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SENATE

{ REPORT  
104-397

**KENAI NATIVES ASSOCIATION EQUITY ACT AMENDMENTS  
OF 1996**

OCTOBER 2, 1996.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural  
Resources, submitted the following

**REPORT**

[To accompany S. 1889]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1889) to authorize the exchange of certain lands conveyed to the Kenai Natives Association pursuant to the Alaska Native Claims Settlement Act, to make adjustments to the National Wilderness System, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

On page 14, line 19, delete all through page 17, line 17 and insert in lieu thereof the following:

**SEC. 6. DESIGNATION OF LAKE TODATONTEN SPECIAL MANAGEMENT AREA.**

(a) PURPOSE.—To offset the removal of KNA lands from the Refuge System, the Secretary is hereby authorized to withdraw, subject to valid existing rights, and to create as a special management unit for uses other than wilderness, including the protection of fish, wildlife, and habitat, certain unappropriated and unreserved public lands, totaling approximately 15,500 acres adjacent to the west boundary of the Kanuti National Wildlife Refuge to be known as the “Lake Todatonten Special Management Area”, from the 37,000 acres as depicted on the map entitled Proposed: Lake Todatonten Special Management Area, dated June 13, 1996, and to be managed by the Bureau of Land Management. Such withdrawal shall not include any validly selected land by the State of Alaska or Alaska Native Corporation or any lands that the Secretary determines has mineral potential based on surveys conducted or to be conducted by the U.S. Geological Survey. Such withdrawals shall not occur, however, until the Secretary has complied with the requirements of subparagraphs (1) through (12) of paragraph 204(c)(2) of FLPMA. The Secretary may study the remaining lands within the area depicted on the map for future potential withdrawal pursuant to Section 204 of FLPMA.

(b) MANAGEMENT.—

(1) Such designation is subject to all valid existing rights including R.S. 2477 Rights-of-Way, as well as the subsistence preferences provided under title VIII of ANILCA.

(2)(A) The BLM shall establish the Lake Totatonten Special Management Area Committee. The membership of the Committee shall consist of 11 members as follows:

(i) Two residents each from the villages of Alatna, Allakaket, Hughes, and Tanana.

(ii) One representative from each of Doyon Corporation, the Tanana Chiefs Conference, and the State of Alaska.

(B) Members of the Committee shall serve without pay.

(C) The BLM shall hold meetings of the Lake Totatonten Special Management Area Committee at least once per year to discuss management issues within the Special Management Area. The BLM shall not allow any new type of activity in the Special Management Area without first conferring with the Committee in a timely manner.

(c) ACCESS.—The Secretary shall allow the following:

(1) Private access for any purpose, including economic development, to lands within the boundaries of the Special Management Area which are owned by third parties or are held in trust by the Secretary for third parties pursuant to the Alaska Native Allotment Act (25 U.S.C. 336). Such rights may be subject to restrictions issued by the BLM to protect subsistence uses of Special Management Area.

(2) Section 1110 of ANILCA shall apply to the Special Management Area.

(c) SECRETARIAL ORDER AND MAPS.—The Secretary shall file with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources, the Secretarial Order and maps setting forth the boundaries of the Area within 90 days of the completion of the acquisition authorized by this Act. Once established, this Order may only be amended or revoked by Act of Congress.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

#### PURPOSE OF THE MEASURE

S. 1889 would authorize an exchange and acquisition of lands in Alaska between the Kenai Natives Association (KNA) and the U.S. Fish and Wildlife Service (FWS).

#### BACKGROUND AND NEED

S. 1889 is intended to resolve a longstanding conflict over the use of lands conveyed under the Alaska Native Claims Settlement Act of 1971 (ANCSA) to the Native people of Kenai, Alaska. These lands have been precluded from development because of their location within the Kenai National Wildlife Refuge.

