwood, Bird-Indian and 4 at large representatives, from such organizations as Native Associations, the Iditarod Trail Committee, historical societies, visitor associations, and private or business entities. Upon appointment, the Commission shall establish itself as a non-profit corporation under laws of the State of Alaska.

(1) TERMS.—Members of the management entity appointed under section 5(a) shall each serve for a term of 5 years, except that of the members first appointed 3 shall serve for a term of 4 years and 2 shall serve for a term of 3 years; however, upon the expiration of his or her term, an appointed member may continue to serve until his or her successor has been appointed.

(2) VACANCIES.—Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made, and any member appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed.

[(b) Non-voting ex-officio representatives, invited by the nonprofit corporation from such organizations as the State Division of Parks and Outdoor Recreation, State Division Mining, Land and Water, Forest Service, State Historic Preservation Office, Kenai Peninsula Borough, Municipality of Anchorage, Alaska Railroad, Alaska Department of Transportation, and the National Park Service.]

(b) *Representatives of other organizations shall be invited and encouraged to participate with the management entity and in the development and implementation of the management plan, including but not limited to: the State Division of Parks and Outdoor Recreation; the State Division of Mining, Land and Water; the*

*Forest Service; the State Historic Preservation Office; the Kenai Peninsula Borough; the Municipality of Anchorage; the Alaska Railroad; the Alaska Department of Transportation, and the National Park Service.*

(c) Representation of ex-officio members in the non-profit corporation shall be established under the by-laws of the management entity.

**SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.**

(a) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the Secretary enters into a cooperative agreement with the management entity, the management entity shall develop a management plan for the Heritage Area, taking into consideration existing Federal, State, borough, and local plans.

(2) CONTENTS.—The management plan shall include, but not be limited to—

(A) comprehensive recommendations for conservation, funding, management, and development of the Heritage Area;

(B) a description of agreements on actions to be carried out by Government and private organizations to protect the resources of the Heritage Area;

(C) a list of specific and potential sources of funding to protect, manage, and develop the Heritage Area;

(D) an inventory of resources contained in the Heritage Area; and

(E) a description of the role and participation of other Federal, State and local agencies that have jurisdiction on lands within the Heritage Area.

(b) PRIORITIES.—The management entity shall give priority to the implementation of actions, goals, and policies set forth in the cooperative agreement with the Secretary and the heritage plan, including assisting communities within the region in—

(1) carrying out programs which recognize important resource values in the heritage [corridor] area;

(2) encouraging economic viability in the affected communities;

(3) establishing and maintaining interpretive exhibits in the Heritage Area;

(4) improving and interpreting heritage trails;

(5) increasing public awareness and appreciation for the natural, historical, and cultural resources and modern resource development of the Heritage Area;

(6) restoring historic buildings and structures that are located within the boundaries of the heritage corridor; and

(7) ensuring that clear, consistent, and appropriate signs identifying public access points and sites of interest are placed throughout the Heritage Area.

[(c) CONSIDERATION OF INTEREST OF LOCAL GROUPS.—Projects incorporated in the heritage plan by the management entity shall be initiated by local groups and developed with the participation and support of the affected local communities. Other organizations may submit projects or proposals to the local groups for consideration.]

[(d)] (c) PUBLIC MEETINGS.—The management entity shall conduct 2 or more public meetings each year regarding the initiation and implementation of the management plan for the Heritage Area. The management entity shall place a notice of each such meeting in a newspaper of general circulation in the Heritage Area and shall make the minutes of the meeting available to the public.

**SEC. 7. DUTIES OF THE SECRETARY.**

(a) The Secretary, in consultation with the Governor of Alaska, or his designee, is au-

thorized to enter into a cooperative agreement with the management entity. The cooperative agreement shall be prepared with public participation.

(b) In accordance with the terms and conditions of the cooperative agreement and upon the request of the management entity, [subject] and subject to the availability of funds, the Secretary [shall] may provide administrative, technical, financial, design, development, and operations assistance to carry out the purposes of this Act.

**SEC. 8. SAVINGS PROVISIONS.**

(a) REGULATORY AUTHORITY.—Nothing in this Act shall be construed to grant powers of zoning or management of land use to the management entity of the Heritage Area.

(b) EFFECT ON AUTHORITY OF GOVERNMENTS.—Nothing in this Act shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments [to] to manage or regulate any use of land as provided for by law or regulation.

(c) EFFECT ON BUSINESS.—Nothing in this Act shall be construed to obstruct or limit business activity on private development or resource development activities.

**SEC. 9. PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.**

The management entity may not use funds appropriated to carry out the purposes of this Act to acquire real property or interest in real property.

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

(a) FIRST YEAR.—For the first year \$350,000 is authorized to be appropriated to carry out the purposes of this Act, and is made available upon the Secretary and the management entity completing a cooperative agreement.

(b) IN GENERAL.—There is authorized to be appropriated not more than \$1,000,000 to carry out the purposes of this Act for any fiscal year after the first year. Not more than \$10,000,000, in the aggregate, may be appropriated for the Heritage Area.

(c) MATCHING FUNDS.—Federal funding provided under this Act shall be matched at least 25 percent by other funds or in-kind services.

(d) SUNSET PROVISION.—The Secretary may not make any grant or provide any assistance under this Act beyond 15 years from the date that the Secretary and management entity complete a cooperative agreement.

Mr. LOTT. I ask unanimous consent the reported amendments be agreed to en bloc, with the exception of amendments numbered 4 and 5. Further, I ask unanimous consent the reported amendments numbered 4 and 5 be withdrawn.

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

AMENDMENT NO. 4182

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to an amendment at the desk submitted by Senator MURKOWSKI of Alaska.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. MURKOWSKI, proposes an amendment numbered 4182.

The amendment is as follows:

On page 5 of the bill as reported, strike lines 13 through 17 and insert in lieu thereof:

“(2) MANAGEMENT ENTITY.—The term “management entity” means the 11 member Board of Directors of the Kenai Mountains—Turnagain Arm National Heritage Corridor Communities Association.”

Beginning on page 6 of the bill as reported, strike line 15 through line 12 on page 7 and insert in lieu thereof the following:

“(a) The Secretary shall enter into a cooperative agreement with the management entity to carry out the purposes of this Act. The cooperative agreement shall include information relating to the objectives and management of the Heritage Area, including the following:

“(1) A discussion of the goals and objectives of the Heritage Area;

“(2) An explanation of the proposed approach to conservation and interpretation of the Heritage Area;

“(3) A general outline of the protection measures, to which the management entity commits.

“(b) Nothing in this Act authorizes the management entity to assume any management authorities or responsibilities on Federal lands.”

Mr. LOTT. I ask unanimous consent the amendment be agreed to.

The amendment (No. 4182) was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2511), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

MEASURE PLACED ON THE CALENDAR—S. 3095

Mr. LOTT. Mr. President, I understand there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3095) to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent resident status.

Mr. LOTT. Mr. President, I object to further proceedings on this bill at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

ORDER FOR THE RECORD REMAIN OPEN

Mr. LOTT. Mr. President, I ask unanimous consent the RECORD remain open until 1 p.m. today for Senators to submit statements.

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

SECURITY ASSISTANCE ACT OF 2000—CONFERENCE REPORT

Mr. LOTT. Mr. President, I submit a report of the committee of conference