



Committee on Natural Resources

U.S. House of Representatives

Chairman Doc Hastings

Natural Resources Provisions in NDAA ***Protecting Tribal Rights, Settling Longstanding Land Claims, and Promoting Tribal Self-Government***

The Natural Resources Provisions in the NDAA include a number of key tribal priorities including the fulfillment of a long-standing promise by the United States to a tribe, the expansion of a tribe's reservation lands, the protection of tribal rights, and the promotion of tribal self-governance.

The NDAA tribal package:

- Authorizes the conveyance of 1,518 acres of federal land at the former Distant Early Warning Site near Wainwright, Alaska to the Olgoonik Corporation, an Alaska Native-owned village corporation.
- Conveys 70,075 acres of land to Sealaska, an Alaska Native corporation, as the full and final satisfaction of its remaining land entitlement under the Alaska Native Claims Settlement Act. The timber lands conveyed to Sealaska will support high-wage jobs for Natives as well as non-Natives in the forest industry.
- Directs the Secretary of the Interior to take approximately 932 acres of land in Montana into trust for the Northern Cheyenne Tribe and authorizes conveyance to the Tribe of mineral interests underlying the land on the Northern Cheyenne Reservation in exchange for mineral interests underlying Federal land outside of the reservation.
- Transfers administrative jurisdiction over approximately 1,553 acres within the former Badger Army Ammunition Plant near Baraboo, Wisconsin, from the Secretary of the Army to the Secretary of the Interior, to be held in trust for the benefit of the Ho-Chunk Nation.
- Directs the exchange of land between the Secretary of Agriculture and Resolution Copper Company to facilitate the production of mineral resources in southeast Arizona. Establishes the Apache Leap special management area to preserve and protect cultural, archeological, and historical resources. This includes changes recognizing and protecting important tribal interests and protection of sites including ongoing access to Oak Flat after the land exchange.

Additional Protections included for the land exchange related to Resolution Copper:

- Ensures no title change or land transfer prior to the issuance of a final Environmental Impact Statement, which includes broad public consultation as required by the National Environmental Policy Act (NEPA).
- Provides that all Federal land included in the exchange will remain in possession of the USFS/Secretary of Agriculture until the final EIS is published and no title change will occur until the final Environmental Impact Statement is completed.
- Provides that the land exchange is consistent with important tribal cultural protection laws including: Native American Graves Protection and Repatriation Act, Archeological Resources Protection Act, and the American Indian religious Freedom Act.
- Requires an enhanced Apache Leap Special Management Area to preserve the natural character of Apache Leap, allow for the traditional uses of the area by Indian people, and protect and conserve the cultural and archeological resources of the area. This measure is addition to the transfer of 110 acres of the Apache Leap area owned by RCM to the Forest Service, as provided in the stand-alone bill (S. 339).
- Requires the Secretary of Agriculture to prepare a management plan in consultation with affected Indian tribes and the Secretary will consider additional measures to protect cultural, archeological and historic resources on Apache Leap.
- Withdraws from any commercial extraction any of the lands acquired by the United States under the Act -- including the land under and around Apache Leap.
- Requires RCM, as a condition of the conveyance, to provide access to the surface of Oak Flat Campground to the public, including local communities and Indian tribes for ceremonies and cultural practices as long as it is safe to do so.