Our purpose of ANCSA was to extinguish all outstanding aboriginal land claims held by Alaska Natives. Under ANCSA Alaska Native villages and urban centers were organized as corporations under Alaska law. Each urban corporation was given the right to select lands owned by the Federal Government located near its urban center. This was intended to give urban Natives ownership of land on which they could achieve economic benefits, since the urban corporations were only entitled to land and receive no cash settlement. KNA was formed as an urban corporation and was entitled to receive 23,040 acres of land.

KNA ultimately selected 19,000 acres within what later became the Kenai National Wildlife Refuge. The KNA lands are located between operating oil fields within the Refuge to the north and urban and suburban developments to the south. At the request of the FWS, KNA officials chose lands along the boundaries of the Refuge so that development would be allowed. Notwithstanding the representation that development would be allowed in these locations,

FWS advised KNA after land selections were made that use of the selected property was to be severely restricted under section 22(g) of ANCSA. Section 22(g) requires that all uses of private lands within the Refuge comply with the laws and regulations applicable to the public lands within the Refuge and that those lands be managed consistently with the purposes for which the Refuge was established. Section 22(g) has been the subject of a great degree of controversy in Alaska in that it significantly limits any economic use of privately owned lands within wildlife refuges. The Department of the Interior Solicitor has determined that the removal of section 22(g) restrictions from private lands requires the approval of Congress.

S. 1889 executes an offer to KNA from the Secretary of the Interior to resolve land use restrictions by offering to exchange interests in lands. In essence, the legislation provides authority for the Secretary of the Interior to convey specified interests in land now held by the Federal Government, including partial subsurface interests underlying lands now held by KNA. In exchange, KNA would convey to the Federal Government certain land KNA owns within the boundary of the Kenai National Wildlife Refuge. KNA would also relinquish its remaining ANCSA entitlement on lands within the Refuge. The land that KNA receives would be removed from the Refuge and the boundary adjusted accordingly. The rights of other parties with land interests in the area would not be impacted by this legislation.

Specifically, the legislation would allow the FWS to acquire three small parcels of land and KNA's remaining ANCSA entitlement at appraised value: Stephanka Tract (803 acres) on the Kenai River; Moose River Patented Tract (1,234 acres); Moose River Selected Tract (753 acres); and 454 acres of remaining entitlement. A payment of \$4,443,000 for the total habitat acquisition of 2,253 acres will be made from the Exxon Valdez Oil Spill trust fund, as the lands involved were part of the region affected by the 1989 oil spill and include important habitat for fish and wildlife harmed by the spill. KNA shall receive a cash payment solely from the Exxon Valdez trust fund, which has already been approved by the Exxon Valdez Oil Spill Trustee Council for this acquisition. Therefore, no Federal appropriation will be required.

In return, KNA will also gain title to approximately 13,642 acres of subsurface estate (less coal, oil and gas) under those lands which were previously held by the United States, and use of sand and gravel on another 1,738.04 acres in the Swanson River Road East parcel. Furthermore, the Kenai National Wildlife Refuge boundary would be adjusted to remove 15,500 acres of existing KNA lands from the Refuge, thus resolving the ANCSA section 22(g) conflict.

Under S. 1889 shareholders would retain the right to visit an historic village site located on the Kenai River properties which would be conveyed to the United States. KNA would also receive title to the old Kenai National Wildlife Refuge headquarters site in downtown Kenai which consists of a building and a five-acre parcel. KNA intends to use this site for economic development purposes.

Finally, to maintain equivalent natural resources protection for Federal resources, S. 1889 designates the Lake Totatonten area (approximately 15,500 acres) as a Special Management Area

(SMA). Lake Totdatonten is adjacent to the Kanuti National Wildlife Refuge which is located in north-central Alaska. The SMA will be managed by the Bureau of Land Management. The SMA contains significant habitat for subsistence resources, waterfowl and migratory birds. S. 1889 designates this SMA and clarifies that the SMA would be subject to subsistence preferences under title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) and valid existing rights. S. 1889 also guarantees public access to the SMA and gives residents of surrounding villages the ability to participate in decisions relative to management of the SMA.

#### LEGISLATIVE HISTORY

S. 1889, was introduced by Senator Murkowski on behalf of himself and Senator Stevens on June 19, 1996. A hearing was held before the Senate Energy and Natural Resources Committee on June 26, 1996. At the business meeting on September 12, 1996, the Committee on Energy and Natural Resources ordered S. 1889, as amended, favorably reported.

A similar measure H.R. 401 passed the House on September 4, 1996, by voice vote under suspension of the rules.

#### COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on September 12, 1996, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 1889, if amended as described herein.

#### COMMITTEE AMENDMENTS

During the consideration of S. 1889, the Committee adopted an amendment offered by Senator Murkowski as described herein.

The legislation, as introduced, called for additional mitigation to compensate for the KNA lands being removed from the boundary of the refuge. The additional mitigation consisted of the designation of a 37,000 acre Special Management Area adjacent to the Kanuti National Wildlife Refuge some 450 miles north of the Kenai National Wildlife Refuge. This Special Management area would close current BLM lands to all forms of mineral entry and location. Additionally, the Special Management area would have included lands that were validly selected by the State of Alaska under the Alaska Statehood Act.

The amendment adopted by the Committee maintains the establishment of the Lake Totdatonten Special Management Area, however reduces the acreage from 37,000 to 15,500 to make it of equal size with the private acres being removed from the boundary of the Kenai National Wildlife Refuge. Furthermore, the amendment prohibits the SMA from including any land validly selected by the State of Alaska or Alaska Native Corporation or any lands that the Secretary determines have mineral potential. This was done as the state considers these important lands for a future access corridor. The requirement of a mineral assessment was added because the mineral potential of the area is largely unknown. In order to make sound policy regarding the SMA, the Committee felt it was important to know what potential existed first and then determine

whether the area should be closed to mineral entry. Lastly, the amendment required that the withdrawal of the SMA can only occur after the Secretary has complied with the requirements of subparagraphs (1) through (12) of paragraph 204(c)(2) of FLPMA.

This section also authorized the Secretary to study additional lands for future potential withdrawal in compliance with all the provisions of section 204 of FLPMA.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Short title*

The short title of the bill is the “Kenai Natives Association Equity Act of 1995”.

##### *Section 2. Findings and purpose*

This section sets forth the findings and purposes of the legislation.

##### *Section 3. Definitions*

This section provides definitions for the purposes of this Act.

##### *Section 4. Acquisition of lands*

This section sets forth the terms of the land exchange and acquisition between the Federal Government and the Kenai Natives Association (KNA). The section identifies lands within the boundaries of the Kenai National Wildlife Refuge to be conveyed to the United States by KNA as well as those lands to be conveyed by the United States to KNA.

This section provides for the payment of Exxon Valdez Oil Spill Trustee Council settlement funds for KNA lands described in this section. This section also nominates the Stephanka Tract to the National Register of Historic Places, in recognition of the archaeological artifacts from the original Kenaitze Indian settlement.

Subsection (c)(1)(A) removes from the Kenai National Wildlife Refuge all lands retained by or conveyed to KNA under the legislation, as well as the subsurface interests held by the relevant regional corporation, Cook Inlet Region, Inc. (CIRI). In addition, the subsection requires a boundary adjustment to reflect removal of these interests from the Refuge. The interests conveyed to or retained by KNA, and those held by CIRI, are to be held free of any conveyance restriction imposed by section 22(g) of ANCSA and shall neither be considered a part of the Refuge nor subject to any laws or regulations pertaining solely to lands within the boundaries of the Refuge.

Subsection (c)(1)(B) also provides an alternative means to specify the manner in which the subsurface interests conveyed to KNA under the legislation shall be managed in relation to the oil, coal and gas interests already held by CIRI in the area. Currently, development of CIRI’s interests are governed by paragraph 1(B)(1) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, which has been consented to by CIRI and authorized by other Federal law (Public Law 94–204).

Under section 4(c), the Secretary of the Interior, KNA and CIRI are required to develop and execute an agreement which ade-

quately addresses the management issues associated with the boundary adjustment provided for in the subsection and which preserves CIRI's rights and obligations under the Terms and Conditions. By providing a deadline for the execution of the required agreement, the Committee intends that terms of management of the area be provided under mutual agreement. If the parties fail to reach an agreement within the time required, subparagraph (ii) recognizes that existing rights and responsibilities of CIRI provided under the Terms and Conditions shall remain in effect, despite the conveyances of interest to KNA under the legislation.

Subsection (c)(1)(C) provides authority to the Secretary to acquire lands and interests retained by or conveyed to KNA on a willing seller basis only. The subsection makes it clear that any acquired interests will automatically be included back into the Refuge system, and all pertinent laws and regulations pertaining to Refuge lands would be reapplied. If any surface estate is acquired, then the subsurface interests below such surface, regardless of whether owned by KNA or CIRI, would also return to the Refuge system. The boundaries of the Refuge would be readjusted to include any such acquired lands.

Subsection (c)(1)(E) clarifies that CIRI is entitled to 1,207 of in lieu subsurface entitlement, in accordance with section 12(a)(1) of ANCSA and paragraph (B)(2)(A) of the Terms and Conditions.

Finally, section 4 further provides KNA the ability to take the final agreement to a vote of its shareholders and report to the Secretary within 180 days.

#### *Section 5. Adjustments to the National Wilderness System*

This section provides for that portion of the Stephanka Tract lying south and west of the Kenai River (approximately 592 acres) acquired by the United States to be included in and managed as part of the Kenai Wilderness.

#### *Section 6. Designation of Lake Todatonten Special Management Area*

This section establishes the Lake Todatonten Special Management Area (SMA) consisting of approximately 15,500 acres adjacent to the western boundary of the Kanuti National Wildlife Refuge. This section also provides that the SMA is to be managed by the Bureau of Land Management (BLM), for purposes other than wilderness, and that the SMA is subject to all valid existing rights and subsistence preferences provided under title VIII of ANILCA. Furthermore, the SMA can not include any land validly selected by the State of Alaska or Alaska Native Corporation or any lands that the Secretary determines has mineral potential. The withdrawal for the SMA can only occur after the Secretary has complied with the requirements of subparagraphs (1) through (12) of paragraph 204(c)(2) of FLPMA.

This section also authorizes the Secretary to study additional lands for future potential withdrawal in compliance with all the provisions of section 204 of FLPMA.

This section further directs the BLM to establish a Lake Todatonten Special Management Area Committee made up of residents of surrounding villages and other interested parties. The

residents will be consulted on all management decisions. Public access to and across the SMA is granted and section 1110, of ANILCA shall apply to the SMA.

Finally, this section authorizes such sums as may be necessary to carry out the purposes of this Act.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 16, 1996.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1889, the Kenai Natives Association Equity Act Amendments of 1996, as ordered reported by the Senate Committee on Energy and Natural Resources on September 12, 1996. Enacting S. 1889 could affect direct spending; therefore, pay-as-you-go procedures would apply to the bill. However, we estimate that enacting the bill would not significantly affect direct spending. S. 1889 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), and would impose no costs on state, local, or tribal governments.

#### *Bill purpose*

S. 1889 would authorize the Secretary of the Interior to complete an agreement between the Kenai Natives Association (KNA) and the United States Fish and Wildlife Service (USFWS) for the acquisition of KNA property located within the Kenai National Wildlife Refuge in Alaska. Under section 4 of the bill, the federal government would pay KNA \$4.443 million for 3,253 acres of land within the refuge boundaries. This provision would direct the federal government to make the \$4.443 million payment from amounts allocated to the USFWS from the Exxon Valdez oil spill joint trust fund, contingent on the approval of the trustees. Other lands and property interests, including access easements, would be acquired in exchange for specified land, subsurface estates or other property interests (such as the nonexclusive right to use sand and gravel located on certain federal property). The bill also specifies that the Cook Inlet Region, Incorporated (CIRI), a Native Regional Corporation, would be entitled to receive 1,207 acres of federal subsurface estate in lieu of the subsurface estate it now owns.

Section 4 also would remove from the National Wildlife Refuge System all lands retained by or conveyed to KNA, as well as certain subsurface interests underlying such lands. The bill would direct the Secretary of the Interior to adjust the boundaries of the Kenai National Wildlife Refuge to reflect these changes. Section 5 of the bill provides that about 592 acres of the land to be acquired by the U.S. be managed as part of the Kenai Wilderness. In addition, the bill would direct the Secretary to nominate an area known as the Stephanka Tract to the National Register of Historic Places.

If the Department of the Interior (DOI) establishes an historical, cultural, or archaeological interpretive site on that tract, KNA would have the exclusive right to operate it.

Section 6 would authorize the Secretary of the Interior to designate about 15,500 acres of public land adjacent to the Kanuti National Wildlife Refuge in Alaska as the Lake Todatonten Special Management Area and to withdraw it from location, entry, and patent under the mining laws.

*Federal budgetary impact*

Based on information provided by the USFWS and DOI, CBO expects that the \$4.443 million payment to KNA for purchase of its holdings in the Kenai National Wildlife Refuge will be made even in the absence of this legislation. Therefore, that provision would have no impact on the federal budget. The provision permitting CIRI to receive 1,207 acres of in-lieu subsurface entitlement could affect direct spending if the regional corporation selects land currently generating receipts to the federal government. However, we have no basis for estimating when such in-lieu subsurface acres would be identified from the available pool of acres, and in any case we do not estimate that the provision would significantly affect direct spending. We estimate that the costs of implementing other provisions of sections 4 and 5, including up-front expenditures related to the land exchange and the refuge boundary adjustment, as well as ongoing costs to manage the new federal property, would have no significant impact on the affected agencies' operating expenses.

Based on information from Bureau of Land Management (BLM), we estimate that section 6 would not affect the agency's discretionary spending since that agency already manages the Lake Todatonten area in a manner consistent with the Special Management Area designation. BLM expects no mineral activity to occur on the land in any case; therefore, withdrawing the land from mineral entry would not change spending or receipts.

*Impact on State, local, and tribal governments*

The land exchange authorized by this bill would be voluntary on the part of the Kenai Natives Association. Should the association agree to the exchange, it would receive a cash payment of \$4.443 million in addition to the lands and rights specified in the bill. Upon completion of the exchange, the lands retained by or conveyed to the KNA would be removed from the Kenai National Wildlife Refuge, so the KNA would be able to develop those lands.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis and Victoria V. Heid (for federal costs) and Marjorie Miller (for the state, local, and tribal impact).

Sincerely,

JUNE E. O'NEILL, *Director*.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out

S. 1889. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1889, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior on behalf of the Administration at the Committee hearing follows:

TESTIMONY OF DR. ROBERT SHALLENBERGER, CHIEF, DIVISION OF REFUGES, UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to testify today on S. 1889, the Kenai Natives Association Equity Act. I am accompanied by Mr. W. Hord Tipton, Assistant Director for Resource Use and Protection of the Bureau of Land Management.

I am pleased to advise the Committee that the Department has reached a tentative agreement with the Kenai Natives Association, Incorporated (KNA) for a sale and exchange of interests in land. S. 1889 reflects the agreement, and we strongly support its enactment. This agreement provides beneficial opportunities for KNA to achieve the economic viability contemplated by the Alaska Native Claims Settlement Act.

In 1993 the Fish and Wildlife Service and KNA reached a preliminary version of the current agreement. Unfortunately, funding for the total acquisitions called for in that agreement did not appear to be achievable.

We have since worked with the Federal and State of Alaska trustees on the availability of *Exxon Valdez* oil spill settlement funds for the purchase of some or all of KNA's lands within the Refuge. The lands on the Kenai River system have significant value for species and resources injured by the *Exxon Valdez* spill, including salmon, bald eagles, otters, archaeological resources, and recreation and tourism. As a result, the trustees have agreed to fund the purchase of a significant portion of the lands included in the earlier negotiated version.

With little promise for full funding, the Department last December met with KNA's leadership and asked them whether they wished to continue to pursue the earlier agreement or to negotiate a new agreement based on the settlement funds available. KNA elected this latter course and we have now reached an agreement that we are confident can be funded and implemented if and when endorsed by KNA shareholders.

Under the proposed agreement, the United States would purchase with settlement funds approximately 3,254 acres of KNA lands and valid ANCSA land selections within the

Kenai National Wildlife Refuge for \$4,443,000. This purchase price represents an appraised fair market value of the land. In addition, the agreement provides for the United States to transfer to KNA the old Kenai Refuge Headquarters site (5 acres) in the city of Kenai.

Where Cook Inlet Region, Inc. (CIRI) already holds subsurface rights to coal, oil and gas underlying some 13,641 acres of KNA surface lands, the agreement provides that KNA will receive the remainder of the subsurface. To consolidate management responsibilities, we have also agreed to exchange the Beaver Cheek Selected Tract now owned by the United States for an equivalent value of KNA lands that will be contiguous with the remaining parts of the Refuge.

The lands presently owned by KNA or received under this agreement will be removed from the Refuge and the boundaries redrawn accordingly. In addition, KNA will receive the right to use sand and gravel and to conduct excavations necessary to develop their surface estate to another 1738 acres of land for which the United States presently owns the entire subsurface. For these lands, located within the Swanson River East Tract, the boundary of the Refuge will be redrawn to exclude the surface estate held by KNA.

All of the lands remaining in KNA ownership will be removed from the Refuge, and the patent restrictions of Section 22(g) of ANCSA which subjects such lands to Refuge laws and regulations will also be lifted.

Finally, the agreement also provides that the Kenai Refuge Wilderness area will be expanded by 592 acres of land received from KNA, and that the Secretary will nominate the Stephanka tract of land received from KNA to the National Register of Historic Places due to its archaeological values.

So that there is no net loss of wildlife values as a result of removing KNA's lands from the refuge, the agreement provides for the establishment of BLM of a Special Management Area on public lands in the Lake Totatonten watershed, adjacent to the Kanuti National Wildlife Refuge. This area, consisting of approximately 37,000 acres provides key habitat for waterfowl and other migratory birds, and its designation as a BLM Special Management Area would result in its withdrawal from mining entry, subject to valid existing rights, and enhanced protection for these wildlife resources. The subsistence priorities for use of the public lands under Title VIII of ANILCA would continue under the designation.

The Special Management Area provides balance and public benefits to this legislative package. Currently, we are in active discussions with the Tanana Chiefs Conference and with the surrounding villages of Allakaket, Alatna and Hughes about this provision.

For more than a decade, KNA and the Service have sought a means to resolve the conflicts between the fish

and wildlife resources intended to be protected by the Refuge and KNA's ability to develop its ANCSA holdings. This has been a long exercise for all parties, and we are hopeful that it will now come to a successful conclusion. If the tentative agreement is finalized and enacted, both KNA and the nation's fish and wildlife will receive significant benefits.

We therefore urge prompt action by the Committee and look forward to enactment of the bill.

Thank you again, Mr. Chairman, for the opportunity to testify. I will be pleased to respond to questions.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1889, as ordered reported.

